



Asamblea General

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Consejo de Derechos Humanos

19º período de sesiones

Tema 3 de la agenda

**Promoción y protección de todos los derechos humanos,
civiles, políticos, económicos, sociales y culturales,
incluido el derecho al desarrollo**

Nota verbal de fecha 6 de marzo de 2012 dirigida a la Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos por la Misión Permanente de Mauricio ante la Oficina de las Naciones Unidas y otras organizaciones internacionales en Ginebra

La Misión Permanente de la República de Mauricio ante la Oficina de las Naciones Unidas y otras organizaciones internacionales con sede en Ginebra saluda atentamente a la Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos y tiene el honor de referirse a la carta de la Relatora Especial sobre la venta de niños, la prostitución infantil y la utilización de niños en la pornografía de fecha 24 de enero de 2012, en que la Relatora invitaba al Gobierno de Mauricio a que presentara sus observaciones respecto del informe sobre la misión que esta había realizado al país del 1º al 11 de mayo de 2011 (A/HRC/19/63/Add.1) en una nota verbal que se distribuiría como documento del 19º período de sesiones del Consejo de Derechos Humanos.

En respuesta a esa invitación, la Misión Permanente tiene el honor de transmitir adjuntas las observaciones del Gobierno de la República de Mauricio a dicho informe*.

* Se reproduce en el anexo como se recibió, en el idioma en que se presentó únicamente.

Anexo

The Government of Mauritius welcomes the report of the UN Special Rapporteur on the sale of children, child prostitution and child pornography, Ms Najat Maalla M'jid. However, the Government wishes to make the following amendments:

In section II (9)-National Context of the report, where it is stated that 'The constitution does not mention an official language for the country' we suggest that this clause should be checked once again since section 49 of the Constitution provides that the official language of the Assembly shall be English but any member may address the chair in French.

Para 7: the first sentence should read as follows:

"The Republic of Mauritius consists of the islands of Mauritius, Rodrigues, Agalega, Tromelin, Cargados Carajos and the Chagos Archipelago including Diego Garcia and any other island comprised in the State of Mauritius."

Para 26: last sentence - to delete "(signature only of the Optional Protocol thereto)" and add "and its Optional Protocol (ratified on 08 January 2010)"

Para 30: "Comprehensive" instead of "consolidated" in line 1 and line 5

Para 37: replace the last line "Section 90 of the Criminal Code...not exceeding 10 years" with "Section 90 of the Criminal Code Supplementary Act provides that where a person, in relation to premises used as a brothel, permits a minor to use the premises, he shall be liable on conviction to a fine not exceeding Rs. 200,000 together with imprisonment for a term not less than 2 years and not exceeding 10 years."

Para 38: the 5th line should read "The definition of "photograph" includes...." Instead of "A "photograph" includes..."

Para 40: the first line should read "Section 46 (h) (i) of the Information and Communication Technologies Act 2001"

Para 41:

a) the first sentence should read as follows – "the Computer Misuse and Cybercrime Act provides for preservation orders under section 11, production orders under section 13 and deletion orders under section 16."

b) The sixth line should read "Furthermore, section 11(3) of the Combating of Trafficking in Persons Act (2009)..."

c) In the last sentence the words "... which suggests or alludes to trafficking by any means" should be deleted and replaced by the following words – "in contravention of subsection (2) (b), which makes provision for any person who knowingly advertises, publishes, prints, broadcasts, distributes or causes the advertisement, publication ... shall commit an offence."

Para 44: in the second line, the following words should be inserted after the words "relating to", "the protection and welfare of the child generally, including in the field of..."

Para 52: Line 2....across the country providing general consultations HIV testing

Para 57: to replace the phrase "often on the basis of a list of charitable institutions provided by the Council, and an order is made by a judge in chamber" by "and then make an application for adoption to the Supreme Court".