

Trafficking in Persons Report 2014

MAURITIUS (Tier 2)

Mauritius is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Secondary school-age girls and, in fewer numbers, younger girls from all areas of the country, including from Rodrigues Island, are induced into prostitution, often by their peers, family members, or by businessmen offering other forms of employment. NGOs report girls also are sold into prostitution by family members or forced into the sex trade in exchange for food and shelter. Taxi drivers provide transportation and allegedly introduce girls and clients. Girls and boys whose mothers engage in prostitution reportedly are vulnerable to being forced into prostitution at a young age. Some women addicted to drugs are forced into prostitution. In recent years, small numbers of Mauritian adults have been identified as labor trafficking victims in the United Kingdom, Belgium, and Canada. Malagasy women transit Mauritius *en route* to employment as domestic workers in the Middle East, where they often are subsequently subjected to forced labor and sex trafficking. Women from Rodrigues Island are subjected to forced labor in domestic service in Mauritius. In previous reporting periods, Cambodian fishermen were subjected to forced labor on fishing boats in Mauritius's territorial waters. Mauritius' manufacturing and construction sectors employ approximately 30,000 foreign migrant workers from India, China, Bangladesh, Sri Lanka, and Madagascar, some of whom are subjected to forced labor. The Government of Mauritius does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government maintained strong efforts to identify and provide protective services to child victims of sex trafficking and continued to conduct extensive public awareness campaigns to prevent child sex trafficking and reduce the demand for commercial sex acts involving children. However, there remained a general lack of understanding among law enforcement of trafficking crimes outside the realm of child sex trafficking, despite increasing evidence that other forms of trafficking exist in Mauritius, including the forced labor of adults. The government failed to identify or provide any protective services to adult victims and did not make any tangible efforts to prevent the trafficking of adults during the reporting period.

Recommendations for Mauritius:

Use anti-trafficking legislation to investigate and prosecute trafficking offenses and convict and punish trafficking offenders, including in cases involving forced labor or adult women exploited in forced prostitution; provide law enforcement officials, magistrates, prosecutors, social workers, and labor inspectors with specific anti-trafficking training so officials can effectively identify victims, investigate cases, and refer victims to appropriate care; increase coordination between law enforcement entities, NGOs, and international organizations on cases involving foreign trafficking victims; establish procedures to guide officials in the proactive identification of victims of trafficking among at-risk populations, including women in prostitution and migrant workers; create an inter-ministerial committee to increase coordination among relevant government entities and facilitate the

government's overall trafficking efforts; develop a national action plan to combat trafficking and allocate sufficient funding to implement the plan; increase the number of labor inspectors responsible for monitoring the employment of migrant workers; and conduct a national awareness campaign on all forms of trafficking.

Prosecution

The Mauritian government decreased anti-trafficking law enforcement efforts during the reporting period. The Combating of Trafficking in Persons Act of 2009 prohibits all forms of trafficking of adults and children and prescribes penalties of up to 15 years' imprisonment for convicted offenders. In addition, the Child Protection Act of 2005 prohibits all forms of child trafficking and prescribes punishment of up to 15 years' imprisonment; the Judicial Provisions Act of 2008 increased the maximum prescribed punishment for child trafficking offenses to 30 years' imprisonment. All of the aforementioned penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, the government reported six investigations related to child sex trafficking, which resulted in the prosecution of five alleged traffickers; all five prosecutions remained pending at the close of the reporting period. This is a decrease from the previous reporting period, when the government initiated seven prosecutions and obtained seven convictions in child sex trafficking cases. The government has never reported any prosecutions of cases involving adult victims of sex trafficking. It has never taken any law enforcement action against labor trafficking offenses, including forced labor on fishing boats in Mauritius' territorial waters and forced labor of migrant workers in the construction and manufacturing industries. Although the Mauritian Police Force included training on trafficking to approximately 200 new police recruits as part of their basic training requirements, with the exception of cases involving child sexual exploitation, there remained a general lack of understanding of trafficking among law enforcement. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking during the reporting period.

Protection

The government sustained strong efforts to protect child sex trafficking victims, but failed to identify or provide adequate protective services to victims of other forms of trafficking. The government identified seven child sex trafficking victims during the reporting period, a slight decrease from the 12 victims identified in 2012. The Minors Brigade systematically referred all cases of identified children in prostitution to the Child Development Unit (CDU) of the Ministry of Gender Equality, Child Development, and Family Welfare for assistance. CDU officials referred an unknown number of abused and exploited children to two NGOs running multipurpose shelters for care. It also encouraged the placement of trafficking victims in foster homes for long-term shelter. The government provided victims with medical and psychological assistance in public clinics regardless of whether they resided in a shelter, in foster care, or with relatives. Children victimized in prostitution were accompanied to the hospital by a child welfare officer, and police worked in conjunction with these officers to obtain statements from the children. The government encouraged child victims' assistance in the investigation and prosecution of trafficking crimes.

Identified victims were not reported to have been incarcerated inappropriately, fined, or otherwise penalized solely for unlawful acts committed as a direct result of being trafficked. The government failed to identify or provide any services to adult victims of sex trafficking or labor trafficking. Due to the lack of understanding of human trafficking among law enforcement, some adult victims of forced prostitution and forced labor may have been penalized for unlawful acts committed as a direct result of being trafficking. For example, law enforcement officers and prosecutors generally did not investigate whether adult women were involuntarily engaging in prostitution. Additionally, under Mauritian law, migrant workers who strike are considered to be in breach of their employment contracts and can be deported at the will of their employers. Some migrant workers who gathered to protest abuses relating to their employment were deported during the reporting period; these deportations took place without conducting comprehensive investigations or screenings to identify if the individuals were victims of forced labor. The 2009 anti-trafficking law specifically provides legal alternatives, such as temporary residency, to removal to countries in which the trafficking victims would face retribution or hardship.

Prevention

The government sustained strong efforts to prevent the sex trafficking of children and reduce the demand for commercial sex acts, but demonstrated weak efforts to prevent other forms of trafficking. The Police Family Protection Unit and the Minors Brigade continued extensive public awareness campaigns on child abuse and child rights at schools and community centers that included information on the dangers and consequences of engaging in or facilitating child prostitution. The Ministry of Tourism and Leisure also distributed pamphlets warning tourism industry operators of the consequences of engaging in or facilitating child prostitution. However, the government does not have an inter-ministerial coordinating body or a national action plan dedicated to combating all forms of trafficking. The government did not conduct any awareness campaigns relating to other forms of trafficking and did not make any discernible efforts to reduce the demand for forced labor during the reporting period. The Ministry of Labor, Industrial Relations and Employment (MOL) is required to approve all employment contracts before migrant laborers can enter the country. However, reports indicate many migrant laborers enter the country with incomplete contracts or contracts that have not been translated into languages that the workers understand. Additionally, the MOL's Special Migrant Workers Unit, which is responsible for directly monitoring and protecting all migrants workers and conducting routine inspections of all migrant workers' employment sites, was staffed by only four inspectors; this number of inspectors is severely inadequate, as there are approximately 37,000 migrant workers currently employed in Mauritius.