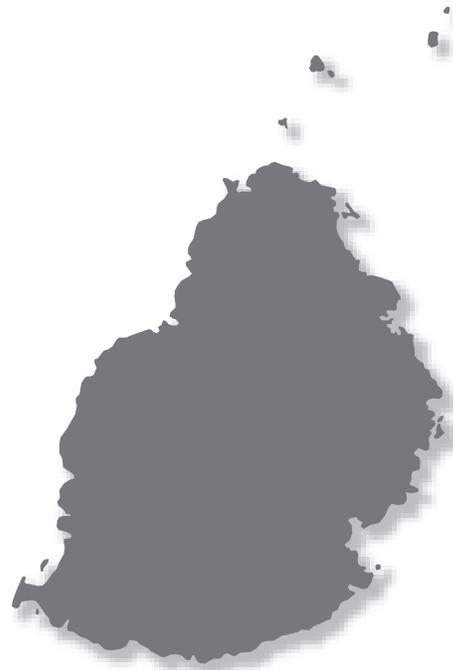


Mauritius

In 2010 the Government of Mauritius launched a Strategy for Special Education Needs and Inclusive Education in Mauritius, which complements its other efforts to keep children in school and prevent the worst forms of child labor. However, children continue to be involved in commercial sexual exploitation, primarily prostitution. Gaps remain in the Government's efforts to coordinate policy related to the worst forms of child labor.

Statistics on Working Children and School Attendance

| Children | Age | Percent |
|---------------------------|-----------|-------------|
| Working | 5-14 yrs. | Unavailable |
| Attending School | 5-14 yrs. | Unavailable |
| Combining Work and School | 7-14 yrs. | Unavailable |



Prevalence and Distribution of the Worst Forms of Child Labor

Children in Mauritius are engaged in the worst forms of child labor,³⁸⁰⁰ including in commercial sexual exploitation.³⁸⁰¹ Some children are lured into prostitution by their peers or through false offers of other employment. Some adult prostitutes reportedly force their sons and daughters into this form of commercial sexual exploitation.³⁸⁰² Although the prevalence is unknown, the UN Committee on the Elimination of Discrimination Against Women has expressed concern about girls as young as 10 in prostitution and about the scale of child prostitution in the tourism industry.³⁸⁰³ There are also reports of children engaged in the production of pornography.³⁸⁰⁴

Available evidence suggests a low incidence of other worst forms of child labor in Mauritius and its dependencies such as Rodrigues Island. However, some children reportedly work in street vending, agriculture and domestic service.³⁸⁰⁵ Children working on the streets are exposed to a variety of hazards, which may include severe weather, crime and accidents caused by proximity

to automobiles. Children's work in agriculture commonly involves perilous activities, such as using dangerous machinery and tools, carrying heavy loads and applying harmful pesticides. Child domestic labor commonly involves long working hours and unsafe activities and often exposes children to physical and sexual exploitation by their employer. Some reports suggest that children are brought from Rodrigues Island to perform domestic work in Mauritius, where they are sexually exploited.³⁸⁰⁶

Laws and Regulations on the Worst Forms of Child Labor

The Employment Rights Act sets the minimum age for work at 16. Children younger than age 18 are prohibited from work that is likely to jeopardize their health, safety or physical, mental, moral or social development.³⁸⁰⁷ The Occupational Safety and Health (OSH) Act identifies these specific work activities. However, the OSH Act allows youth ages 16 to 18 to use certain dangerous machines if they have received sufficient training and are under adequate supervision.³⁸⁰⁸ It is illegal to employ youth ages 16 to 18 in any industrial setting between 10:00

p.m. and 5:00 a.m.³⁸⁰⁹ Employers are required to maintain records of all employees ages 16 to 18.³⁸¹⁰

| | | |
|--|--|-----|
|  | C138, Minimum Age | ✓ |
| | C182, Worst Forms of Child Labor | ✓ |
|  | CRC | ✓ |
| | CRC Optional Protocol on Armed Conflict | ✓ |
| | CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography | No |
|  | Palermo Protocol on Trafficking in Persons | ✓ |
|  | Minimum Age for Work | 16 |
| | Minimum Age for Hazardous Work | 18 |
|  | Compulsory Education Age | 16 |
| | Free Public Education | Yes |

The Child Protection Act forbids causing, inciting or allowing any child to engage in prostitution, with a penalty of fines and up to five years of imprisonment.³⁸¹¹ The Combating Trafficking in Persons Act establishes child trafficking as a criminal offense and requires Internet service providers to inform the police of any information that suggests or alludes to trafficking on its server.³⁸¹² The Computer Misuse and Cyber Crime Act of 2003 criminalizes child pornography.³⁸¹³ The Constitution prohibits forced labor and slavery.³⁸¹⁴

Education is free and compulsory to age 16.³⁸¹⁵

Institutional Mechanisms for Coordination and Enforcement

Research found no evidence that the Government of Mauritius has established a coordinating mechanism to combat the worst forms of child labor. The Ministry of Gender Equality, Child Development and Family Welfare (MGE) is the lead agency of an interagency ad-hoc working

committee on trafficking, but this body has not been formalized.³⁸¹⁶

The Inspection and Enforcement Division of the Ministry of Labor, Industrial Relations, and Employment (MOLIRE) enforces all labor laws, including those related to child labor.³⁸¹⁷ It employs 45 inspectors³⁸¹⁸ and all regular labor inspections include monitoring for child labor. When a child labor violation is found, MOLIRE carries out unannounced follow-up inspections to deter repeat offenses.³⁸¹⁹ Prosecution is usually pursued against repeat offenders.³⁸²⁰ Violations related to the hazardous work provisions of the Occupational Safety and Health Act are referred to MOLIRE’s OSH Division for follow up.³⁸²¹

From June 2007 to May 2009, the most recent period for which data is available, MOLIRE detected four child labor violations. Fines were imposed on two employers and criminal action was undertaken in two cases.³⁸²² The Office of the Ombudsperson for Children is also empowered to investigate any suspected or reported case of child labor.³⁸²³ Data on the number of inspections conducted or child labor cases found in 2010 is unavailable.

The Police Brigade for the Protection of Minors (Minors’ Brigade), a unit of the Mauritius Police Force (MPF), looks for truant students in arcades, bus terminals, waterfronts and other areas frequented by youth. MGE, the National Children’s Council and NGOs also participate in these operations.³⁸²⁴ The Ministry of Education administers a Short Message Service (SMS) text messaging program which informs parents of a student’s unexpected absence from school.³⁸²⁵

MGE’s Child Development Unit (CDU) enforces the Child Protection Act’s prohibition of child pornography.³⁸²⁶ The CDU receives tips on all forms of child abuse, including commercial sexual exploitation of children (CSEC) and child trafficking through two hotlines that it administers. From January to October 2010, the CDU received reports of one case of child trafficking and two cases of child prostitution.³⁸²⁷

The CDU handles follow-up assistance to victims, while the Minors' Brigade investigates alleged CSEC and child trafficking cases.³⁸²⁸ The MPF maintains heightened vigilance in areas where trafficking and CSEC are known to occur.³⁸²⁹

In the reporting period, research found no information on criminal prosecutions or convictions related to CSEC or trafficking in persons (TIP) cases.

MGE provides training to police officers on CSEC. The MPF has also conducted a series of trainings on CSEC, child abuse and TIP for police officers working in stations around the country, as well as for the Police Prosecutor's Unit, the Criminal Investigation Unit, and the Passport and Immigration Office.³⁸³⁰ In early 2010, probation officers, Minors' Brigade officers, and representatives of the Ombudsman for Children, the MGE, and some NGOs attended a Capacity-Building Workshop on Counter-Trafficking.³⁸³¹ In October 2010, attorneys from the Attorney General's office and Office of the Director of Public Prosecutions also received anti-TIP training.³⁸³²

Government Policies on the Worst Forms of Child Labor

The Government's National Plan of Action on the Protection of Children Against Sexual Abuse, Including Commercial Sexual Exploitation of Children (NPA) includes awareness-raising, training of trainers and community members and service provision, among other activities.³⁸³³ It also includes data collection, but research has not revealed any efforts by the Government since 2002 to collect data on children involved in commercial sexual exploitation.³⁸³⁴ The NPA includes a Protocol of Assistance to Victims of Sexual Abuse that lays out procedures to be followed by police and other officials when handling sexual abuse cases, including CSEC.³⁸³⁵ The Government's Child Safety Online Action Plan aims to prevent sexual exploitation of children on the Internet by strengthening the legal framework and raising awareness among parents and children.³⁸³⁶

In 2010, the Government launched the Strategy for Special Education Needs and Inclusive Education in Mauritius, a major component of which is a program for at-risk primary school students outside of school hours that focuses on physical education and the arts.³⁸³⁷ The Government's National Policy Paper on the Family lays out strategies to support child welfare through holistic support for families, including job training for parents.³⁸³⁸ The Government's Education and Human Resources Strategy Plan 2008-2020 aims to improve equity of access to primary, secondary, and technical/vocational education, among other goals.³⁸³⁹

The draft UNDP Country Program for Mauritius includes improving the education of vulnerable children through programs such as the *Zones d'Education Prioritaire* (ZEP), discussed below.³⁸⁴⁰ Although the Government's PRSP does not explicitly discuss child labor, the PRSP and other poverty alleviation programs emphasize child retention in school as a means to ensure equal opportunity for all.³⁸⁴¹

The question of whether these policies have an impact on the worst forms of child labor does not appear to have been addressed.

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

The Government carries out a number of activities to prevent CSEC and to provide services to victims. Prevention-related activities include widespread public awareness raising through schools and community centers, as well as radio and television.³⁸⁴² The Government also holds CSEC workshops for vulnerable groups and participates in working groups with private sector and civil society actors on anti-trafficking and CSEC issues.³⁸⁴³ The Ministry of Tourism publishes and distributes pamphlets on trafficking to tourism companies, including tour operators and hotels.³⁸⁴⁴

In the area of victim services, the Government operates Drop-In Centers that provide counseling

and education to victims of sexual abuse, including CSEC and trafficking.³⁸⁴⁵ When victims report such abuses, child welfare officers are available to accompany them as they receive immediate medical care. These officers then work in conjunction with police if an official statement is needed.³⁸⁴⁶ The CDU provides a variety of follow-up support services including counseling, legal support and reintegration as appropriate.³⁸⁴⁷

If housing is needed, victims are referred to NGO shelters that receive Government funding.³⁸⁴⁸ However, because conditions are overcrowded and service providers overtaxed, victims do not always have access to comprehensive services.³⁸⁴⁹ As part of its restructuring of the CDU, the Government is taking steps to convert a Drop-In Center into a residential care center for victims of CSEC.³⁸⁵⁰ The CDU also operates Community Child Protection Programs at the district level, to educate and engage communities in combating CSEC.³⁸⁵¹

The Government provides free school materials, lunches, and medical examinations

to economically underprivileged students.³⁸⁵² The ZEP program, initially piloted on Rodrigues and Agalega islands, is being scaled up to primary schools throughout the country. This program has shown to reduce school drop-outs through enhanced community participation in education.³⁸⁵³ The Government also provides targeted education in personal and life skills to children aged 12-13 who are at risk of dropping out of school.³⁸⁵⁴ The public school system also includes a pre-vocational track for youth who are at risk of exploitation or drop-out.³⁸⁵⁵

The Ministry of Finance operates the Trust Fund for the Social Integration of Vulnerable Groups, which finances community development and family livelihood improvement programs.³⁸⁵⁶ MGE also operates the National Parental Empowerment Program to strengthen overall family livelihoods.³⁸⁵⁷

The question of whether these programs have an impact on child labor does not appear to have been addressed.

Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Mauritius:

IN THE AREA OF LAWS AND REGULATIONS:

- Remove the provision in the OSH Act that allows children ages 16 to 18 to use certain dangerous machines with training and supervision.

IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Establish a coordinating mechanism to combat the worst forms of child labor.
- Formalize an interagency coordination mechanism on TIP.
- Investigate and prosecute CSEC crimes and punish offenders.
- Make data on prosecutions and convictions related to CSEC available and accessible.

IN THE AREA OF GOVERNMENT POLICY:

- Collect current data on the magnitude of CSEC, as called for in the National Plan of Action.
- Assess the impact that existing policies have had on the worst forms of child labor.

IN THE AREA OF SOCIAL PROGRAMS:

- Ensure that victims of CSEC have access to comprehensive services.
- Assess the impact that existing programs may have on addressing child labor, particularly CSEC.

³⁸⁰⁰ Data provided in the chart at the beginning of this country report are not available from the data sources that are used in this report. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. For more information on sources used for these statistics, the definition of working children, and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section.

³⁸⁰¹ U.S. Embassy- Port Louis, *reporting, December 7, 2010*.

³⁸⁰² Ibid. See also U.S. Department of State, “Mauritius,” in *Trafficking in Persons Report- 2010*, Washington, DC, June 14, 2010; available from <http://www.state.gov/g/tip/rls/tiprpt/2010/142760.htm>.

³⁸⁰³ UN Committee on the Elimination of Discrimination against Women, *Concluding comments of the Committee on the Elimination of Discrimination against Women: Mauritius*, CEDAW/C/MAR/CO/5, New York, August 25, 2006; available from <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N06/482/39/PDF/N0648239.pdf?OpenElement>.

³⁸⁰⁴ ECPAT International, *Global Monitoring Report on the status of action against commercial sexual exploitation of children: Mauritius*, Bangkok, 2007, 12; available from http://www.ecpat.net/A4A_2005/PDF/AF/Global_Monitoring_Report-MAURITIUS.pdf.

³⁸⁰⁵ U.S. Embassy- Port Louis, *reporting, January 29, 2010*. See also U.S. Embassy- Port Louis, *reporting, January 15, 2009*. See also Government of Mauritius, *Written communication*, submitted in response to U.S. Department of Labor Federal Register Notice “Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor”, Washington, DC, February 11, 2009.

³⁸⁰⁶ Intervention of Minister of Women’s Rights, Child Development, Family Welfare and Consumer Protection: 2nd Reading of Child Protection (Amendment) Bill 2005, May 12, 2005; available from http://www.gov.mu/portal/goc/women/file/intervention_minister051205.doc.

³⁸⁰⁷ Government of Mauritius, *Employment Rights Act*, Act No. 33 of 2008, (September 19, 2008), article 12; available from <http://www.gov.mu/portal/goc/labour/file/employment%20rights%20act%202008.pdf>.

³⁸⁰⁸ Government of Mauritius, *The Occupational Safety and Health Act*, Act No. 28 of 2005, (October 28, 2005), articles 8, 46, 51, 52; available from <http://www.gov.mu/portal/sites/legaldb/files/occupational%20safety%20&%20health%20act%202005.doc>, *ibid*.

³⁸⁰⁹ Government of Mauritius, *Employment Rights Act*, article 14.

³⁸¹⁰ *Ibid.*, article 13.

³⁸¹¹ Government of Mauritius, “Mauritius,” in *Legislation of Interpol Member States on Sexual Offences against Children*, 1994, sections 14, 18; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaMauritius.asp>, *ibid*.

³⁸¹² Government of Mauritius, *The Combating of Trafficking in Persons Act*, Act No. 2 of 2009, (May 8, 2009), section 11; available from <http://www.gov.mu/portal/goc/assemblysite/file/Act209.pdf>.

³⁸¹³ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Concluding observations: Mauritius*, CRC/C/MUS/CO/2 Geneva, March 17, 2006; available from <http://tb.ohchr.org/default.aspx?Symbol=CRC/C/MUS/CO/2>, *ibid*.

³⁸¹⁴ Government of Mauritius, *Constitution of the Republic of Mauritius*, (March 12, 1968), chapter 2, article 6; available from http://www.gov.mu/portal/site/AssemblySite/menuitem.ee3d58b2c32c60451251701065c521ca/?content_id=03654555fc808010VgnVCM100000ca6a12acRCD#pro, *ibid*.

³⁸¹⁵ UNESCO, *EFA Global Monitoring Report*, Paris, 2010, 338; available from <http://www.unesco.org/fileadmin/MULTIMEDIA/HQ/ED/GMR/pdf/gmr2010/gmr2010-annex-04-stat-tables.pdf>

³⁸¹⁶ U.S. Embassy- Port Louis, *reporting, February 18, 2010*.

³⁸¹⁷ U.S. Embassy- Port Louis, *reporting, December 7, 2010*.

³⁸¹⁸ U.S. Department of State, “Mauritius,” in *Country Reports on Human Rights Practices- 2010*, Washington, DC, April 8, 2011; available from <http://www.state.gov/g/drl/rls/hrrpt/2010/af/154359.htm>.

³⁸¹⁹ Government of Mauritius, *Written communication, February 11, 2009*.

³⁸²⁰ ILO Committee of Experts, *Individual Direct Request concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Mauritius (ratification: 2000) Submitted: 2008*, March 25, 2011; available from <http://www.ilo.org/ilolex/>.

³⁸²¹ Government of Mauritius, *Written communication, February 11, 2009*.

³⁸²² ILO Committee of Experts, *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Mauritius (ratification: 1990) Published: 2010*, March 25, 2011; available from <http://www.ilo.org/ilolex/>.

³⁸²³ Government of Mauritius, *The Ombudsperson for Children Act*, Act No. 41 of 2003, (November 10, 2003); available from [http://www.gov.mu/portal/goc/educationsite/file/The%20Ombudsperson%20for%20Children%20Act%20\(updated\)%202003.pdf](http://www.gov.mu/portal/goc/educationsite/file/The%20Ombudsperson%20for%20Children%20Act%20(updated)%202003.pdf).

³⁸²⁴ Government of Mauritius, *Written communication*, submitted in response to U.S. Department of Labor Federal Register Notice “Request for Information on Efforts by

Certain Countries to Eliminate the Worst Forms of Child Labor”, Washington, DC, January 19, 2010. See also Government of Mauritius, *Written communication, February 11, 2009*.

³⁸²⁵ U.S. Embassy- Port Louis, *reporting, December 7, 2010*.

³⁸²⁶ Ibid.

³⁸²⁷ Ibid.

³⁸²⁸ Ibid.

³⁸²⁹ Government of Mauritius, *Written communication, January 19, 2010*.

³⁸³⁰ Government of Mauritius, *Written communication, February 11, 2009*, *ibid*.

³⁸³¹ International Organization for Migration, *Capacity-Building Workshop on Counter-Trafficking*, [online] [cited April 25, 2011]; available from <http://www.iom.int/jahia/Jahia/events/eventAF/cache/offonce?entryId=27128>, *ibid*.

³⁸³² U.S. Embassy- Port Louis, *reporting, March 1, 2011*.

³⁸³³ ECPAT International, *Global Monitoring Report: Mauritius*, 13. See also ILO Committee of Experts, *Individual Observation concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Mauritius (ratification: 2000) Published: 2008*, March 25, 2011; available from <http://www.ilo.org/ilolex/>.

³⁸³⁴ U.S. Embassy- Port Louis, *reporting, March 1, 2011*.

³⁸³⁵ ILO Committee of Experts, *Individual Observation concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Mauritius (ratification: 2000) Published: 2008*.

³⁸³⁶ U.S. Embassy- Port Louis, *reporting, December 7, 2010*.

³⁸³⁷ Ibid.

³⁸³⁸ Child Development Government of Mauritius - Ministry of Women's Rights, Family Welfare and Consumer Protection, *National Policy Paper on the Family*, Port Louis, 2010.

³⁸³⁹ Government of Mauritius, *Education and Human Resources Strategy Plan 2008-2020*, Port Louis, October, 2009, 63, 77, 101; available from <http://www.gov.mu/portal/goc/educationsite/file/EHRSP%202008-2020.pdf>.

³⁸⁴⁰ UNDP and UNFP, *Draft country programme for the Republic of Mauritius (2009-2011)*, New York, June, 2008.

³⁸⁴¹ Government of Mauritius, *Written communication, February 11, 2009*.

³⁸⁴² Government of Mauritius, *Written communication, January 19, 2010*.

³⁸⁴³ Ibid.

³⁸⁴⁴ U.S. Embassy- Port Louis, *reporting, February 18, 2010*.

³⁸⁴⁵ Ibid. See also U.S. Department of State, “Country Reports- 2010: Mauritius,” section 6.

³⁸⁴⁶ U.S. Department of State, “Trafficking in Persons Report- 2010: Mauritius.”

³⁸⁴⁷ Child Development and Family Welfare Government of Mauritius - Ministry of Gender Equality, *Child Development Unit*, [online] March 9, 2011 [cited March 22, 2011]; available from <http://www.gov.mu/portal/site/women-site/menuitem.e164bad248cb0d54a3a5b31000b521ca/>.

³⁸⁴⁸ U.S. Embassy- Port Louis, *reporting, February 18, 2010*.

³⁸⁴⁹ U.S. Department of State, “Trafficking in Persons Report- 2010: Mauritius.”

³⁸⁵⁰ U.S. Embassy- Port Louis official, E-mail communication to USDOL official, March 23, 2011. See also Government of Mauritius - Child Development Unit, *Child Development Unit*, [online] March 9, 2011 [cited March 22, 2011]; available from <http://www.gov.mu/portal/site/women-site>.

³⁸⁵¹ ILO Committee of Experts, *Individual Observation concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Mauritius (ratification: 2000) Published: 2008*.

³⁸⁵² U.S. Embassy- Port Louis, *reporting, January 29, 2010*.

³⁸⁵³ UNDP and UNFP, *Draft UNDP Country Programme*.

³⁸⁵⁴ U.S. Embassy- Port Louis, *reporting, January 29, 2010*.

³⁸⁵⁵ ILO Committee of Experts, *Individual Direct Request concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Mauritius (ratification: 2000) Submitted: 2008*.

³⁸⁵⁶ Government of Mauritius, *Written communication, February 11, 2009*.

³⁸⁵⁷ U.S. Embassy- Port Louis, *reporting, January 29, 2010*.