

RE: BJ/follow-up/Mauritius/79

19 July 2021

Excellency,

In my capacity as Rapporteur on follow-up on concluding observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honour to refer to the examination of the eighth periodic report of Mauritius, at the Committee's seventy-first session, held in November 2018. At the end of that session, the Committee's concluding observations ([CEDAW/C/MUS/CO/8](#)) were transmitted to your Permanent Mission. You may recall that in paragraph 44 on follow-up to the concluding observations, the Committee requested Mauritius to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 16, 18 (b), 38 (c) and 40 of the concluding observations.

The Committee welcomes the follow-up report received in November 2020 ([CEDAW/C/MUS/FCO/8](#)) under the CEDAW follow-up procedure. At its seventy-ninth session, held remotely due to the ongoing COVID-19 pandemic in June 2021, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 16** of the concluding observations, urging the State party to **“(a) Put in place temporary special measures, with a view to achieving substantive equality between women and men in all areas covered by the Convention in which women are underrepresented or disadvantaged, such as participation in political and public life and in employment;**

(b) Ensure that the planned gender equality bill includes a provision on temporary special measures;

(c) Raise awareness among relevant government officials and policymakers and increase their understanding of the nature of temporary special measures and of their importance to the achievement of substantive equality between women and men.”:

The Committee is concerned that the State party has not yet adopted temporary special measures to achieve substantive equality between women and men in public and private spheres. The Committee takes note of the information provided by the State party on the drafting of the gender equality bill and which includes provisions on temporary special measures aimed at accelerating the achievement of equality between men and women and to enable women to participate meaningfully in decision-making, education and employment amongst others. Nevertheless, the Committee is concerned that the bill has been at the drafting stage since 2018 and by the lack of information on the nature of these temporary

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special measures under the bill. On the issue of raising awareness among governmental officials, the Committee takes note of the information on the training of the national gender focal points from different ministries on gender concepts, relevance of gender mainstreaming and gender mainstreaming in sectoral action plans, as well as providing them with information on temporary special measures. The Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation has been **partially implemented**.

The Committee notes that the information provided by the State party is thorough and extensive, but it fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

The Committee recommends that, in relation to **paragraph 16** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

(a) **Adopt temporary special measures, with a view to achieving substantive equality between women and men in all areas covered by the Convention in which women are underrepresented or disadvantaged, such as participation in political and public life and in employment; and**

(b) **Enact the gender equality bill and ensure it includes a provision on temporary special measures.**

In relation to the recommendation made in **paragraph 18 (b)** of the concluding observations, urging the State party to “**amend or adopt legislation to explicitly prohibit marital rape and corporal punishment of children in all settings**”:

The Committee takes note of the establishment of the inter-ministerial high-level committee on gender-based violence, which mandated to assess the legislative framework, policies and procedures and to draft a strategy to eliminate gender-based violence. However, the Committee regrets the lack of information on legal steps to amend the legislative framework or adopt legislation to explicitly prohibit marital rape. The Committee welcomes the adoption of the Children’s Act in December 2020 by the National Assembly which prohibits corporal punishment of children in all settings under section 14. The Committee considers that the State party took steps towards the implementation of the recommendation, but that it needs to take further action to implement all measures recommended by the Committee. It considers that the recommendation has been **partially implemented**.

The Committee notes that the information provided by the State party is thorough and extensive, but it fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

The Committee recommends that, in relation to **paragraph 18 (b)** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

Amend or adopt legislation to explicitly prohibit marital rape.

With regard to the recommendation made in **paragraph 38 (c)** of the concluding observations, urging the State party to “**repeal or amend section 145 of the Civil Code to completely preclude consent by parents or guardians as a sufficient requirement to allow marriage of those under the age of 18 and to allow court approval only under exceptional circumstances for marriages of those between the ages of 16 and 18, ensure**

that the planned children's bill reflects this provision and amend section 2 of the Child Protection Act to define a child as any person under the age of 18”:

The Committee welcomes that the Children's Act defines a child as any person under the age of 18 and that it includes provisions to prohibit child marriage. Thus, the Committee considers that the State party has provided evidence of the full implementation of all actions recommended by the Committee. It considers that the recommendation has been **implemented**.

The Committee notes that the information provided by the State party is thorough and extensive, and that it addresses directly to the recommendation. It thus considers that the quality of the information provided is **satisfactory**.

Regarding the recommendation made in **paragraph 40** of the concluding observations, urging the State party to “**ensure that its existing data collection systems disaggregate data by sex, age, disability, ethnicity, location and socioeconomic status. It further recommends that the State party enhance the collection, analysis and dissemination of comprehensive and disaggregated data through a centralized system and use measurable indicators to assess progress achieved towards the realization of substantive equality between women and men in all areas covered by the Convention, in particular on gender-based violence against women, child marriage, adolescent pregnancy, education, employment, women in prostitution and trafficking. In that regard, the Committee draws attention to its general recommendation No. 9 (1989) on statistical data concerning the situation of women and encourages the State party to seek technical assistance from the relevant United Nations agencies”:**

The Committee notes the information provided by the State party on the consultations and efforts, including budget allocation, to establish the gender-based violence observatory as the central agency for the investigation and analysis of information with respect to all forms of gender-based violence. The Committee also takes note of the information on the initiative to implement a gender-based violence management information system to enable harmonisation of data collection by service providers and to enable data sharing across different agencies to facilitate broader trends analysis and implement a coordinated response to gender-based violence. However, the Committee regrets the lack of information on steps taken to enhance data collection systems to ensure collection of data disaggregated by sex, age, disability, ethnicity, location and socioeconomic status, in particular on the situation in Rodrigues, Agalega and other remote parts of the territory of the State party to assess the realization of substantive equality between women and men in all areas covered by the Convention, in particular on child marriage, adolescent pregnancy, education, employment, women in prostitution and trafficking. Thus, the Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation has been **partially implemented**.

The Committee notes that the information received from the State party fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

The Committee recommends that, in relation to **paragraph 40** of the concluding observations, the State party provide, **in its next periodic report**, information on actions taken to:

Strengthen data collection systems to ensure the collection of disaggregate data by sex, age, disability, ethnicity, location and socioeconomic status, to analysis and disseminate comprehensive and disaggregated data through a centralized system and



use measurable indicators to assess progress achieved towards the realization of substantive equality between women and men in all areas covered by the Convention, in particular on child marriage, adolescent pregnancy, education, employment, women in prostitution and trafficking.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Louiza Chalal'.

Louiza Chalal
Rapporteur on follow-up
Committee on the Elimination of Discrimination against Women