

Mauritius Joint CSO Shadow Report on the Implementation of the Protocol to the African Charter on Human Rights and Peoples' Rights on the Rights of Women in Africa.

Submitted to the African Commission on Human and Peoples' Rights (ACHPR) by Platform of Women's Human Rights Organisations in Mauritius
15th April 2026

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1. EXECUTIVE SUMMARY

Mauritius operates as a parliamentary democracy with an independent judiciary and a constitutional framework guaranteeing fundamental rights and freedoms. While the country is often cited as a model of peaceful coexistence, deep-seated structural inequalities persist – particularly along gender, class, ethnicity, disability, and socio-economic lines.

This report highlights ongoing and systemic violations of women’s and girls’ rights, with gender-based violence, including domestic and sexual violence, remaining widespread. Consultations with civil society organisations point to increasing concern around the absence of legal recognition of femicide, despite patterns of gender-related killings of women. Barriers to justice persist, including the high cost of legal services, limited scope and accessibility of legal aid, and gaps in legal recognition and protection for vulnerable groups, particularly disabled and LGBTQ persons. Women also remain underrepresented in political and decision-making spaces, including in Parliament, Cabinet, and senior public sector roles, while economic inequalities persist through higher unemployment rates, occupational segregation, and limited access to leadership positions¹.

2. INTRODUCTION

This Shadow Report is submitted by a Platform of 25 organisations including twenty-two NGOs in Mauritius, comprising women’s rights organisations and civil society actors working on issues affecting women and girls, including access to justice, gender-based violence, health, and social inclusion. Developed through national consultations and data collection conducted between March and April 2026, the Report reflects both institutional expertise and community-level engagement. The contributing organisations bring direct experience from working with diverse groups of women and girls, including women with disabilities, older women, girls exposed to violence, those affected by poverty and exclusion, and LGBTQI+ persons, ensuring that the report captures a wide range of lived realities across the country.

Mauritius ratified the Maputo Protocol on 16 June 2017, thereby committing to upholding and advancing the rights of women and girls, including equality and non-discrimination, protection from violence, access to justice, health, and participation in public life.

¹ Mauritius - “An increased representation of women in politics should not be pursued with the mere aim of a ‘politics of numbers’, but rather a ‘politics of ideas’ for greater social and gender justice.” Dr Sheila Bunwaree

3. THEMATIC COMMENTARY AND ANALYSIS

THEME 1: EQUALITY AND NON-DISCRIMINATION

Elimination of discrimination (Maputo Protocol Articles 2 and 8)

1. Section 16(1) of the Constitution of Mauritius² prohibits discriminatory laws and discriminatory treatment by public authorities. However, Section 16(4)(c) expressly exempts from this prohibition any law with respect to adoption, marriage, divorce, succession, and other matters of personal law. Any provision within Mauritius's civil law on marriage, divorce, or inheritance that treats women less favourably than men cannot be struck down or challenged on constitutional non-discrimination grounds. This provision is directly incompatible with Article 2(1)(a) of the Maputo Protocol, which requires states to include in their national constitutions and other legislative instruments the principle of equality between women and men, and to ensure its effective application. It is also incompatible with Article 2(1)(b) of the Maputo Protocol, which requires states to enact and effectively implement appropriate legislative or regulatory measures to curb all forms of discrimination against women. The constitutional provision, in contrast, places personal status law permanently beyond the reach of constitutional equality norms.
2. Mauritius does not have a standalone Gender Equality Act or a dedicated Gender Equality enforcement body. Mauritius does not have any comprehensive anti-discrimination legislation that covers all aspects of women's rights as required under Article 2 of the Maputo Protocol. The prohibition on discrimination is instead fragmented across multiple sectoral laws, each with a different scope, definition, enforcement mechanism, and institutional foundation. The principal instruments are the Equal Opportunities Act 2008³, which primarily covers employment, education, and workplace discrimination; the Workers' Rights Act 2019⁴, which addresses pay equity and workplace harassment; Children's Act 2020 which stipulates that the age of civil marriage for girls and boys is now 18 years old (withdrawal of the only reservation by Mauritius effected so far); and various provisions of the Criminal Code⁵ and Protection from Domestic Violence Act 1997 (as amended)⁶ addressing specific forms of gender-based violence.
3. This fragmentation creates significant enforcement gaps. Areas of a woman's life that fall outside the specific scope of these sectoral instruments - including discrimination in access to credit, land, housing, and social protection - are not comprehensively covered. There is no single legislative instrument that gives effect to the full scope of Mauritius's obligations under Article 2 of the Maputo Protocol, which requires states to combat discrimination in all its forms and in all spheres of life. The absence of such legislation means that women facing discrimination in areas not covered

² <https://mauritiusassembly.govmu.org/mauritiusassembly/wp-content/uploads/2024/11/The-Constitution-Long-Upload-on-website-modify-on-28.01.22-06.04.22-.pdf>

³ <https://natlex.ilo.org/dyn/natlex2/natlex2/files/download/81533/MUS81533.pdf>

⁴ <https://labour.govmu.org/Pages/The-Workers'-Rights-Act-2019-and-Regulations.aspx>

⁵ <https://fcc.mu/wp-content/uploads/2024/06/CRIMINAL-CODE-ACT-1838.pdf>

⁶ <https://lawsofmauritius.govmu.org/portal/viewlegislationdocument/web/?doctype=UHJvdGVjdGlvb2xlbmNlIEFjdA==&docnumber=&doctype=act>

by existing sectoral laws have no clear statutory remedy and no dedicated institution to which they can turn.

4. The result is an institutional gap at the heart of Mauritius's equality architecture: no body exists with the specific and exclusive mandate to receive and investigate gender discrimination complaints across all areas of life, monitor the implementation of gender equality legislation, engage with international and regional reporting mechanisms on women's rights, and provide independent, expert, and publicly accountable oversight of the state's compliance with its treaty obligations.

Access to justice- Maputo Protocol Article 8

5. Mauritius has still to meet its obligation under Article 8. The Equal Opportunities Commission (EOC), established under the Equal Opportunities Act 2008, handles complaints of discrimination based on sex, among other grounds, in the areas covered by that Act. While the EOC provides an important access point for some gender discrimination complaints, it is not a dedicated gender equality body. Its mandate encompasses multiple grounds of discrimination across multiple sectors, and its capacity, public profile, and enforcement record in gender cases have been consistently identified as insufficient. It does not have the specific gender mandate, technical expertise, or dedicated resources to function as the comprehensive gender equality enforcement institution that Mauritius's treaty obligations require.
6. For a woman survivor of domestic violence or GBV in Mauritius, every step of the justice continuum presents an obstacle. From the first point of contact with the police through to prosecution and sentencing, the system fails to provide the protective, responsive, and accountable response that treaty obligations require⁷. At the policing stage, the security sector remains predominantly male-dominated, with limited gender sensitive training and insufficient female representation in frontline GBV response roles. Women police officers constitute only 10% police officers in the Mauritius Police Force, a ratio that reflects the deeply gendered composition of the first responders for survivors. This structural imbalance in practice creates an environment in which women may not feel safe, believed, or adequately supported when reporting abuse, and directly undermines the state's ability to deliver a gender-responsive first response support in GBV cases.
7. At the prosecutorial and judicial stage, conviction rates for GBV offences are persistently low⁸. Domestic violence (DV) cases are routinely withdrawn (despite internal police protocol clearly stating that the final authority to decide on DV case withdrawal is the DPP) often when perpetrators give undertakings of good behaviour in court - without any accountability for repeated violations. It

⁷ Afrobarometer. (2022). Dispatch No. 532: Amid optimism on gender equality, Mauritians see gender-based violence as a priority issue to address. Afrobarometer. <https://www.afrobarometer.org/publication/ad532-amid-optimism-on-gender-equality-mauritians-see-gender-based-violence-as-a-priority-issue-to-address/>

Afrobarometer. (2024, March). Dispatch No. 787: Mauritians rank gender-based violence as top women's rights issue for government to address. Afrobarometer. <https://www.afrobarometer.org/publication/ad787-mauritians-rank-gender-based-violence-as-top-womens-rights-issue-for-government-to-address/>

⁸ Statistics Mauritius. (2025, July 22). *Economic and social indicators: Gender statistics, year 2024* (Issue No. 1872). Ministry of Finance. https://statsmauritius.govmu.org/Pages/Statistics/ESI/Gender/Gender_Yr24.aspx

is also clear that sanctions and penalties under criminal law are manifestly insufficient as a deterrent against violence and abuse of women (rise in femicide is clear evidence), and this directly demotivates survivors from engaging the criminal legal system at all⁹. The practical result is a cycle in which impunity reinforces underreporting, and underreporting reinforces impunity.¹⁰

8. Domestic violence(DV) proceedings also impose significant secondary burdens on women. Frequent court attendances, counselling sessions, and related processes result in repeated absences from work, adverse impacts on employment, and documented harm to women's psychological and mental wellbeing. These costs are borne by survivors, not perpetrators, further distorting the justice incentive. In March 2026, the Ministry of Social Security announced 2 months of financial help to DV survivors, which is a good step to effective support for DV survivors but clearly not enough.
9. Access to legal representation remains a key factor in determining justice outcomes for women. Survivors of gender-based violence, particularly those in lower-income brackets, continue to face significant barriers in accessing legal aid. While the Legal Aid Act 2025 introduced positive reforms, it does not adequately account for the lived realities of many women experiencing domestic violence. In practice, some survivors are excluded from legal aid because they are considered joint owners of marital property, despite being effectively denied access to or control over these assets by abusive partners. Economic dependence further limits women's ability to secure independent legal representation. The absence of a dedicated legal aid mechanism tailored specifically to the needs of GBV survivors therefore remains a critical gap in ensuring effective access to justice.
10. The Platform notes with concern that, although legal aid is available, eligibility criteria remain overly restrictive. Women may be excluded on the basis of spousal assets or marginally higher income levels, despite being economically vulnerable in practice. The high cost of private legal representation further limits access to justice¹¹. In addition, weak police understanding of the lived realities of vulnerable women, and inadequate or inappropriate referral pathways, particularly for women with disabilities facing violence, create additional barriers. Further, women with disabilities are placed in environments where staff lack sign language skills, accessibility awareness, and adequate psychosocial support.

Political participation and representation- Maputo Protocol Article 9

11. Mauritius has made notable symbolic achievements in high-level representation, including the appointment of a female President, a female Chief Justice, and a female Speaker of the National Assembly. However, these individual milestones obscure a broader and persistent pattern of women's structural exclusion from political power.

⁹ <https://www.genderlinks.org.za/knowledge-hub/publications/2012-gender-based-violence-indicators-study---mauritius>

¹⁰ <https://gbvo.mric.mu/dashboard/trends-in-domestic-violence-cases/> and the page 6/16 of the <https://docs.un.org/en/CEDAW/C/MUS/CO/8>

¹¹ Testimony shared by NGOs in data collection workshop on 17/3/26- research and data collection required.

12. As of February 2024, women held only 20% of seats in the National Assembly (17% following 2024 elections)¹². This figure has remained stagnant and falls significantly short of the SADC Protocol target of 50% representation by 2030 and the AU Parity Principle. At the cabinet level, the situation is more acute: only 2 out of 24 ministers are women, representing a share of 8.3%. This figure places Mauritius among the weakest performers regionally on executive gender representation. Following the general election in November 2024, eleven women were directly elected (17.7% of 62 seats) and 1 was appointed via the Best Loser System, totaling 13 women in Parliament out of 67 total members. In the new government, only two women have been appointed to ministerial roles out of 24 ministries (8%).¹³
13. There are no binding electoral quotas for National Assembly elections, meaning that women's representation depends entirely on the voluntary commitment of political parties, a commitment the data demonstrates has not been forthcoming. The 2017 establishment of the Parliamentary Gender Caucus represents positive institutional developments, but the Caucus's advisory mandate cannot substitute for binding structural reform of the electoral framework.
14. At the local government level, the Local Government Act 2011¹⁴ and Rodrigues Regional Assembly law¹⁵ were amended to provide for affirmative action for one-third female representation in municipalities and in district councils and Rodrigues. This has yielded positive results, producing a measurable increase in women's participation, with 27.9% representation at municipal council level. However, this has not translated into executive leadership: in 2024, there were no female mayors across any of the five municipalities in Mauritius, and in 2025, there is only one female mayor.
15. Notably, the Judiciary presents a more positive picture: women comprise 65% of Puisne Judges and the positions of Chief Justice and Senior Puisne Judge are currently held by women. While this represents commendable representation at the judicial level, institutional composition at the top does not on its own translate into improved access to justice outcomes for women at the base of the system. In the civil service, the picture presents a concerning downward trend. The proportion of women in the most senior government positions (comprising Senior Chief Executives, Permanent Secretaries, Deputy Permanent Secretaries, Directors, Managers, Judges and Magistrates) declined from 38.9% in 2023 to 34.9% in 2024, reversing earlier progress. This regression is particularly significant given that women's strong representation in the public sector has historically been cited as one of Mauritius's regional benchmarks for gender equality. Moreover, in the private sector, only 7% of CEOs are women and only 10.9% of working women are heads of business or own-account workers, compared to 25.1% of men.¹⁶
16. Taken together, the data reveals a structural paradox: women in Mauritius effectively administer

¹² <https://pmo.govmu.org/News/SitePages/Women-central-to-national-development,-reaffirms-Prime-Minister-Ramgoolam.aspx>

¹³ Mauritius 2024 Elections: A Stark Reminder of Gender Imbalance in Political Representation <https://www.lemauricien.com/le-mauricien/mauritius-2024-elections-a-stark-reminder-of-gender-imbalance-in-political-representation/658042/>

¹⁴ <https://mauritiusassembly.govmu.org/mauritiusassembly/wp-content/uploads/2023/03/bill2411.pdf>

¹⁵ <https://assembly-rra.govmu.org/Documents/Legislations/rraAct2017updatedJan2017.pdf>

¹⁶ Statistics Mauritius, *Gender Statistics – Year 2024* (Economic and Social Indicators No 1872, Ministry of Finance, Economic Planning and Development 2025) https://statsmauritius.govmu.org/Pages/Statistics/ESI/Gender/Gender_Yr24.aspx

and adjudicate the law – holding near-parity in the Judiciary and substantial civil service presence, yet face entrenched barriers to making it to the top. Women are disproportionately present in implementing roles and absent from decision-making ones. This represents a reproduction of a gendered hierarchy of power in which women are administrators but not architects of national policy.

Right to education (Article 12)

17. Mauritius has entered a reservation to Article 12(2) of the Maputo Protocol relating to elimination of discrimination in education, including retention of girls in school and protection from practices that hinder their education. Despite high literacy rates among women and girls in Mauritius, significant disparities persist in access to inclusive and equitable education, particularly for girls with disabilities and children living in situations of acute socio-economic vulnerability. National data indicate that there are approximately 59,868 persons with disabilities in Mauritius, underscoring the scale of exclusion (Pudaruth, Gunpath & Singh, 2017). Evidence further demonstrates that students with disabilities frequently lack awareness of available institutional support and are inadequately accommodated within existing educational structures, reflecting systemic deficiencies in inclusive education frameworks (Pudaruth et al., 2017)
18. The Platform remains deeply concerned about the continued exclusion of girls with autism and other disabilities from mainstream education, the absence of adequately adapted curricula, weak transition and inclusion pathways, and insufficient teacher training and sensitisation on disability rights. These gaps are inconsistent with the State's obligations under Convention on the Rights of Persons with Disabilities¹⁷, particularly Article 24 of the Maputo Protocol on inclusive education.
19. Furthermore, intersecting factors such as poverty, hunger, malnutrition, parental imprisonment, drug exposure, and violence continue to push children—especially girls—out of the formal education system and into deeper cycles of marginalisation and social exclusion. These structural barriers highlight the urgent need for targeted, rights-based interventions to ensure that no child is left behind.¹⁸

Proposed List of Questions-

The Platform urges the African Commission to consider asking the Government of Mauritius the following questions:

- What concrete steps has the Government taken to develop, adopt, and implement a comprehensive and updated anti-discrimination legal framework that explicitly prohibits discrimination on all grounds, including sex, gender, disability, and sexual orientation?
- What practical steps has the Government taken to allocate adequate financial and human resources

¹⁷ <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities>

¹⁸ Pudaruth, S., Gunpath, R. P., & Singh, U. G. (2017). *Forgotten, excluded or included? Students with disabilities: A case study at the University of Mauritius*. African Journal of Disability, 6, a359. <https://doi.org/10.4102/ajod.v6i0.359>

to enhance women's political participation and leadership?

- What measures are in place to ensure that specialised and mainstream schools provide accessible and quality secondary education to girls with disabilities, including appropriate infrastructure, curricula, and support services?
- What legislative, policy, and practical measures has the State adopted to eliminate discrimination and violence against LGBTQI persons?

Recommendations

The Platform urges the African Commission to call on the Government of Mauritius to:

- Withdraw the reservation to Article 12(2) of the Maputo Protocol without delay.
- Enact comprehensive standalone anti-discrimination legislation covering all grounds and sectors, aligned with the Maputo Protocol, with effective remedies and a dedicated Gender Equality enforcement body.
- Adopt temporary special measures, including legislative quotas, to guarantee women's representation in the National Assembly and in appointed and elected positions at national and local levels.
- Introduce binding electoral quotas of at least 30% for women in national, municipal, rural, and appointed positions, with a clear roadmap to parity, and address the decline in women's representation through transparent promotion and retention policies in both public and private sectors.
- Ensure that all levels of the justice system, including for judges, magistrates, prosecutors, and law enforcement officers, undergo mandatory, institutionalised and continuous legal and judicial training in GBV and its consequences in line with international standards on women's access to justice.
- Strengthen GBV responses by enhancing gender-sensitive police training, increasing women's representation in frontline roles, allocating resources for judiciary and legal practitioner training, reforming sentencing frameworks to ensure deterrence and accountability, and establishing a dedicated legal aid mechanism for survivors.
- Ensure inclusive education by introducing early detection of disabilities, strengthening inclusive systems in mainstream schools, and reviewing the "Ratio System" to effectively meet the needs of students with disabilities.

THEME 2: PROTECTION OF WOMEN AGAINST VIOLENCE- *Maputo Protocol Articles 3, 4 & 5*

Bodily integrity and dignity, including sexual violence and trafficking of women (Maputo Protocol- Articles 3 & 4)

20. Violence against women and girls (VAWG) is among the most serious and pervasive human rights

challenges in Mauritius. Official data from Statistics Mauritius¹⁹ records 5,758 reported domestic violence cases in 2024, of which 86.6% (4,988 cases) were perpetrated against women. Physical violence accounted for 44.5% of cases reported by women, followed by verbal abuse at 49.6% and emotional violence at 2.9%. At the police level, 646 women were survivors of sexual violence and sexual exploitation in 2024, representing 93.2% of all such survivors, including 55 recorded rape survivors. These figures represent reported cases only; domestic violence is widely acknowledged to be significantly underreported due to fear, shame, financial dependence, and the social pressures particular to a small, closely-knit society.

21. Child abuse data²⁰ further reflects the gendered dimension of violence. Of 2,508 child abuse cases recorded at the Child Development Unit in 2024, 60% involved female survivors. Sexual abuse was the most prevalent form of abuse for girls at 21.6%, compared to 5.5% for boys. An escalating and alarming manifestation of VAWG in Mauritius is femicide. Between 2020 and 2024, 24 femicide cases were recorded. In the Mauritius's World Bank's Women, Business and the Law Report 2024²¹ legal frameworks scoring breakdown, the country receives a lower score (75) in the Safety indicator, with the report explicitly noting that this is partly because the law does not address femicide. Four femicides were committed in March 2022 alone, prompting public alarm. In October 2025, two women were killed by their spouses within a fifteen-day period, reigniting urgent civil society and media calls for legislative intervention. Between January to March 2026, 4 women were killed by their intimate partners, sparking public protests. The government has promised action against femicide in 2026. In February 2025, the government repealed section 242 of the Criminal Code²², an enabling provision for femicide (which states that if a man caught his spouse in the act of committing adultery it is an allowable defence for the man to kill his wife or her paramour), following sustained civil society advocacy. However, no standalone femicide provision has been enacted in its place, leaving a critical legislative gap. Research and disaggregated data on GBV and femicide remain inadequate.
22. Digital violence against women and girls is a rapidly growing concern. Between January and November 2025, 1,114 cases of online harassment were recorded, with women and girls disproportionately affected.²³ While the Cybersecurity and Cybercrime Act 2021²⁴ criminalises cyberbullying and cyber extortion, it does not contain gender-specific provisions addressing non-consensual intimate image sharing or gendered online harassment. The nationwide "Fam Kon To Droit Online"²⁵ Government campaign launched in November 2025 represented a positive awareness initiative, but legislative reform to specifically address technology-facilitated GBV

¹⁹ Statistics Mauritius, *Gender Statistics – Year 2024* (Economic and Social Indicators No 1872, Ministry of Finance, Economic Planning and Development 2025) https://statsmauritius.govmu.org/Pages/Statistics/ESI/Gender/Gender_Yr24.aspx

²⁰ Data produced by Pedostop NGO-Statistics Mauritius. (2025). Economic and Social Indicators: Gender Statistics 2024 (Issue No. 1872). Port Louis: Government of Mauritius.

²¹ World Bank, *Women, Business and the Law 2024* (Washington, D.C.: World Bank, 2024). Available at: <https://wbl.worldbank.org/en/wbl>

²² Section 242 of the Mauritian Criminal Code formed part of the "excusable homicide" framework of Mauritian criminal code.

²³ Workshop organised by Mpower on cybercrimes (Minister of IT Hon Avinash Ramtohol's address)- August 2025

²⁴ https://www.icta.mu/documents/2021/12/cybersecurity_act_2021.pdf

²⁵ <https://www.facebook.com/UNMauritius/posts/press-conference-launch-of-the-national-16-days-of-activism-campaign-2025-fam-ko/1255687039918874/>

remains outstanding. With respect to technology-facilitated GBV, the enforcement gap is stark. There have been zero arrests in connection with technology-facilitated gender-based violence cases. This complete absence of criminal accountability — in a context where women and girls are disproportionately the survivors — renders the Cybersecurity and Cybercrime Act 2021 effectively non-functional as a protective instrument for women and signals an urgent need for both legislative reform and law enforcement capacity building specific to gendered digital violence.

23. A particularly vulnerable group that falls outside existing protective frameworks are foreign national women resident in Mauritius. Upon divorce or separation, foreign women have no constitutional protections governing their residency status, property²⁶ rights, or entitlement to remain in the country. This legal vacuum leaves them exposed to forced displacement, loss of housing, and abrupt severance from their children, livelihoods, and support networks — compounding the harms of domestic violence with the additional threat of involuntary removal from the country. This gap is wholly inconsistent with Articles 4 and 8 of the Maputo Protocol, which require equal protection and access to justice for all women without distinction.
24. With respect to trafficking in persons, Mauritius—due to its geographic position as a transit hub and tourism-dependent economy—remains exposed to risks of women and girls being trafficked for sexual exploitation and forced labour. The *Combating of Trafficking in Persons Act 2009*²⁷, strengthened through subsequent amendments including enhanced penalties in 2023, provides the main legislative framework criminalising all forms of trafficking. Institutional responses include a Residential Drop-in Centre for child survivors of trafficking (established in 2016) and shelter services for women survivors, including those operated by Univers’Elles NGO in Albion, which accommodates trafficked women alongside other vulnerable groups.² However, despite these measures, Mauritius continues to be assessed as a Tier 2 country in the U.S. Trafficking in Persons Report, reflecting that it does not yet fully meet minimum standards for elimination of trafficking.²⁸ A key gap remains the absence of systematically collected and publicly available gender-disaggregated data on survivors, prosecutions, and protection outcomes, limiting transparency and effective monitoring of State compliance with Article 24 obligations under the Maputo Protocol.

Practices harmful to women (Article 5)

25. The strongest harmful-practice concern raised through the NGOs was not FGM, but ‘conversion’ practices aimed at forcing lesbian women into forced sex with men for heterosexual conformity. The Platform notes that this takes the form of coercive religious or spiritual interventions, including alleged rape and coercive “correction” of lesbian women to make them straight or force them to marry. The platform emphasizes that this issue is serious but overlooked and data concerning these

²⁶ Government of Mauritius, Immigration Act 2007 (as amended) and subsidiary residence permit regulations governing non-citizen spouses (no automatic post-separation residency protection provided). Available at: <https://mauritiusassembly.govmu.org/>

²⁷ Combating of Trafficking in Persons Act 2009 (Mauritius), as amended (including 2023 penalties enhancement). Available at: <https://mauritiusassembly.govmu.org/>

²⁸ <https://www.state.gov/reports/2024-trafficking-in-persons-report/mauritius/>

harmful practices need to be collected.²⁹

Sexual harassment (Article 13(c))

26. Sexual harassment remains a persistent form of gender-based violence in Mauritius, particularly in workplaces, and continues to undermine the full realisation of women's rights under the Maputo Protocol. While Mauritius has established a legal framework prohibiting sexual harassment under the Equal Opportunities Act 2008 and the Workers' Rights Act 2019, enforcement remains weak and inconsistent in practice.³⁰
27. Despite these protections, implementation gaps remain significant. Sexual harassment is widely underreported due to fear of retaliation, stigma, and lack of trust in complaint mechanisms, contributing to a culture of impunity in workplaces. The Platforms also highlights the absence of comprehensive, disaggregated national data on workplace sexual harassment, limiting effective monitoring and accountability. Weak enforcement of existing provisions and limited accessibility of remedies undermine the State's obligations under Articles 4(2)(b) and 13 of the Maputo Protocol.³¹

Domestic violence (Article 4(2)(a))

28. The Protection from Domestic Violence Act 1997 (PDVA), as amended, provides for both civil and criminal remedies, including protection orders and penalties for breach.³² However, despite this legal framework, its practical effectiveness in safeguarding women remains limited. Furthermore, tenancy and occupation orders are reportedly underutilised in practice, resulting in survivors often bearing the burden of displacement, which in turn contributes to social instability and disruption of children's schooling. Service provision remains insufficient, with shelters and support services falling short of documented demand. Structural economic dependence continues to trap many women in abusive relationships, with poverty and financial insecurity recognised as key drivers and aggravating factors of gender-based violence in Mauritius.³³
29. The Platform notes that the PDVA law fails to give same-sex couples and women with disabilities legal protection as it does not cover these two categories of people who can be protected under the law. The latter were described as particularly exposed to family violence, including economic abuse and incest. Women trying to leave violent marriages face barriers linked to support, housing, finances and children, while vulnerable women like ex-detainees also struggle to access domestic-violence services because of stigma.³⁴

Support to victims of violence, including health services and psychological counselling (Article 5(c))

²⁹ Data is not available but this was raised by Outmoris NGO as an increasingly common problem- further research and data collection is required

³⁰ Equal Opportunities Act 2008 (Mauritius), ss.25–26; Workers' Rights Act 2019 (Mauritius), s.114.

³¹ <https://au.int/en/treaties/protocol-african-charter-human-and-peoples-rights-rights-women-africa>

³² <https://gbvo.mric.mu/protection-from-domestic-violence-act/>

³³ <https://data.unwomen.org/country/mauritius>

³⁴ Kinouete NGO representative shared his experience of working with ex-female detainees in workshop 17/3/26

30. The lack of viable alternatives for survivors was a persistent gap noted by the Platform. The Platform highlights the severe shortages of women's shelters, lack of adapted facilities for women with disabilities, long delays for counselling, inadequate trauma-informed care, and poor accessibility in hospitals. Such systemic gaps are consistent with recognised State obligations to ensure availability, accessibility, acceptability and quality of support services for survivors of gender-based violence under international human rights law, including the Maputo Protocol.³⁵ It is further noted that women in distress often return home to perpetrators because they have nowhere else to go, a pattern widely documented in GBV literature as "secondary victimisation through structural neglect."³⁶

Proposed List of Questions

The Platform urges the African Commission to consider asking the Government of Mauritius the following questions:

- Has the Government established a dedicated institutional mechanism mandated to provide comprehensive protection and assistance to survivors of trafficking, including coordination of services and long-term support?
- What measures are being taken to address the specific vulnerabilities faced by foreign national survivors of violence, particularly regarding access to safe and affordable housing and adequate protection from homelessness or destitution?
- What concrete steps are being implemented to reduce delays and ensure timely access to psychological and psychosocial support services for survivors of trafficking and gender-based violence?

Recommendations

The Platform urges the African Commission to call on the Government of Mauritius to:

- Adopt and implement without delay the proposed Domestic Abuse Bill, ensuring survivor-centred protections, mandatory perpetrator accountability, and adequate, accessible shelter provision.
- Amend the Criminal Code to criminalise femicide as a distinct offence, with sanctions reflecting the severity of gender-motivated killings of women.
- Amend the Cybersecurity and Cybercrime Act 2021 to explicitly criminalise technology-facilitated gender-based violence, including online harassment, stalking, and image-based abuse, with effective remedies and enforcement.
- Establish a unified national GBV data system to collect and publicly report disaggregated outcomes across all response mechanisms, including LESPWAR, hotlines, Integrated Support Centres (FSS),

³⁵ African Union, *Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol)*, Articles 4(2)(a), 4(2)(e), and 5; UN Committee on the Elimination of Discrimination against Women (CEDAW), *General Recommendation No. 35 on gender-based violence against women*, CEDAW/C/GC/35 (2017), para. 24–30. <https://www.achpr.org/legalinstruments/detail?id=49>

³⁶ World Health Organization (WHO), *Responding to intimate partner violence and sexual violence against women: WHO clinical and policy guidelines* (2013), pp. 16–20. <https://www.who.int/publications/i/item/9789241548595>

police, and courts.

- Create or strengthen an independent national mechanism on trafficking in women, with a clear mandate for coordination, survivor protection, and prosecution.
- Criminalise conversion practices, recognising them as harmful practices violating dignity, integrity, and non-discrimination under the Maputo Protocol.
- Ensure sustainable public funding for shelters and GBV service providers, and expand specialised shelters and psychosocial services, ensuring accessibility for all survivors, including foreign nationals, persons with disabilities, and LGBTQ persons.
- Strengthen police and justice sector response to GBV, through mandatory training, survivor-centred procedures, and improved investigation and prosecution outcomes.
- Promote women's economic empowerment as a core violence-prevention strategy, addressing structural dependency and vulnerability.

THEME 3: RIGHTS RELATING TO MARRIAGE- Maputo Protocol Article 6 & 7

Marriage and its effect on property relations, nationality and name (Article 6(e) to (j))

31. While Mauritius provides formal equality in matters of marriage, divorce, and succession primarily through the Civil Code of Mauritius, the Civil Status Act 1981, and related personal status legislation, concerns remain regarding the effective implementation of Articles 6 and 7 of the Maputo Protocol.³⁷ The Mauritius Civil Code establishes marriage as a civil contract requiring consent; however, the Platform observes that the legal framework remains highly technical and insufficiently accessible to the general public, particularly at the pre-marital stage, thereby limiting women's ability to fully understand the legal consequences of marriage under domestic law.³⁸ This gap raises concerns regarding compliance with Article 6 (a) of the Maputo Protocol.
32. Furthermore, although the Civil Code of Mauritius and the Divorce and Judicial Separation provisions under Mauritian law provide formal equality in dissolution of marriage, practical barriers persist in access to legal information, legal aid, and awareness of rights, particularly for women in vulnerable situations.³⁹ These gaps affect the meaningful enjoyment of rights under Article 7 of the Maputo Protocol.
33. The Platform further notes that dissemination of legal information regarding marriage registration and its legal consequences remains fragmented across civil and religious contexts, with insufficient public legal education. This undermines informed decision-making and weakens the effective realisation of equality in marriage as required under Articles 6 and 7 of the Maputo Protocol. Emerging concerns—requiring further empirical substantiation—also indicate that the legal effects

³⁷ Republic of Mauritius, Civil Code of Mauritius (as amended), provisions on marriage and matrimonial regimes; Republic of Mauritius, Civil Status Act 1981 (Act No. 39 of 1981). Republic of Mauritius, Code Civil Mauricien, Book I (Persons), and provisions relating to divorce and judicial separation.

³⁸ African Union, Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), adopted 11 July 2003, entered into force 25 November 2005, Art. 6(a)–(b), available at: <https://au.int/en/treaties/protocol-african-charter-human-and-peoples-rights-rights-women-africa>

³⁹ <https://mauritiusassembly.govmu.org/mauritiusassembly/wp-content/uploads/2023/03/act0211.pdf>

of marriage may intersect with nationality, residency status, and gender recognition issues affecting foreign nationals and transgender persons, potentially compounding vulnerability within family law frameworks.

Protection of women in polygamous marriages (Article 6(c))

34. Mauritius' reservation to Article 6(c) of the Maputo Protocol has significant implications for women's (especially Muslim women married under Muslim Personal Law) substantive equality, particularly in relation to economic autonomy, access to property, and protection upon dissolution of marriage, thereby limiting full realisation of equality in marriage and family relations.
35. The Platform notes with concern that Muslim women who marry under Muslim Personal Law and not under the Civil Code and do not register their marriages with the Muslim Family Council and therefore are not protected under the laws of Mauritius. Their marriage is essentially recognised as cohabitation with no access to pension at death, and no marital property rights under the law, leaving them vulnerable.⁴⁰

Proposed List of Questions

The Platform urges the African Commission to consider asking the Government of Mauritius the following questions:

- What measures have been put in place to ensure that civil and religious marriage standards are formalised and require registration in line with Article 6(d) of the Maputo Protocol?
- What measures is the Government putting in place to improve the judicial process to ensure a fast and fair dissemination of justice in family cases?

Recommendations

The Platform urges the African Commission to call on the Government of Mauritius to:

- Take immediate steps to withdraw the reservation to Article 6 (c) of the Maputo Protocol.
- Harmonise civil and religious marriage standards in Mauritius in line with the Maputo Protocol.
- Criminalise forced marriage especially of LGBTQI people (as highlighted in paragraph 26).
- Expedite maintenance and alimony processes and strengthen enforcement of protection orders.
- Ensure that the legal and judicial systems and mechanisms function expeditiously and with minimal delays particularly in family cases.⁴¹

⁴⁰ <https://civilstatus.govmu.org>

⁴¹ Source: *L'Express (Mauritius)*, "About the Family Court and some psychologists"
<https://lexpress.mu/node/416170>

THEME 4: HEALTH AND REPRODUCTIVE RIGHTS- *Maputo Protocol Article 14*

Reproductive health services, including the reduction of maternal mortality (Article 14(1)(a) & (b))

36. Mauritius has made progress on maternal health over time, though the trajectory is not consistently positive. The maternal mortality ratio stood at 0.50 per 1,000 live births in 2024, an increase from the improvements recorded after 2018, and following a peak of 0.74 in 2017.⁴² While the overall long-term trend reflects improvement, the recent uptick requires monitoring and targeted policy response to ensure continued progress toward eliminating preventable maternal deaths. Women's life expectancy at birth consistently exceeds that of men, with the gap widening from 6.8 years in 2004 to 7.1 years in 2024.⁴³ The total fertility rate has declined from 1.9 in 2004 to 1.4 in 2024, with peak fertility shifting from the 25–29 age group to the 30–34 age group, reflecting that women are marrying and having children later.⁴⁴
37. The Platform notes that the declining trend in new contraceptive methods warrants investigation as to whether it reflects improved long-term method uptake, reduced access, or data gaps in service coverage. Critically, the most recent available data on the proportion of women of reproductive age whose need for family planning is satisfied with modern methods dates to 2014, when it stood at 41.9%.⁴⁵ The absence of updated data on this fundamental indicator over⁴⁶ a decade is itself a significant monitoring failure under Article 26 of the Maputo Protocol.
38. The adolescent birth rate stood at 19.9 per 1,000 women aged 15–19 in 2022, down from 20.73 per 1,000 in 2021, reflecting a gradual but uneven decline in adolescent pregnancies.⁴⁷ While this trend is positive, it remains significant and is compounded by administrative data from child protection authorities. According to Child Development Unit reporting, of 2,508 child abuse cases recorded in 2024, a notable proportion involved teenage pregnancy among adolescent girls, underscoring the intersection between sexual abuse, coercion, and early pregnancy.⁴⁸ Teenage pregnancy remains both a health outcome and an education barrier, interrupting girls' schooling and constraining long-

⁴² Data produced by Vidya Charan, president of MFPWA, in her address in the data collection workshop on 17/3/26

- Statistics Mauritius, Digest of Demographic Statistics 2024 (Health & Vital Statistics section)
- World Bank Data, Maternal mortality ratio (modeled estimate, per 100,000 live births) – Mauritius,

<https://data.worldbank.org/indicator/SH.STA.MMRT?locations=MU>

Statistics Mauritius, Demographic Yearbook 2024 (Life Tables / Vital Statistics); World Bank Data, Life expectancy at birth, Mauritius, <https://data.worldbank.org/indicator/SP.DYN.LE00.IN?locations=MU>

⁴³ Statistics Mauritius, Demographic Yearbook 2024 (Life Tables / Vital Statistics); World Bank Data, Life expectancy at birth, Mauritius, <https://data.worldbank.org/indicator/SP.DYN.LE00.IN?locations=MU>

⁴⁴ Statistics Mauritius, Digest of Demographic Statistics 2024 (Fertility and Age-Specific Fertility Rates section); World Bank Data, Fertility rate, total (births per woman) – Mauritius,

⁴⁵ Statistics Mauritius, *Gender Statistics / Health and Family Planning Indicators (latest available published series)* (2014); World Bank Data, *Contraceptive prevalence, modern methods (% of women aged 15–49)* – Mauritius

⁴⁶ <https://www.who.int/data/gho/> World Health Organization (WHO), *Family planning/contraception methods coverage indicators* –

⁴⁷ World Bank Data, *Adolescent fertility rate (births per 1,000 women ages 15–19)* – Mauritius, <https://data.worldbank.org/indicator/SP.ADO.TFRT?locations=MU>

⁴⁸ Republic of Mauritius, Ministry of Gender Equality and Family Welfare, *Child Development Unit (CDU) Annual Report 2024* (Child abuse case statistics and outcome classification); Government of Mauritius press releases and parliamentary answers referencing CDU case reporting (2024–2025 period)

term economic participation, consistent with global evidence on adolescent SRHR outcomes.⁴⁹

39. The Platform reports serious gaps in accessibility and responsiveness within the health system. Women with disabilities face inaccessible services and equipment, while the wider system suffers from shortages of personnel and weak access to psychologists. Evidence from the Platform (NGOs Collectif Urgence Toxida and PILS) highlights that women who use drugs face additional challenges linked to caregiving responsibilities, discrimination, and fear of social and legal repercussions. Mauritius provides universal free healthcare and has implemented a National Sexual and Reproductive Plan of Action (2018–2021).⁵⁰ However, critical gaps remain in reproductive rights access, adolescent health, and women-specific disease burden. The Platform also stresses that health education and outreach programmes are inadequate to respond to the health needs of women, and more awareness campaigns are a must.
40. Since the first HIV/AIDS cases were registered in Mauritius in October 1987, cumulative cases have reached 9,762 as at December 2024, of whom 28.7% were women. During 2024, 549 new cases were registered among Mauritians, with women comprising 29.3% of new cases - an improvement from 41.0% in 2014, suggesting some progress in reducing women's disproportionate exposure. However, women and girls continue to face disproportionate discrimination based on their HIV status and continue to be stigmatized which prevents them from accessing healthcare and other services.⁵¹ The Platform documented reproductive coercion affecting HIV-positive women in antenatal services, barriers faced by sex workers and transgender women in reporting violence, confidentiality breaches in health settings, and invasive gatekeeping around access. The Platform also draws attention to the lack of accessible complaint mechanisms for medical malpractice and to the age gap between sexual consent and independent medical consent for HIV treatment, which undermines adolescent health access.⁵²
41. Another concern highlighted is that sexuality education and broader sexual and reproductive health education remain fragmented and do not adequately reach the population at large. School-based sexuality education has been documented as inconsistently implemented and, in many contexts, does not comprehensively address HIV prevention, gender diversity, or sexual orientation in line with international technical guidance. More broadly, there are concerns that women's health awareness—particularly in relation to non-communicable diseases such as breast cancer—remains insufficient, with gaps in early screening awareness and preventive health education contributing to delayed diagnosis.⁵³

⁴⁹ UNICEF, *Early Childbearing and Adolescent Pregnancy – Global Evidence Brief*, <https://www.unicef.org>

⁵⁰ Ministry of Health and Quality of Life (Mauritius), *National SRHR Strategic Plan of Action 2018–2021* (2018).

⁵¹ The People Living With HIV Stigma Index <https://development.stigmaindex.org/wp-content/uploads/2022/04/Mauritius-STIGMA-INDEX-REPORT-FINAL-2023-2024.pdf>

⁵² Ministry of Health and Wellness (Mauritius), *Patient Rights Charter / Health Service Standards Framework* (official policy documents); Office of Ombudsman (Mauritius), *Annual Reports (health complaints and maladministration sections)*

⁵³ UNESCO, *International Technical Guidance on Sexuality Education (ITGSE)* (Revised Edition, 2018), <https://unesdoc.unesco.org> ; UNESCO & UNFPA, *Comprehensive Sexuality Education: Evidence and Programming Guidance (global review)*; UNAIDS, *Education Plus Initiative – Sexuality Education and HIV Prevention*, <https://www.unaids.org>

42. An emerging and serious health concern is the growing number of women with drug addictions and foreign women who are coerced into drug trafficking networks as couriers due to economic desperation.⁵⁴ This development sits at the intersection of health, poverty, and security and has been identified in the National Gender Policy 2022–2030 as a priority concern. The health consequences for women who are drug-dependent includes increased vulnerability to HIV, GBV, and mental health disorders. These demand a gendered approach to drug prevention, treatment, and rehabilitation that is currently absent from the national response. Also, the Platform notes with concern that the impact of drug abuse by women on children and the family needs to be assessed and data collected for effective prevention and protection measures to be taken.

Provision for medical termination of pregnancy (Article 14(2)(c))

43. Mauritius has entered a reservation on Article 14 (2) (c)⁵⁵ however, the Criminal Code was amended in 2012 through the Criminal Code (Amendment) Act 2012, introducing limited exceptions permitting medical termination of pregnancy(MTP) in narrowly defined circumstances, namely where the continuation of the pregnancy poses a risk to the life or physical or mental health of the pregnant person, in cases of severe foetal abnormality, where the pregnancy results from rape or incest, and where the pregnant person is a minor.⁵⁶ These statutory exceptions bring Mauritius into partial alignment with Article 14(2)(c) of the Maputo Protocol, which requires States Parties to authorise MTP in such specified circumstances.⁵⁷
44. However, the procedural requirements imposed by the law create significant practical barriers that undermine meaningful access and constitute an implementation gap under the Protocol. The law requires approval from three physicians before a lawful MTP can proceed, and in cases of rape, a police report is additionally required. These procedures must typically⁵⁸ be completed within the first 14 weeks of pregnancy. In practice, the requirement to obtain the concurrent approval of three physicians within a narrow timeframe places the burden of navigating a complex bureaucratic process on women who are already in vulnerable and often traumatic circumstances. The additional requirement for a police report in rape cases compounds this burden further: many rape survivors do not report to police due to fear, shame, and distrust of the justice system, meaning that the legal ground of rape to access an MTP is effectively unavailable to a significant proportion of survivors who have not formally reported the crime.
45. The cumulative effect of these procedural requirements is that lawful MTP, while technically available, is not meaningfully accessible to all women who qualify. The gap between legal permissibility and practical access is itself a violation of Article 14 of the Maputo Protocol, which requires states to ensure not merely that rights exist on paper but that women can exercise them.

⁵⁴ 2025 Trafficking in Persons Report: Mauritius <https://www.state.gov/reports/2025-trafficking-in-persons-report/mauritius/>

⁵⁵ African Union, *Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol)*, adopted 11 July 2003, Article 14; Mauritius instrument of ratification with reservations (AU Treaty database)

⁵⁶ Mauritius, *Criminal Code (Amendment) Act 2012* (Act No. 24 of 2012), amending sections 235–236 of the Criminal Code to introduce lawful exceptions for termination of pregnancy under specified conditions.

⁵⁷ Maputo Protocol, Article 14(2)(c), requiring States Parties to authorise medical abortion in cases of sexual assault, rape, incest, and where continuation of pregnancy endangers the life or health of the mother or foetus.

⁵⁸ Criminal code, s 235-236, 235A

No data on the number of lawful MTP performed annually in Mauritius is publicly available, which further limits accountability for the state's compliance with this obligation. The Platform finds the current MTP framework to be outdated and inadequate and argues that the law does not reflect women's actual needs and may push women toward private, unsafe or informal options. .

Proposed List of Questions

The Platform urges the African Commission to consider asking the Government of Mauritius the following questions:

- What measures will the Government put in place to address barriers to access to safe abortion care including the high burden of proof in rape case?
- What steps are being taken to ensure confidentiality, non-discrimination and inclusive care for women living with HIV and women in key populations?
- What measures is the Government putting in place to strengthen public health outreach and sexual education, including on breast cancer, HIV and adolescent reproductive health?
- What steps is the Government taking to improve remote healthcare services to ensure equitable access for all women, particularly those in marginalized communities, women with disabilities, women who use drugs, and women in prison?

Recommendations

The Platform urges the African Commission to call on the Government of Mauritius to:

- Take necessary and immediate steps to withdraw the reservation to Article 14 (2) (c) of the Maputo Protocol.
- Expand and diversify nationwide health education campaigns covering topics such as sexual and reproductive health, HIV prevention, mental health, breast and cervical cancer, and gender-based violence.
- Integrate comprehensive sexuality education into school curricula at all levels, ensuring age appropriate, rights-based, and culturally sensitive content.
- Review the procedural requirements for lawful abortion to ensure meaningful access in practice, by reducing the number of required physician approvals, removing the mandatory police report requirement in rape cases, and reviewing the 14-week gestational limit in light of the practical barriers women face in navigating the approval process.
- Collect and publicly report disaggregated data on the number of lawful abortions performed annually, to enable monitoring of access and compliance with Article 14 obligations.
- Update and publish data on the proportion of women whose family planning needs are satisfied with modern methods, since the last recorded data is from in 2014.
- Develop a gendered national response to drug abuse that addresses the feminisation of addiction and the coercion of women into trafficking networks.

THEME 5: ECONOMIC RIGHTS, DECENT WORK AND SOCIAL PROTECTION- *Maputo Protocol Articles 13 & 15*

46. In 2024, the employment rate for women aged 15–64 is 48.6%, compared to 78.0% for men reflecting a gap of 29.4%⁵⁹. Of the 596,100 active persons in the labour force in 2024, only 255,400 were women. Women represent 59.2% of total unemployed persons despite constituting a minority of the labour force, with a female unemployment rate of 8.3% against 4.3% for men. This disparity is sharpest among young women: the gender unemployment gap reaches 5.3% points among those under 25 years of age. Critically, unemployed women are more qualified than their male counterparts; 22.2% of unemployed women hold tertiary qualifications compared to 17.8% of unemployed men. This reveals structural barriers beyond education as the driver of women's labour market exclusion. Women spend 19% of their time on unpaid care and domestic work compared to 4.8% for men, directly constraining their availability for paid employment and career progression⁶⁰.
47. The raw gender pay gap is 11.3% at the hourly level and 27.2% at the monthly level⁶¹. The monthly gap is larger because women consistently work fewer hours than men across all age and education groups. After accounting for age, marital status, education, occupation, sector and formality status, the adjusted gender pay gap rises to 15.1%. Strikingly, 14.9% points of the raw gap remain statistically unexplained by observable characteristics, indicating that unmeasured factors including labour market discrimination, differences in bargaining power, and social networks are significant determinants of the gap.
48. The gap is widest for primary-educated women at 27.1% and narrowest for tertiary-educated women at 4.2%. Married women face a gap of 19.4% compared to single women for whom the gap is negligible, reflecting the disproportionate impact of marriage and caregiving on women's earnings. The pay gap is most pronounced in feminised sectors: women earn 25.3% less than men in education, 17.3% less in wholesale and retail trade, and 12.3% less in the households-as-employers sector. The gap is larger in the formal sector (15.8%) than the informal sector (4.3%). Analysis across the wage distribution reveals evidence of a glass ceiling: the adjusted pay gap increases from 10.9% at the lowest decile to 17.9% at higher wage levels, confirming that women face escalating barriers to advancement as they progress up the earnings distribution.
49. Women are disproportionately dependent on social protection systems in later life. Of 269,887 Basic Retirement Pension recipients as at June 2024, 55% were women.⁶² Women outnumber male pensioners by 26,900, a differential projected to reach 27,500 by 2064, reflecting women's greater longevity and their relative exclusion from occupational pension schemes during working life. There were 17,133 recipients of Basic Widows Pension⁶³ in June 2024, and 58.1% of inmates in infirmaries

⁵⁹ Statistics Mauritius, *Labour Force, Employment and Unemployment – Quarterly Bulletin 2024*, Government of Mauritius. Available at: <https://statsmauritius.govmu.org>

⁶⁰ Source: Statistics Mauritius, *Labour Force, Employment and Unemployment – Annual Review 2024*, Table on educational attainment of unemployed persons by sex.

⁶¹ Statistics Mauritius, *Time Use Survey 2017/2018*, Government of Mauritius, Port Louis. Available at: <https://statsmauritius.govmu.org>

⁶² Statistics Mauritius – *Gender Statistics 2025 (latest update)* https://statsmauritius.govmu.org/Documents/Statistics/ESI/2025/EI1872/Gender_Yr24_220725.pdf

⁶³ Ministry of Social Security, National Solidarity & Reform Institutions – Annual Reports <https://socialsecurity.govmu.org> https://statsmauritius.govmu.org/Documents/Statistics/ESI/2025/EI1872/Gender_Yr24_220725.pdf

and orphanages were women, with 59.7% of female residents aged 70 and above — highlighting the acute vulnerability of elderly women without family support networks.⁶⁴

50. The Workers' Rights Act 2019⁶⁵ mandates equal remuneration for work of equal value and provides for maternity leave of sixteen weeks. However, no pay transparency mechanism, mandatory pay audit system, or independent enforcement body exists to ensure compliance. The absence of gender-responsive budgeting across government ministries further means that public expenditure is not systematically directed toward closing these structural gaps.⁶⁶
51. A structural concern with the current employment framework is that while maternity leave provisions have been progressively extended, paternity leave remains limited to five days and does not extend to partners in common-law unions⁶⁷. This asymmetry, while seemingly protective of women, institutionally reinforces the assumption that women are the primary — and near-exclusive — caregivers of newborn children. By making extended leave a female entitlement rather than a shared parental right, the law effectively signals to employers that hiring women of reproductive age carries a greater cost burden than hiring men, contributing to discriminatory hiring and promotion practices. It also entrenches the domestic care burden on women from the earliest stage of family formation, with documented downstream consequences for women's labour force participation, career progression, and lifetime earnings. A genuinely equality-oriented framework would replace the current maternity-centred model with a system of shared parental leave that distributes caregiving responsibility equitably between parents from the outset. The absence of gender-responsive budgeting across government ministries further means that public expenditure is not systematically directed toward closing these structural gaps.⁶⁸

Proposed List of Questions

The Platform urges the African Commission to consider asking the Government of Mauritius the following questions:

- What measures has the Government adopted to address the persistent gender pay gap across education levels, marital status, and sectors of employment?
- What specific policies exist to address occupational segregation in feminised sectors (education, retail, domestic work) where wage penalties remain higher for women?

⁶⁴ UN Women Africa. (2024, March). Brief: Gender pay gap and labour market inequalities in Mauritius. UN Women.

<https://africa.unwomen.org/en/digital-library/publications/2024/03/gender-pay-gap-and-labour-market-inequalities-in-mauritius>

⁶⁵ <https://lawsofmauritius.govmu.org/portal/viewlegislationdocument/web/?docnumber=QWN0IDlwIG9mIDlwMTk%3D&doctype=act>

⁶⁶ Ministry of Finance, Economic Planning and Development (Mauritius), National Budget / Programme-Based Budgeting Framework (no binding GRB mechanism institutionalised). <https://budget.govmu.org>

⁶⁷ Workers' Rights Act 2019 (No. 20 of 2019), Mauritius, Part VIII (Leave Provisions), including maternity protection provisions and statutory paternity leave framework

<https://lawsofmauritius.govmu.org/portal/viewlegislationdocument/web/?docnumber=QWN0IDlwIG9mIDlwMTk%3D&doctype=act>

⁶⁸ MCB Group. (2021, March). Mauritius Inc.: Promoting gender equity to sustain a more inclusive development path (MCB Focus Occasional Paper No. 82). MCB Group. <https://mcbgroup.com/docs/default-source/investor-centre/mcb-focus/mcb-focus-no-82-21may2021.pdf>

- How is the State addressing the gender dimension of relative poverty thresholds and cost-of-living vulnerability?
- What mechanisms have been established to ensure that poverty reduction strategies are gender-responsive and not gender-neutral in design and implementation?
- How is the State responding to the gender imbalance in widows' pension dependency and elderly care institutions?
- What steps are being taken to implement gender-responsive budgeting across ministries to address structural economic inequality?
- What steps are being taken to transition from a maternity-centred model to a shared parental leave system?

Recommendations

The Platform urges the African Commission to call on the Government of Mauritius to:

- Establish mandatory pay transparency and audit requirements to enforce the equal pay obligations of the Workers' Rights Act 2019.
- Develop policies to recognise, and reduce unpaid care work, including through expanded affordable childcare and paternity leave reform.
- Implement targeted active labour market programmes to address the structural barriers preventing qualified women from accessing employment commensurate with their qualifications.
- Adopt gender-responsive budgeting across all ministries to direct public resources toward closing economic gender gaps.
- Strengthen social protection provisions for female-headed households and elderly women living in poverty.
- Strengthen equal-pay enforcement and expand public information on welfare entitlements.
- Address discriminatory housing practices and expand women's access to land, property and credit.
- Strengthening women's role in economic decision-making and sustainable development policies by encouraging women to engage in trade unions and leadership roles.

THEME 5: RIGHTS OF SPECIALLY PROTECTED WOMEN'S GROUPS — ELDERLY WOMEN, WOMEN WITH DISABILITIES, WOMEN IN DISTRESS AND WIDOWS- Maputo Protocol Articles 20, 21, 22, 23 & 24

Elderly Women (Article 22)

52. Article 22 of the Maputo Protocol requires states to take special measures to protect elderly women from violence, discrimination, and exploitation. Although Mauritius has signed the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa in 2001, it is yet to ratify the Protocol.
53. Mauritius has specific laws for the elderly, such as the provisions under the civil Code and the

Protection of Elderly Persons Act 2005. The Platform notes an increase in violence against elderly women as reported in the media in recent years, due to perpetrators being on drugs⁶⁹. The Platform is concerned by the risk of abuse, neglect, financial exploitation, psychological abuse and forced placement, as well as weak public awareness of older persons' rights.⁷⁰ The Platform notes the need for better access to medicines, screening, chronic-disease care, dementia services, palliative care, adapted housing, mobility support and age-friendly environments.

54. In 2024, of 628 inmates in infirmaries and orphanages, 58.1% were women, with 59.7% of female residents aged 70 years and above.⁷¹ The disproportionate concentration of elderly women in institutional care settings reflects broader gendered inequalities across the life course, including lower lifetime earnings, reduced pension accumulation, and greater likelihood of widowhood and solitary ageing. This pattern raises specific concerns regarding heightened exposure of elderly women to neglect, inadequate care standards, financial vulnerability, and potential abuse within institutional environments. The limited availability of disaggregated public data on conditions of care, complaint mechanisms, and rights protections in such facilities further compounds these concerns and highlights the need for strengthened monitoring, transparency, and gender-responsive elder care policy.

Widows, including their inheritance rights (Articles 20 & 21)

55. There were 17,133 recipients of the Basic Widows Pension as at June 2024, a decrease of 3.5% from 17,753 in 2023.⁷² The Basic Widows Pension provides a degree of financial protection for widowed women, but its adequacy relative to the cost of living and the extent to which widows' inheritance and property rights are protected in practice remain grey areas where data is insufficient for a comprehensive assessment. To be noted with concern, in February 2026⁷³, the Government announced the temporary removal of the widows' pension given to Muslim widows who were not married under civil law or did not register their religious marriages under the Muslim Family Council.

Women with Disabilities (Article 23)

56. Women with disabilities face intersectional discrimination, experiencing the compounded disadvantages of both gender inequality and disability, that places them at significantly heightened risk of GBV, economic exclusion, and denial of reproductive rights. Of 28,969 invalid pensioners as at June 2024, 45.6% were women.⁷⁴ Gender-disaggregated data on violence against women with

⁶⁹ Media articles- L'Express (Mauritius), reporting in multiple articles (2021–2024) on cases of elder abuse, including violence against elderly women, neglect, and financial exploitation, with police attributing some incidents to drug and alcohol abuse in households.

⁷⁰ https://socialsecurity.govmu.org/socialsecurity/wp-content/uploads/2024/08/observatory_ageing_Security-and-Protection.pdf

⁷¹ Ministry of Social Integration, Social Security and National Solidarity (Mauritius), Observatory on Ageing: Security and Protection of Older Persons in Mauritius (2024), highlighting vulnerability risks in institutional and community care settings. <https://socialsecurity.govmu.org/>

⁷² Statistics Mauritius, Gender Statistics 2024, Ministry of Social Integration

⁷³ Ministry of Social Integration, Social Security and National Solidarity (Mauritius),

⁷⁴ Statistics Mauritius, *Poverty Analysis Report 2023/24* (or latest available edition based on Household Budget Survey data), Government of Mauritius; see also Statistics Mauritius, *Household Budget Survey 2017/18*, Ministry of Finance and Economic Development.

disabilities, their access to GBV support services, and their inclusion in economic and social programmes is not available in Mauritius, representing a significant data and policy gap. The absence of disability-specific provisions within the GBV legislative and support framework is a documented deficiency.

Women in Distress: Poverty and gendered vulnerability (Article 24)

57. In Mauritius, official poverty statistics indicate that approximately 8.6% of women live below the relative poverty line, with female-headed households experiencing a higher poverty rate of 9.9%.⁷⁵ Despite this, poverty alleviation programmes do not consistently integrate a gender-responsive approach that addresses the structural drivers of women's poverty. This gap perpetuates cycles of economic dependence, particularly among women in marginalised communities, thereby increasing their exposure to gender-based violence, trafficking, and drug-related exploitation.⁷⁶
58. Moreover, it has been observed that women are more likely than men to live in poverty. In 2023, 8.6% of the female population lived below the relative poverty line compared to 8.1% of men. Of 101,200 persons in relative poverty, 52,400 were women. Female-headed households face a poverty rate of 9.9%, compared to 6.4% for male-headed households — a 3.5% point differential that reflects the acute economic vulnerability of households dependent on women's income alone. The poverty line stood at Rs 12,378 in 2023.

Proposed List of Questions

The Platform urges the African Commission to consider asking the Government of Mauritius the following questions:

- What protections are in place for elderly women facing neglect, abuse and economic insecurity?
- What measures has the government put in place to ensure that disability-specific protections are integrated into GBV and social-support frameworks?
- What measures are being taken to address homelessness and poverty-related vulnerability among women?
- What steps is the government taking to improve data collection on specially protected groups, including resource allocation?

Recommendations

The Platform urges the African Commission to call on the Government of Mauritius to:

- Develop a dedicated policy framework for elderly women addressing their specific vulnerabilities to neglect, abuse, and economic insecurity in both community and institutional care settings

⁷⁵ Statistics Mauritius, *Poverty Analysis Report 2023/24* (based on Household Budget Survey data); Statistics Mauritius, *Household Budget Survey 2017/18*,

⁷⁶ UN Women, *Progress of the World's Women: Transforming Economies, Realizing Rights* (2015); UNODC, *Global Report on Trafficking in Persons* (2022/2024); CEDAW Committee, *General Recommendation No. 35 on Gender-Based Violence against Women* (2017); World Bank, *Gender, Poverty and Inequality* thematic reports (2018–2023)

- Ensure widows' inheritance and property rights are effectively protected and that the Basic Widows Pension is reviewed for adequacy relative to current cost of living.
- Integrate disability-specific provisions into the GBV legislative and support framework, ensuring women with disabilities have access to accessible, inclusive, and tailored protection services
- Reform poverty alleviation programmes to explicitly address the gender dimensions of poverty, with targeted support for female-headed households.
- Ensure that policies include specific provisions addressing the intersectional vulnerabilities of elderly women, women with disabilities, and women in economic distress.
- Put in place stronger legal protection, an ombudsperson or defender of older persons' rights, standards in care institutions, and better support for dignity, autonomy and advance directives, especially for women since they lived longer than men.

4. APPENDIX

List of Organisations Forming the Platform

1. [AMwA- Akina Mama wa Afrika](#)
2. [Association Kinouété](#)
3. [Breast Cancer Care Association](#)
4. [Caritas Ile Maurice](#)
5. [Chrysalide](#)
6. [Collectif Urgence Toxida](#)
7. [Droits Humains Océan Indien \(DIS-MOI\)](#)
8. [Etoile D’Espérance – Association Alcool Femmes](#)
9. [Equality Now](#)
10. [Future Hope](#)
11. [Groupement FIAPA \(Fédération Internationale des Associations de Personnes Agées\)](#)
12. [Kolektif Rivier Nwar](#)
13. [Kolektif Drwa Imin \(KDI\)](#)
14. [Out Moris](#)
15. [Lovebridge](#)
16. [MPower!](#)
17. [Mauritius Family Planning & Welfare Association \(MFPWA\)](#)
18. [Passerelle](#)
19. [Pédostop](#)
20. [PILS](#)
21. [Physically Handicapped Welfare Association](#)
22. [Solidarity for African Women’s Rights Coalition](#)
23. [SOS Femmes Mauritius](#)
24. Women with Disabilities
25. [Young Queer Alliance](#)