

Preamble

“Violence against women impoverishes individuals, families, communities and countries. The social, political and economic costs of allowing it to continue unabated are great and call for a commensurate investment in women’s security. Such an effort requires increased political will expressed through a much greater commitment of financial and human resources.”

A/61/122/Add.1,para. 388 UN General Assembly Economic and Social Council

1. Domestic Violence in Mauritius

In Mauritius, a first study was carried out in 1998, at the level of the *Ministry of Women’s Rights, Child Development, Family Welfare and Consumer Protection* (MWRCDFWCP) to assess the prevailing situation and investigate the causes of violence in the family and the baseline information obtained, indicated that alcohol consumption was the alarming cause to instigate such type of violence.

Prior to 1997, violence against women was treated as any other case of assault. Wounds and blows accounted for 95 % of violence against women. Legal actions were possible under Section 230 of the Criminal Code and the abuser, if found guilty was liable to a fine of Rs 1,000 and imprisonment not exceeding 12 months. Domestic violence was still considered as a common form of violence throughout the world. The distinction between assault, battery, grievous body harm and homicides occurring in public spheres, and torture taking place in families due to domestic violence was blurred.

As a testimony to its commitment, the Government of Mauritius has enacted the Protection from Domestic Violence Act (PDVA), 1997. The Act provides for the issue of **Protection Order, Occupation Order and Tenancy Order**. The Protection from Domestic Violence Act has, then after, been amended in 2004 following the recommendations of the Task Force chaired by Mrs Pramilla Patten, Barrister at Law that are discriminatory towards women. This was done with the view to making the legal provisions more responsive to the needs of victims of domestic violence and to ensuring their better protection.

Subsequently, the Ministry of Women’s Rights, Child Development, Family Welfare and Consumer Protection (MWRCDFWCP) has set up appropriate structures for service provision to relieve the sufferings and further assist the victims of domestic violence. Thus, the Ministry has put in place an institutional mechanism i.e. a Family Welfare Unit since July 2003 in order to ensure that women enjoy equal opportunities and equal rights within society. The Family Welfare Unit, as an enforcement mechanism of the PDVA, operates from the Ministry’s Head Quarters and has a network of 6 Regional Offices known as **Family Support Bureaux (FSBx)**.

The table below shows the number of reported cases of Domestic Violence in the FSBs.

2003			2004			2005			2006		
Male	Female	Both	Male	Female	Both	Male	Female	Both	Male	Female	Both
106	1541	1647	143	1579	1722	54	982	1036	65	976	1041

Source: MWRCDFWCP

Today, despite the success in passing laws to protect women’s rights and to guarantee their economic and social equality, de facto discrimination persists and violence against women while receiving greater attention than ever before continues. Three report observations need to be mentioned here:

- “The law criminalises domestic violence and empowers the courts to deal with the problem. But in practice domestic violence against women, particularly spousal abuse is a major problem. Many victims are in denial or choose not to report or prosecute their assailants, presumably due to cultural pressures and their position of economic dependence on their husbands/partners.”¹
- “Domestic violence continues to be a serious social problem, culminating in some widely reported deaths in 2005”²
- The Committee calls on the State party to intensify its awareness-raising efforts about violence against women, in particular domestic violence, and the unacceptability of all such violence. It calls on the State part to strengthen prevention efforts and sensitisation measures, addressed to the public at large, and

¹ Situation Analysis of the Human Rights Landscape in Mauritius 2006 p.22

² National Human Rights Commission Annual Report 2005, paragraph 131

to increase the number of available shelters for battered women and their children. The Committee requests the State party to enact legislation criminalising marital rape, defining such rape on the basis of lack of consent of the wife. It also urges the State party to put in place effective monitoring and evaluation mechanisms so as to ensure the effectiveness of measures taken to address all forms of violence against women.”³

Stakeholders at national level are increasingly feeling concerned with the issue of domestic violence:

- the Ministry of Women’s Rights Child Development, Family Welfare and Consumer Protection has prepared a draft action plan (2006)
- Media Watch Organisation has also elaborated an action plan (2006)
- The Gender Thematic Group members are also planning to concentrate their work on domestic violence.

The present document aims to harmonise these initiatives and propose a National Action Plan to reduce Domestic Violence in the country.

³ Concluding Comments of the Committee on the Elimination of Discrimination against Women :Mauritius 36th session 7-25 August 2006 para.19

2. Our Vision

Our vision for this Action Plan is to free all women and their children from the fear or threat of domestic violence. It is a long-term vision that will require many partners and it will take time – perhaps a generation – to do it right.

Front-line workers in shelters, counselling agencies and women’s centres provide critical services and supports to women who seek help. The plan strengthens these vital community supports. Gender Focal Points in Ministries and Human Relations Departments in the private sector will contribute to implement workplace initiatives to detect and support victims of domestic violence through networking. We are also strengthening the justice system to respond more effectively to abusers and better protect victims through the courts. At the same time, we are placing greater emphasis on better training for a broader range of professionals – such as workers in hospital emergency departments, teachers, police – as well as religious leaders to sensitise members of their congregations- neighbours, friends and families, so that they can recognize the early signs of abuse, intervene early and take action to protect women and their children. We recognize that if we want to reduce domestic violence, we must change the attitudes and behaviours that make it possible, even acceptable, for women to be victimized by the men who are closest to them. Media specialists will report and provide a forum to encourage community leaders to discuss domestic violence. A responsible reporting of domestic violence in the media will be promoted.

3. An integrated approach

From	To
•A reactive approach	•A consolidated integrative approach: Government leadership under the Attorney General Office and the MWRCDFWFP: emphasis on performance monitoring/ accountability/reporting
•A focus on interventions after violence has occurred	•A focus on preventing violence from happening in the first place – changing attitudes/behaviours
•A focus on crisis/specialist services (police, Domestic Violence Courts, shelters)	• Broad—based interventions through a wide range of sectors (health care, education, justice, business, unions, faith groups, etc.)
•Emphasis on the justice sector	•A more balanced approach with improvements in community services, as well as in the justice sector

4.Principles

The Domestic Violence Action Plan reflects the following principles:

THE RIGHT TO SAFETY

All women have the right to live in safety and dignity, free from threat, intimidation and violence.

EQUALITY

The root causes of violence against women are societal, and the solutions lie ultimately in changing values about equality between men and women.

PUBLIC LEADERSHIP

Government must play a leadership role in protection, intervention and prevention, using the legislative, regulatory, policy, program and funding levers it has available to address violence against women.

SHARED RESPONSIBILITY

We all share the responsibility to protect women and children who are at risk of harm and to prevent violence from happening. We cannot look away. Partnerships are needed between and among governments, advocacy groups, the media, charitable foundations, religious communities community organizations, educational institutions, neighbours, friends and families, and others to improve public understanding and to help change attitudes and behaviours that lead to violence against women.

PERSONAL ACCOUNTABILITY

Abusers must be held accountable for their actions. Violence against women is contrary to human values. Abusers should receive effective intervention to prevent future incidence of domestic violence.

DIVERSITY AND EQUITY OF ACCESS

The ethnic diversity of Mauritius requires targeted and sometimes unique responses. What will work in an ethnic community might not work in another one. If programs are to be successful in reaching women outside the mainstream, differences must be respected and services that recognize their cultural issues must be attended.

A HOLISTIC RESPONSE

Violence against women requires a holistic response. It is a social issue, an employment issue, a housing issue, a child care issue, an education issue, a health issue, a community safety issue, a justice issue, and more. The lives of women do not conform to boundaries among programs, ministries, agencies, institutions or levels of government. Efforts must be coordinated within and across sectors to create an integrated continuum of supports.

A BALANCED APPROACH

We must balance efforts to prevent violence, to intervene early, to identify risk, to hold perpetrators accountable, and to support and protect victims when violence occurs.

MEASURABLE PROGRESS OVER TIME

Sustained, long-term commitment by government and its partners is needed to end violence against women. It is important to monitor what is working, to measure what has been achieved, and to continue to improve the quality and range of services provided, based on experience and new knowledge.

5. Definition of Domestic Violence

The term “Domestic Violence” shall be understood to mean any violence between partners in an intimate relationship, wherever and whenever it occurs. The violence may include physical, sexual, emotional or financial abuse.

6. Strategic objectives and specific objectives are detailed in the next document

7. Time frame

The National Action Plan on Domestic Violence will be implemented over the next three years. The short/medium /long term planning in the Action Plan refer to the time frame of one/two/three years respectively.