

## International Covenant on Civil and Political Rights (ICCPR)

The International Covenant on Civil and Political Rights (ICCPR) which was adopted by the United Nations General Assembly on **16 December 1966**, entered into force on **23 March 1976**. The Convention was acceded to, by Mauritius on **12 December 1973**.

### Objectives

The **53 articles** of the Convention lay emphasis on:

- Promoting conditions within States to allow the enjoyment of civil and political Rights.
- Providing effective remedy.
- Promoting an individual's ability to participate in the civil and political life of the society and state without fear of discrimination or repression.
- Ensuring people's physical and mental integrity, life and safety

### Optional Protocol

The First **Optional Protocol to the ICCPR** establishing an individual complaint mechanism for the ICCPR was adopted by the General Assembly of the United Nations on **16 December 1966** and entered into force on **23 March 1976**. The **Second Optional Protocol to the ICCPR**, aiming at the abolition of death penalty entered into force on **11 July 1991**. Mauritius is not a party to the Second Optional Protocol to the ICCPR. However, it has already abolished the death penalty by way of the enactment of the Abolition of Death Penalty Act in 1995

### Domestication

The ICCPR has been domesticated in Mauritius in various legislations namely:

- The Constitution (S 1, Chapter II)
- The Workers' Rights Act (S 26, 52, 53)
- The Criminal Code (S 230)
- The District and Intermediate (Criminal Jurisdiction) Act
- Combating of Trafficking in Persons Act
- The Courts Act
- The Employment Rights Act

### Status

The 5th Periodic Report of the State of Mauritius was submitted on 23 July 2016 and the next report is due in 2025.

The background features a blue sky with several white documents floating around. In the center, a person is sitting at a desk, looking at a document. On the left, a man in a white shirt and tie is holding up a large document. At the bottom left, another man in a white shirt is holding up a document. At the bottom right, a woman in a red dress is visible. The overall scene suggests a legal or administrative environment.

## Provisions

<b>Article 1</b>	The Right to self-determination.
<b>Article 2</b>	Ensures that any person whose rights are violated are provided an effective remedy.
<b>Article 3</b>	Ensures the equal rights of men and women to all civil and political rights.
<b>Article 4</b>	Rights are guaranteed but may be suspended during emergency.
<b>Article 5</b>	There should be no abuse or misuse of these Rights by any State, group or person.
<b>Article 6</b>	The Right to life, liberty and security.
<b>Article 7</b>	Freedom from torture and cruelty.
<b>Article 8</b>	Freedom from slavery and servitude.
<b>Article 9</b>	No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.
<b>Article 10</b>	The Right to prison with dignity
<b>Article 11</b>	Prohibits the use of imprisonment as a punishment for breach of contract.
<b>Article 12</b>	Freedom of movement and residence.
<b>Article 13</b>	Aliens in the territory of a State Party may be expelled as per the Law.
<b>Article 14</b>	All persons shall be equal before the courts and tribunals.  The Right to presumption of innocence until proven guilty through a fair trial.

<b>Article 15</b>	An individual shall be held guilty only of violation of the Law. A penalty heavier than the one that was applicable at the time the criminal offence was committed shall not be imposed.
<b>Article 16</b>	The Right to be recognized as a person before the Law.
<b>Article 17</b>	The Right to privacy (also encompasses home and family).
<b>Article 18</b>	Right to freedom of thought, conscience and religion.
<b>Article 19</b>	The Right to hold opinions without interference.
<b>Article 20</b>	Any propaganda for war and/or advocacy that constitutes incitement to discrimination shall be prohibited by the law.
<b>Article 21</b>	The Right to peaceful assembly.
<b>Article 22</b>	The Right to freedom of association and the Right to form and join trade unions.
<b>Article 23</b>	The Right to marry, to freely choose one's marital partner and to establish a family.
<b>Article 24</b>	Every child has the Right to measures of protection as are required by his status as a minor.
<b>Article 25</b>	The Right to vote and take part in public affairs.
<b>Article 26</b>	The Right to equal protection of the law.
<b>Article 27</b>	The Right to enjoy one's culture.
<b>Article 28-53</b>	Enumerates the functions of the Human Rights Committee. State parties to the Covenant undertake to submit (to the Secretary-General of the UN) a report (every 4 years) on measures that they have adopted which give effects to the rights.