**10th SESSION OF THE OPEN ENDED WORKING GROUP ON AGEING**

**SUBMISSION OF DIS-MOI (Droits Humains Ocean Indien) Mauritius**

**Guiding question for the Normative Framework: Autonomy and Independence**

**Answer to Question 1**

1. Mauritius became independent in 1968 and adhered to the UNO the same year.
2. The Pensions Act was promulgated in 1951 providing a basic retirement pension to all, male and female, as from the age of 60.
3. In 2001, Mauritius was the first country in Africa to have adopted a national policy on the elderly.
4. The Protection of Elderly Persons Act was passed in 2005 with a view to providing protection from abuse and neglect to elderly persons.
5. A protection of Elderly Network: Providing inadequate food, lack of medical treatment, shelter and clothing is considered an offence.
6. An Elderly Watch in each district to provide support to families that need assistance and protection for elderly persons.
7. Cases of neglect and abuse are made known to an officer of the Unit.
8. The Equal Opportunity Act of 2012 prohibits discrimination based on age and sex, inter alia, accommodation, disposal of immovable property, membership to registered associations and clubs.

Mauritius has signed several international treaties that are relevant to older persons:

1. The International Covenant on Civil and Political Rights and the Optional Protocol thereto.
2. The International Covenant on Economic, Social and Cultural Rights
3. The International Convention to the Elimination of All Forms of Racial Discrimination.
4. The International Convention on the Elimination of all Forms of Discrimination against Women and the Optional Protocol thereto.
5. The Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment and the Optional Protocol thereto.
6. Mauritius is a member of the African Union and has ratified the African Charter on Human and People’s Rights.

**Answer to Question 2**

We affirm that:

1. Everybody is born free and equal in rights
2. Everyone has the right to recognition as a person before the law.
3. Older persons have the right to

(a) lead an autonomous and independent life.

(b) make decisions regarding their place of residence, with whom to live and their lifestyle.

(c) work, to travel and to leisure.

(d) acquire property, dispose of them according to their will.

(e) participate in the affairs of their country in terms of political involvement.

It is understood that older persons should enjoy all the above rights on an equal basis as all other citizens. These rights encompass their right to enjoy legal capacity as any other citizen, to be autonomous and independent and have complete control over all aspects of decision-making.

We consider that States have obligations towards their citizens in the following challenges in order to provide complete freedom for older persons to enjoy their right to autonomy and independence:

1. Ageism attitude that offends the older person.
2. Vulgarise information on access of older people to justice
3. Legislate and/or apply existing labour laws to protect vulnerable old employees from exploitation, violence, degrading treatment or punishment
4. Better access to buses, lifts to climb buses and high rise buildings. The low floor buses are not adequate in level access.
5. The legal capacity of older persons to vote, be candidates and support candidates in elections.
6. The older persons should be protected from abuse in the exercise of their legal capacity, exercising their right to legal counsel in respect of their will and preferences.