



Regional Secretariat

41, Avenue Azalees, Sodnac, Trianon

Tel: 428 5103 | email: info@dismoi.org | website: www.dismoi.org

Guiding questions for the focus area on participation in public life and in decision making process

1. National and local legal and policy framework

a) The Constitution of Mauritius which is the Supreme Law of the country provides for the right of individuals to participate in the conduct of public affairs. S44 of the Constitution provides for the right to vote at elections. We have a system of free and fair elections

b) According to the Representation of the People Act 1958 any citizen who is a registered elector (eligibility is 18 years of age) can stand for general, local government elections and Rodrigues National Assembly election.

The Equal Opportunity Act 2008 was adopted by the National Assembly with a view to promoting equal opportunity between persons, prohibiting discrimination on the ground of status and by victimization.

c) Article 12 of the Constitution stipulates that 'Except with his own consent, no person shall be hindered in the enjoyment of expression, that is to say, freedom to hold opinions and to receive and impart ideas and information without interference, and freedom from interference with his correspondence.'

d) and e) Article 13 of the Constitution specifies that 'Except with his own consent, no person shall be hindered in the enjoyment of his freedom of assembly and association, that is to say, his right to assemble freely and associate with other persons.

f) According to the Representation of People Act 1958 any citizen (eligibility is 18 years of age) can stand as candidate for local government elections (Village/District Councils, Municipal Councils) and Central Government. All citizens age 18 and above registered as electors have the same right of vote to elect their representatives at these elections.

g) There is no age limit to stand as candidate for local and central government elections. Older people, when elected, exercise the same rights as any other elected representative.

Registrar Reg: No: 13272

NSIF Reg No: NCSRF/2017/0108

(Droits huMains Océan Indien) est une organisation, qui milite pour les Droits Humains dans les pays du Sud-ouest de l'Océan Indien (Madagascar, Maurice, Rodrigues, Comores, Seychelles et la Réunion) à travers le plaidoyer et l'éducation des citoyens et des formations sur les droits humains. Dis-Moi est indépendant de tout parti politique.



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h) The Senior Citizen Council was incepted in 1985 as a corporate body operating under the aegis of the Ministry of Social Integration, Social Security and National Solidarity. Presently, it has a membership of 864 which cater for 106,000 senior citizens.

The objectives of the Senior Citizens Council are to

- Implement generally activities and projects for the welfare of senior citizens
- Determine areas in which the welfare of senior citizens need to be improved
- Maintain effective communications with senior citizens
- Establish contacts with organisations engaged in similar activities in Mauritius and abroad
- Diffuse knowledge and information on gerontology
- Advise the government on matters relating to the welfare of senior citizens
- Implement such policies and programmes in favour of senior citizens as may be specified or approved by the Minister

2. Aggrieved older persons can report to

i) Police Stations,

ii) Citizens Advice Bureaux,

iii) Elderly Watch (Protection of Older People's Act) to prevent acts of abuse,

iv) The Supreme Court (Article 16 of the Constitution)

v) the Equal Opportunities Commission (EOC) set up under the Equal Opportunities Act of 2008. The role of the EOC is to promote anti-discrimination and equal opportunity principles and policies throughout Mauritius, investigate into discrimination complaints and work to prevent discrimination by informing people about their rights and responsibilities.

3. Data and Research

Not available

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4. Equality and non-discrimination

Older persons have the right to participate in the affairs of public life. There is no barrier to age, gender, disability, race, ethnicity. Any citizen of Mauritius can stand as candidate at general, municipal and district councils' elections to serve central and regional governments respectively.

Article 33 of the Constitution stipulates the following:

A person shall be qualified to be elected as a member of the Assembly if, and shall be so qualified unless, he –

- a) is a Commonwealth citizen of not less than the age of 18 years;
- b) has resided in Mauritius for a period of, or periods amounting in the aggregate to, not less than 2 years before the date of his nomination for election;
- c) has resided in Mauritius for a period of not less than 6 months immediately before that date; and
- d) is able to speak and unless, incapacitated by blindness or other physical cause, to read the English language with a degree of proficiency sufficient to enable him to take an active part in the proceedings of the Assembly

A challenge for older people who speak only Kreol, a Mauritian language spoken by the vast majority of the population. These are not qualified to stand as candidates because only English and French languages are allowed in the National Assembly.

Accountability

5. Judicial: Application to the Supreme Court for a judicial review

Quasi-judicial: Application to i. the Electoral Supervisory Commission, ii. the Equal Opportunities Commission

Non-judicial: Application to the Ombudsperson

Vijay Naraidoo, Lead Person, Commission for the Rights of Older Persons

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