



MAURITIUS

JULY 2014

ANALYSIS OF THE SITUATION

A. General situation

The Republic of Mauritius is composed of several islands in the Indian Ocean, 2000 km from the southeast coast of the African continent. Its capital is Port-Louis on the Mauritius Island and, even if English is the official language, French and Creole are widely used, as well as other Asian languages.

Following the successive colonization of Holland, France and England, Mauritius became independent on March 12, 1968. The country is also part of the Commonwealth and has a long tradition of parliamentary democracy. Mauritius is characterized by its ethnic and religious diversity with a population of African, Indian, Chinese and European descent. As a result of such varying ethnic and religious backgrounds, political allegiances are organized according to class and ethnicity.

According to the 2011 census, the population is estimated at 1'236'817 inhabitants. Nearly 21% of the population is between 0 and 14 years old, 29% between 0 and 19 years old and 6% less than 5 years old.

Universal human rights are entrenched in the country's constitution and the Mauritian government has shown its commitment to the monitoring and implementation of such fundamental freedoms by adhering to international treaties and enacting its own Protection of Human Rights Act, which provided the establishment of the National Human Rights Commission.

However, there is no real harmonization of the children's rights and protection laws in Mauritius and the legislation relevant to children can be found in various Codes and Acts. Based on the information given in the Universal Periodic Review of Mauritius, the country is in the process of creating such a law (Children's Bill).

Furthermore, in relation to the situation of children in this country, despite the universal access to health care and to primary education until the age of

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16 for both boys and for girls, only 71% of children between 12 and 19 years old are registered in secondary schools (Mauritius education statistics). Furthermore, extreme poverty and human rights violations are still too frequent.

Sources:

- Mauritius government website, general information on the country: <http://www.gov.mu>
- Wikipedia, General information about Mauritius: <http://en.wikipedia.org/wiki/Mauritius>
- Humanium, information about children in Mauritius: <http://www.humanium.org/en/mauritius/>
- Mauritius statistics (Housing and Living Conditions 2011): <http://statsmauritius.gov.mu/English/Pages/2011-Housing-and-Populations-.aspx>
- Mauritius statistics (Education 2012): <http://statsmauritius.gov.mu/English/Pages/Education-Statistics---2012.aspx>
- Mauritius In Figures 2012: <http://statsmauritius.gov.mu/English/Publications/Documents/MIF/mif12.pdf>
- OHCHR, Universal Periodic Review of Mauritius, 2013: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G13/156/37/PDF/G1315637.pdf?OpenElement>
- *Study on Street Children in Mauritius*, The Mauritius Family Planning and Welfare Association & NGO Safire, 2012: <http://safire-ngo.org/publications/reports>

B. Children deprived of their family and actual responses

In 2012, a survey done by the NGO SAFIRE (Service of accompaniment, training, integration and rehabilitation of the child) revealed that 6,780 children, adolescents and young adults, aged between 5 and 19 years old, were in street situations and victims of all kinds of exploitation (2% of the total population of children and adolescents). Child trafficking and prostitution are still a central issue of concern which had already been pointed out several times and which require urgent action, based on a regulated child protection system.

There are limited alternative care options outside institutionalisation and the residential care institutions in Mauritius are mostly private entities. It is the Ministry of Social Security which provides grants to charitable institutions/NGOs for the upkeep of orphans and abandoned children.

Moreover, as stated in the Ombudsperson for children 2011-2012 report, “apparently no basic data (family background or medical history of the child) is submitted during the placement process of a child although this information is essential and would determine the quality of care”. One other concern raised by the Ombudsperson is the fact that most of the children placed in institutions stay there until they reach 18 years old.

Based on the statistics presented by the *Ministry of Gender Equality, Child Development and Family Welfare*, in 2011 there were 165 children in residential care and 18 children placed in foster care. However, based on the numbers presented in the *2011-2012 report of the Ombudsperson for Children* (Chapter 7 – residential care institutions), as of 19 June 2012, there were 485 children who had been placed in 16 shelters by the Child Development Unit (CDU). When these figures are compared, it seems that there are disparities in the statistics probably due to a lack of global coordination, control and monitoring.

Due to the weakness of the governmental monitoring and support system, several cases of abuse and children’s rights violations have been reported, notably by the *Ombudsperson for Children* in its 2011-2012 report:

- One Residential Care Institution (RCI) was taking care of 131 children placed there for various reasons: victims of trafficking, abandonment, and negligence, homeless or at risk children. Out of these children 21 were babies. The overcrowded institution lacked all infrastructure and human resources to take care of so many children with psychosocial and emotional support needs (see Chapter 7 – residential care institutions, chapter 7.3). Even if the situation for some of the children changed (8 babies placed in foster families, around 30 boys and girls transferred to other RCI), there is no guarantee that the situation changed in this institution.
- Children identified as having psychological and/or mental issues were put in institutions and forbidden to go to school because of their condition. A second evaluation concluded that they were fine and there was no reason for them to be placed in such institutions.



Another source of concern is related to the statistics of the *Ministry of Gender Equality, Child Development and Family Welfare* which show that the highest percentage of children in residential care (almost 35%) are between 0 and 5 years old, although, as outlined in the 2009 Alternative Care Guidelines (paragraph 22), the placement of children under three years in institutions should be abolished.

Sources:

- *Study on Street Children in Mauritius*, ONG Safire, 2012 : http://safire-ngo.org/assets/pdf/thematic/Report_on_Street_Children.pdf
- CRIN, Publication, Mauritius National Laws: <http://www.crin.org/en/library/publications/mauritius-national-laws> ;
- *9th Annual report of the Ombudsperson for Children for the year 2011-2012*, Ombudsperson for Children's Office, Mauritius Government: <http://www.gov.mu/portal/sites/ncb/oco/report2012.htm> ;
- US Department of State, *Trafficking in Persons Report 2013 (Mauritius)* : <http://www.state.gov/documents/organization/210740.pdf>;
- Ministry of Gender Equality, Child Development and Family Welfare - Child Development Unit: <http://gender.gov.mu/English/Pages/Units/Child-Development-Unit.aspx> ;
- *Statistics in Mauritius – A Gender Approach*, Ministry of Gender Equality, Child Development and Family Welfare, February 2013 : <http://gender.gov.mu/English/Documents/Statistics%20in%20Mauritius%20-%20A%20Gender%20Approach%2024.07.13.pdf>
- African Network for the Prevention and Protection against Child Abuse and Neglect (ANPPCAN): <http://www.anppcan.org/>

Comments of the ISS/IRC

A number of concerns have been raised in relation to the provision of care for children in need and deprived of their family in Mauritius. Not only is the provision of alternative care still limited outside institutionalisation, but it also lacks measures and legislation designed to ensure their efficient functioning and a system of control and monitoring.

It has been reported that this has led to circumstances in which the children and their rights have indeed not been respected or protected, including instances of trafficking and further abuse. Trafficking of children has evolved into a central issue of concern which requires urgent action, based on a regulated child protection system.

Two children's rights violations are also very worrying: the non-respect of the rights of children with special needs and the almost systematic institutionalization of children under 3 years old which puts their full and harmonious development at high risk. Further sensitization programs, financial and technical support from the government and other urgent measures should be taken to overcome both these issues.

C. Adoption

Mauritius ratified the THC-93 which entered into force in 1999, but the government is taking a long time to amend its laws in order to fully implement the Hague Adoption Convention. For example, it is only since 2013 that Mauritius requires prospective adoptive parents to seek an authorized intermediary, and that no independent adoptions are allowed anymore.

Based on an information given by our partner organization in Mauritius ANPPCAN (*communication from May 2014*), in November 2013, the Minister Mrs Martin declared that the legal framework for domestic and intercountry adoption of children in Mauritius was being reviewed (article online in "Le Mauricien") in collaboration with the National Adoption Council (NAC). No further information has been given on when this legislation will be ready.

Sources:

Swiss government:

https://www.bj.admin.ch//content/bj/fr/home/themen/gesellschaft/internationale_adoption/herkunftslander/mauritius.html;

French Ministry of External Affairs: http://www.diplomatie.gouv.fr/fr/actions-france_830/adoption-internationale_2605/pays-origine_3233/fiches-pays_3895/maurice_9617.html ; US State Department:

http://adoption.state.gov/country_information/country_specific_info.php?country-select=mauritius ; Mauritius Prime



GENERAL OBSERVATION: Intercountry adoptions are currently accepted in Mauritius; however there are very few adoptable children (see statistics tables below).

Intercountry adoptions are suspended with France. See release, July 4, 2014: "Following the visit to France of a Mauritius delegation on July 3 and facing the influx of applications for adoption in Mauritius as well as the number of potentially adoptable children in this country, both countries mutually agreed to suspend the transmission of any new applications to the National Adoption Council, the central adoption authority in Mauritius. No more applications will be accepted and transmitted by the French Central Authority." (source: <http://www.diplomatie.gouv.fr/fr/adopter-a-l-etranger/comment-adopter-a-l-etranger/les-fiches-pays-de-l-adoption/fiches-pays-adoption/article/adopter-a-maurice>)

THEMES

INFORMATION

CENTRAL/ COMPETENT AUTHORITY

Central Authority:

The National Adoption Council (NAC)

3rd Floor Govt Centre

PORT LOUIS

Mauritius

Tel.: +230 201 3549

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Contact persons: Mrs Bacha or Mrs Purryag

The establishment, role and responsibilities of the NAC - which operates under the aegis of the Prime Minister's Office - are enacted in the *National Adoption Council Act 1987* (Act No.21 of 1987). The NAC was created to fulfil the lack of controls and protocols in adoption and to fight the resultant upsurge of child trafficking in the 80's.

Competent Authority:

The **Supreme Court of Mauritius** receives, listens, and decides on the adoption of the child based on the conclusions of the National Adoption Council.

Sources:

http://www.hcch.net/index_en.php?act=authorities.details&aid=841

Prime Minister's Office, Defense and Home Affairs, Mandate, Adoption Matters:

<http://pmo.gov.mu/English/dha/Mandate/Pages/Adoption-Matters.aspx>

The Hague website, Profile for country of origin, Mauritius (September 2012):

http://www.hcch.net/upload/adop2010cp_mu.pdf

FULL/ SIMPLE ADOPTION

The Civil Code of Mauritius recognizes **simple and full adoption**. (See effects and revocation below).

Simple adoption may be converted into full adoption or a legitimising adoption, if it is in the interests of the child.

In addition, a spouse may adopt a biological child for whom legal filiation has only been established in relation to the other spouse: "legitimising adoption".

Source:

Civil Code: Arts. 347, 370-370.5.

SUBSIDIARITY PRINCIPLE

The ISS/IRC did not identify any information on this issue in the law.

Based on the country profile sent by the Mauritius authorities to The Hague Conference, the **Supreme Court of Mauritius** decides if it is in the best interests of the child to be placed in



intercountry adoption. The Court is responsible for ensuring that ensure the subsidiarity principle has been respected.

Source:

The Hague website, Profile for country of origin, Mauritius (September 2012):
http://www.hcch.net/upload/adop2010cp_mu.pdf.

Simple adoption:

- Prospective adoptive parents can be married couples (no age limit, no marriage duration limit) or single (minimum 30 years old), but unmarried couples are not accepted.
- The minimum age difference between the prospective adoptive parents and the adoptee must be of at least 15 years. If the adoptee is the spouse's child the adopter only needs to be 10 years older than the adoptee.
- The Chamber Judge can grant an adoption when the age difference is less than 10 or 15 years.

Full adoption:

- Prospective adoptive parents can only be married couples (no age limit, no marriage duration limit).
- The minimum age difference between the prospective adoptive parents and the adoptee must be of 15 years at least. If the adoptee is the spouse's child the adopter only needs to be 10 years older than the adoptee.
- The Chamber Judge can grant an adoption when the age difference is less than 10 or 15 years.

**PROSPECTIVE
ADOPTIVE
PARENTS**

Foreigners must receive a special authorization from the State. Intercountry adoption can be simple or full.

According to the French Central Authority, the religion of the prospective adoptive parents can influence the decision, such as the fact of having a sterility condition medically established.

Sources:

Civil Code: Art. 343, 344, 346, 364 and 366;

French Central Authority: <http://www.diplomatie.gouv.fr/fr/adopter-a-l-etranger/comment-adopter-a-l-etranger/les-fiches-pays-de-l-adoption/fiches-pays-adoption/article/adopter-a-maurice>.

Any person can be adopted irrespective of his/her age.

Simple adoption:

There is no age limit for the adoptee.

The following children can be adopted:

1. Children whose legal filiation has been established, and even though the father and/or mother are still alive;
2. Children whose legal filiation has not been established
3. Children who have been abandoned.

**CHILD
ADOPTABILITY**

Full adoption:

The following children can be adopted:

1. Children whose legal filiation has been established and he/she has been abandoned by their parents and families;
2. Children who have not been recognised;
3. Children whose parents are unknown or deceased.

In both cases, the Chamber Judge will evaluate whether the parents' behaviour amounts to abandonment.



The **Supreme Court of Mauritius** has the responsibility of declaring the adoptability of a child.

Sources:

Civil Code: Arts. 345, 348 (simple adoption), 365 (full adoption);

The Hague website, Profile for country of origin, Mauritius (September 2012):

http://www.hcch.net/upload/adop2010cp_mu.pdf;

French Central Authority: <http://www.diplomatie.gouv.fr/fr/adopter-a-l-etranger/comment-adopter-a-l-etranger/les-fiches-pays-de-l-adoption/fiches-pays-adoption/article/adopter-a-maurice>.

Simple and full adoption:

- *Applicants*: In cases of single adoption by one spouse, the other must consent to the adoption.
- *Adoptee*: If he/she is aged 15 or above, he/she must consent personally to his/her adoption.
- *Biological parents*: If legal filiation has been established, the father and mother of the child must consent to the adoption. If one of them has died, is unable to express his/her wish or has lost his/her parental responsibility, consent by the other is sufficient. If legal filiation has only been established between the child and one parent, his/her consent is sufficient.
- *Chamber Judge*: If legal filiation has not been established, both parents have died, are unable to express their wish or have lost their parental responsibility, consent is given by the Chamber Judge, following advice from the person who is de facto caring for the child. The Chamber judge may also declare the adoption of a child if he/she considers the parents' refusal to consent as abusive, when they lack interest in the child to the extent of jeopardising his/her physical and moral health.
- Those intending to adopt and those required to consent to the adoption will do so before the Chamber Judge or a notary.
- The **Supreme Court of Mauritius** is responsible for informing the biological parents as well as the children about the consequences of adoption and to obtain their consent.

Sources:

Civil Code: Arts. 343, 345, 349-352 and 366;

The Hague website, Profile for country of origin, Mauritius (September 2012):

http://www.hcch.net/upload/adop2010cp_mu.pdf.

CONSENTS

Simple and full adoption:

- Upon the adopter(s)' request and after the assessment of the request, adoption is granted by the Chamber Judge who ascertains whether the legal conditions have been fulfilled and whether the adoption is in the child's interests. Any refusal to grant the adoption must be justified and explicitly based on legal provisions and mentioning any grounds upon which it has been considered not in the child's interests. Appeal is available to the parties involved or the Public Ministry, within a month following the decision.
- If considered necessary, the Chamber Judge may postpone granting the adoption, by imposing on the adopter(s) a probationary period not exceeding six months, during which the child will be placed with the applicant(s).

PROCEDURE

Regarding the **matching and probationary period**, ISS/IRC did not identify any information within the law.

In practice, it is very difficult to know on which procedures the actors involved base their decision. But, based on the country profile sent by the Mauritius authorities to The Hague Conference and the French Central Authority information, the matching is realised by the National Adoption Council.



The Mauritius country profile of The Hague Conference also mentions a period of 3 months where at least one of the prospective adoptive parents needs to be present in the country in order to finish the adoption procedure. The adoption decision is given in Mauritius and, meanwhile, the parents have the permanent guardianship of the child.

Sources:

Civil Code: Arts. 353, 354 and 366;

The Hague website, Profile for country of origin, Mauritius (September 2012);

http://www.hcch.net/upload/adop2010cp_mu.pdf;

French Central Authority: <http://www.diplomatie.gouv.fr/fr/adopter-a-l-etranger/comment-adopter-a-l-etranger/les-fiches-pays-de-l-adoption/fiches-pays-adoption/article/adopter-a-maurice>

ADOPTION ACCREDITED BODIES (AAB)

The National Adoption Council is responsible for authorizing foreign adoption bodies to work in Mauritius.

Foreign AAB need to submit information on prospective adoptive parents (e.g. certificate of good conduct, psychological report, medical certificate, criminal records, paychecks, etc.) to the National Adoption Council.

Source:

The Hague website, Profile for country of origin, Mauritius (September 2012):

http://www.hcch.net/upload/adop2010cp_mu.pdf.

ADOPTION EFFECTS

Simple adoption:

- Simple adoption gives the name of the adopter to the adoptee. The Chamber Judge can decide that the adoptee shall not bear the name of the adopter or that the name of the adopter should be added to the name of the adoptee.
- The adoptee stays in his biological family and he/she retains all of its rights, including its hereditary rights.
- Marriage prohibitions under the law are applicable between the adoptee and the members of his/her biological family as well as between the adopted and his/her adoptive family members.
- Simple adoption is revocable

See more detailed information on simple adoption effects: Civil Code, Arts. 356-363.

Full adoption:

- Adoption gives a child a new filiation: the adoptee does not belong anymore to his biological family, and is subject to the marriage prohibitions.
- Adoption confers to the child the name of the husband.
- Notwithstanding any provisions to the contrary, the Chamber Judge may, at the request of adopters, change the names of the child.
- The adoptee has the same rights and the same obligations as a legitimate child.
- Full adoption is irrevocable

See more detailed information on full adoption effects: Civil Code, Arts. 367-369.

Source:

Civil Code: Art. 356-363 (simple adoption), 367-369 (full adoption), 370.

POST ADOPTION REPORTS

Apparently, there is no post adoption report requested by the Mauritius Central Authority.

Source:

The Hague website, Profile for country of origin, Mauritius (September 2012):

http://www.hcch.net/upload/adop2010cp_mu.pdf.

SEARCH OF ORIGINS

The National Adoption Council is responsible for keeping and archiving the information on the adopted children.

When reaching legal majority (18 years old), the adoptee can access the information held by The National Adoption Council upon written request.



Biological and adoptive families can access information on the adoption.

Source:

The Hague website, Profile for country of origin, Mauritius (September 2012):
http://www.hcch.net/upload/adop2010cp_mu.pdf.

SANCTIONS IN CASE OF IRREGULARITIES

The National Adoption Council is responsible for taking measures in order to prevent improper financial gain. If improper financial gain is proved, lawsuits can be initiated.

Source:

The Hague website, Profile for country of origin, Mauritius (September 2012):
http://www.hcch.net/upload/adop2010cp_mu.pdf.

ADOPTION COSTS

A non-refundable 5,000 Mauritian Rupees (about 120.- Euros) application fee together with a guarantee fee of 20,000 Rupees, refundable upon completion of the adoption, must be sent with the application and supporting documents to the NAC.

Sources:

Mauritius government: <http://dha.pmo.gov.mu/English/Mandate/Pages/Adoption-Matters.aspx>
French Central Authority: <http://www.diplomatie.gouv.fr/fr/adopter-a-l-etranger/comment-adopter-a-l-etranger/les-fiches-pays-de-l-adoption/fiches-pays-adoption/article/adopter-a-maurice>.

ADOPTION DECISION / REGISTRATION

Simple and full adoption:

The adoption decision will be advertised at the court. Within three months, the Civil Registry will be notified of the decision in order for the decision to be registered accordingly (the child's new names will be registered on his birth certificate, except if he/she was born abroad or his/her place of birth is unknown).

Source:

Civil Code: Art. 355.

Number of children deprived of their family placed in institutions by age and by sex 2010-2011:

Age group (years)	2010			2011		
	Male	Female	Both sexes	Male	Female	Both sexes
0 - 5	41	28	69	34	23	57
6 - 10	25	30	55	26	30	56
11 - 15	19	29	48	14	26	40
16 - 20	2	8	10	1	11	12
Total	87	95	182	75	90	165

STATISTICS

Number of children placed in foster care 2009-2011:

Year	Male	Female	Both sexes	Urban	Rural	Both sexes
2009	3	6	9	3	6	9
2010	2	3	5	1	4	5
2011	9	9	18	3	15	18

Number of intercountry adoptions in Mauritius 2009 – 2011:

Year	Male	Female	Both sexes	Urban	Rural	Both sexes
2009	3	9	12	11	1	12
2010	4	6	10	7	3	10
2011	3	11	14	8	6	14

Source:

Statistics in Mauritius – A Gender Approach, Ministry of Gender Equality, Child Development and Family Welfare, February 2013 (Section 9: Children):
<http://gender.gov.mu/English/Documents/Statistics%20in%20Mauritius%20-%20A%20Gender%20Approach%2024.07.13.pdf>.



Comments of the ISS/IRC

The ISS/IRC is very pleased to see the improvement made in the implementation of the THC-93, mainly through the designation of a clear central and competent authority, the new requirement (since 2013) for prospective adoptive parents to seek an authorized intermediary and the prohibition of independent adoptions.

However, despite these new provisions, it is important to note that abuses in the framework of independent adoption have been reported by the French Central Authority in 2013 at the level of the matching process (child identification by an unauthorized intermediary, even before the birth of the child, which is contrary to the international standards) and the establishment of the adoptability of the child.

This raises concerns regarding the lack of institutional oversights – already mentioned in previous years - as there appears to be little effective oversight of bodies involved in the adoption process in Mauritius. Orphanages, which often care for abandoned children, do not appear to be subject to any particular or regular control of their activities even with the election of an ombudsperson for children.

(Source: <http://www.diplomatie.gouv.fr/fr/adopter-a-l-etranger/comment-adopter-a-l-etranger/les-fiches-pays-de-l-adoption/fiches-pays-adoption/article/adopter-a-maurice>)

LEGISLATION

A. International Instruments

INTERNATIONAL INSTRUMENTS	Signature (S) / Ratification (R) / Accession (A) / In Force (F)	Web Site
United Nations Convention on the Rights of the Child (1989)	26 July 1990 (A)*	http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtidg_no=IV-11&chapter=4&lang=en
Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (2000)	11 November 2001 (S) 14 June 2011 (R)	http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtidg_no=IV-11-c&chapter=4&lang=en
Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption (1993)	28 September 1998 (A) 01 January 1999 (F)	http://www.hcch.net/index_en.php?act=conventions.status&cid=69
Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children (1996)	-	http://www.hcch.net/index_en.php?act=conventions.status&cid=70

*On the 4th of June 2008, the Government of the Republic of Mauritius informed the Secretary-General that it had decided to withdraw the reservation made upon accession in respect to article 22 of the Convention which states on refugee children.



B. Regional instruments

REGIONAL INSTRUMENTS	Signature (S) / Ratification (R) / Accession (A) / In Force (F)	Web Site
African Charter on the Rights and Welfare of the Child (1990)	7 November 1991 (S) 14 February 1992 (R)	http://www.au.int/en/sites/default/files/Welfare%20of%20the%20Child_0.pdf

C. Country legislation

LAW/REGULATION	Web Site
The Constitution RL 1/1, 12 March 1968	http://www.gov.mu/portal/site/AssemblySite/menuitem. ee3d58b2c32c60451251701065c521ca/
Mauritius Citizenship Act, RL-3/585 of 14 December 1968 (Art. 3 : citizenship on adoption)	http://www.culture.gouv.fr/entreelibre/Laurette/country/mauritius.htm
Immigration Act, RL 3/83 – 17 May 1973 (Art. 5.1: Persons who are residents of Mauritius)	http://dha.pmo.gov.mu/English/Documents/immiact.pdf
Civil Code: Act 37 of 1980 (Simple adoption: Arts. 343-363; Full adoption: Arts. 364-370.5)	http://www.africanchildforum.org/clr/Legislation%20Per%20Country/Mauritius/mauritius_civilcode_1945_fr.pdf
National Adoption Council Act 1987 (Act N° 21 of 1987)	http://attorneygeneral.gov.mu/English/Documents/A-Z%20Acts/N/Page%201/NATIONALADOPTIONCOUNCIL1.pdf
Child Protection Act 1994 [amended in 1998 - became the <i>Protection of the Child Act 1998</i> – in 2005 and in 2008]	http://gender.gov.mu/English/Documents/ChildProtectionAct.pdf
Child Protection Act (Foster Care) Regulations 2002	
The Civil Status (Amendment) Act 2004	
The National Children's Council (Amendment) Act 2005	

PROTAGONISTS

Central Authority:

The National Adoption Council (NAC)

3rd Floor Govt Centre

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Mauritius

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Fax: +230 201 8151

E-mail: pmo@mail.gov.mu

Contact persons: Mrs Bacha or Mrs Purryag

The establishment, role and responsibilities of the NAC which operates under the aegis of the Prime Minister's Office are enacted in the National Adoption Council Act 1987 (Act No.21 of 1987).



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Competent Authority:

The **Supreme Court of Mauritius** receives, listens, and decides on the adoption of the child based on the conclusion of the National Adoption Council.

Source:

http://www.hcch.net/index_en.php?act=authorities.details&aid=841
Prime Minister's Office, Defense and Home Affairs, Mandate, Adoption Matters:
<http://pmo.gov.mu/English/dha/Mandate/Pages/Adoption-Matters.aspx>
The Hague website, Profile for country of origin, Mauritius (September 2012):
http://www.hcch.net/upload/adop2010cp_mu.pdf

APPENDICES

A. Documents of the Committee on the Rights of the Child

Convention on the Rights of the Child

- Third to Fifth Periodic Report: Mauritius, CRC/C/MUS/3-5, 28 October 2013
- Concluding Observations of the Committee on the Rights of the Child: Mauritius, CRC/C/65/Add.35, 17 March 2006
- Second Periodic Report: Mauritius, CRC/C/MUS/CO/2, 19 July 2005
- Concluding Observations of the Committee on the Rights of the Child: Mauritius, CRC/C/15/Add.64, 30 October 1996
- First Periodic Report: Mauritius, CRC/C/3/Add.36, 2 October 1995

Optional Protocol on the sale of children

- Periodic Report on the country: Not submitted yet (due date was 14 July 2013).

Sources:

Documents available on : Committee on the Rights of the Child, 13th session (September-October 1996), 41st session (January 2006) & 68th session (January 2015):
http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Countries.aspx?CountryCode=MUS&Lang=EN

B. Alternative Reports to the Committee on the Rights of the Child and other

Convention on the Rights of the Child

The alternative reports in the framework of the Committee on the Rights of the Child are available on Child Rights International Network (CRIN): <https://www.crin.org/en/library/un-regional-documentation>

Sources:

Documents of the previous sessions available on Child Rights International Network (CRIN): <https://www.crin.org/en/library/un-regional-documentation>



C. Other sources of information

- ❖ **UNICEF**
http://www.unicef.org/infobycountry/mauritius_statistics.html
General information on children in Mauritius, statistics
- ❖ **U.S. Department of State**
http://adoption.state.gov/country_information/country_specific_info.php?country-select=mauritius
Information on intercountry adoption in the country.
- ❖ **French Central Authority**
<http://www.diplomatie.gouv.fr/fr/adopter-a-l-etranger/comment-adopter-a-l-etranger/les-fiches-pays-de-l-adoption/fiches-pays-adoption/article/adopter-a-maurice>
Information on intercountry adoption in the country.
- ❖ **Ombudsperson for Children’s Office**
<http://www.gov.mu/portal/sites/ncb/oco/index.htm>
Information on children in the country.

