

### Protection against discrimination

1. Under the Equal Opportunities Act, the Equal Opportunities Commission investigates complaints of discrimination based on "status" based on age..

#### Equal Opportunities Commission

Tel: 201,350

Address: 21st Floor, Belmont House, Port Louis

2. **Senior Citizens Council**, which operates under the aegis of the Ministry of Social Integration, Social Security and National Solidarity, aims to encourage older people to lead an active and healthy life with dignity.

3. **Ministry of Social Integration, Social Security and National Solidarity**  
Tel: 207 0625

#### In Rodrigues

4. **Commission for Social Security, Port Mathurin**

Tel: 832 0320

**Welfare and Elderly Persons' Protection Unit**  
Hotline: 199 (24/7) 172 (9:00-16:00)

#### 5. The National Human Rights Commission (NHRC) Mauritius

The NHRC organises awareness raising campaigns in the form of talks and workshops to inform different sections of the population on their rights and the respect for those rights, thus contributing to the prevention of human rights violations and abuse.

The NHRC collaborates with other stakeholders such as Ministries, parastatal bodies and civil society organizations to reach out to members of the public, for example, the Senior Citizens Council, the National Women's Council, NGOs, and schools.



### Other institutions

6. **Ombudsman** - Investigates into complaints of maladministration against government institutions.  
Tel: 260 011  
Address: 12th Floor, City Centre Building, Port Louis
7. **Independent Police Complaints Commission** – deals with complaints against police officers  
Tel: 214 2551  
4th floor, Emmanuel Anquetil building, Port Louis



# National Human Rights Commission

## Rights of older persons in Mauritius

### National Human Rights Commission

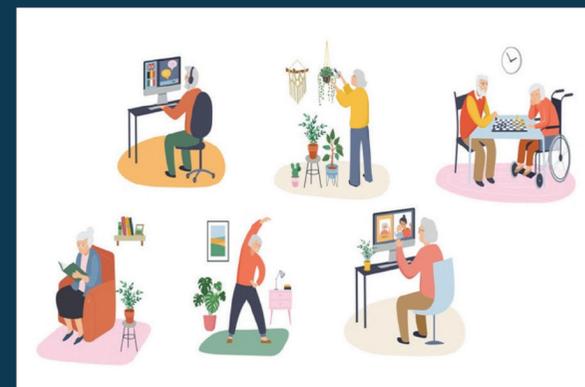
Tel: +230 460 5148

Address: 3<sup>rd</sup> Floor, Ebene Heights Building  
34, Cybercity, Ebene

Email Address: [mhrcdbs@intnet.mu](mailto:mhrcdbs@intnet.mu)

Website: [nhrc.govmu.org](http://nhrc.govmu.org)

1. Human Rights Division
2. National Preventive Mechanism Division (for detainees)



## Fundamental rights

Older persons like other citizens of Mauritius enjoy the fundamental rights and freedoms entrenched in Chapter II of the Constitution of Mauritius:

- the right to life;
- the right to personal liberty;
- the right to freedom from slavery and forced labour;
- the right to freedom from torture, inhuman or degrading treatment or punishment;
- the right to protection against deprivation of property;
- the right to privacy of the home and other property;
- the right to protection of the law;
- the right to freedom of conscience;
- the right to freedom of expression;
- the right to freedom of assembly and association;
- the right to establish and maintain schools;
- the right to freedom of movement;
- the right to freedom from discrimination.

## Economic, social, and cultural rights

Older persons also have the following economic, social, and cultural rights:

1. **The Right to Health:** access adequate healthcare services. Healthcare professionals should provide care that is appropriate for their needs.
2. **The Right to Social Security:** non-contributory basic old age pension, social assistance, and healthcare support.
3. **The Right to Participation** in the social, cultural, and economic life of the nation. They should not face discrimination based on their age, and they should have access to resources and opportunities that enable them to engage in activities and events that are of interest to them.
4. **The Right to Dignity and Respect:** Older persons should not be subjected to elderly abuse, neglect, or any other form of mistreatment

## The legislative framework

The **Protection from Domestic Violence Act** defines domestic violence as:

" *violence inflicted by a person against his spouse, child or **any other person living in the same household,***" thus including an elderly person. Violence is defined as physical, verbal, emotional, psychological, sexual, or economic.

Under the **Protection of the Elderly Persons Act**, a network for the protection of the elderly is established within the Ministry of Social Integration, Social Security and National Solidarity to ensure that older persons are adequately protected against all forms of harassment, including physical harassment, verbal, emotional or financial.

### The Welfare and Elderly Persons' Protection Unit

The primary functions of the Unit are to:

- Deal with complaints from older persons who need assistance or protection and take such measures as may be necessary.
- Organise public awareness and sensitization campaigns on the rights of the elderly and the need to provide them with assistance and protection

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### "Elderly Watch"

- An "Elderly Watch" set up in 20 regions of Mauritius and 4 regions of Rodrigues, works for the well-being of older persons, provides support to families who need assistance to protect the elderly and reports cases of abuse to an officer of the Welfare and Elderly Persons' Protection Unit
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## Succession and inheritance

An elderly person's property can be disposed of by:

- **Donation:** A donation must be made before a notary, with two witnesses or a second notary in the form of a contract
- **Succession:** According to law in Mauritius, it is not possible for parents to disinherit their children. All children of the deceased are protected heirs. The law stipulates that a portion of the parents' inheritance must be allocated to their children. .

In addition to the usufruct (jouissance) of the matrimonial home, the law provides that a spouse, in the absence of a will which disinherits him or her, will have the same share as a child. If, however, one spouse dies without having children, the surviving spouse inherits everything.

- **Will:** If a person wants to give specific instructions regarding the sharing of property after his/her death, he/she must draw up a will with two witnesses or ask for advice from a Notary

### The rights of the surviving spouse when his or her spouse dies – The usufruct of the matrimonial home.

Usufruct allows the surviving spouse to occupy the matrimonial house where he or she lives until his or her death.

Note: when the spouses are married under the matrimonial regime of 'communauté des biens', it is only half of the property of the deceased which is divided among the surviving spouse and the children.

