

The **Collectif Arc-en-Ciel**, association fighting homophobia and all discriminations based on sexual orientation, wishes to bring about certain information picturing the reality and daily discriminations faced by the LGBT (Lesbian, Gay, Bisexual, Transgender) community in Mauritius.

First of all, we wish to stress on the fact that there is a legal void touching the LGBT community in the country. As a matter of fact, this part of the Mauritian population has no possible legal mean to seek acknowledgement and compensation of any discrimination or violence they had to endure due to their sexual, or presumed sexual, orientation. Fortunately, since the Employment's Right Bill was voted, it is now illegal to fire or refuse employment based on the person's sexual orientation. This first step is not enough. Only the Equal Opportunity Bill, provided that it mentions discriminations based on sexual orientation, can fill this gap. We hope that this bill will allow legal acknowledgement of homosexual couples and their equal rights concerning adoption, inheritance rights and procedures, medical and social advantages, taxes, etc. In fact, nowadays, a homosexual couple in Mauritius has no legal recognition of its status and thus, cannot benefit from any right or advantage granted to heterosexual couples, such as adoption. If one of the partners dies, the other cannot claim inheritance, or, if a homosexual couple splits, neither one can have legal recourse to claim alimony or rights of visit nor custody for couples with children. Moreover, it is a known fact that in some companies homosexual couples do not benefit from the same rights and advantages as heterosexual couples.

We also wish that all incitement or homophobic act be acknowledged and punished by law, as it is the case for racism. It is a fact that, nowadays, any person or group of person can publicly call for violence against homosexuals without any legal framework prohibiting that (refer to annex 1 Zam Zam). We request also the setting up of housing facilities having support structures for victims of physical or psychological abuse due to their sexual orientation, just like the ones available to wife-beating victims. In the last two years, the Collectif had to fend and provide emergency accommodation for two young adult lesbians with its own limited means: one of them was confined illegally by her parents and the other victim of physical threats and an attempt of being confined to a mental institution (refer annex 2 Ravinee/ annex 2 Kate).

In order to change mentalities and reduce discriminations faced by members of the LGBT community in Mauritius, we consider it is important to integrate in the scholar path, a course raising consciousness on issues linked to any form of discrimination, be it based on gender, race or sexual orientation. We also consider important to have an information campaign for the general public at the same time. Hoping for a prompt passing of the Equal Opportunity Bill, we wish to be able to launch an information campaign as soon as it is voted to inform the young, the general public, and the LGBT community of the new rights and legal recourse available. In the same line, we consider it is necessary for the police department to set up a unit specialized in providing help and support to victims of discrimination based on sexual orientation, as it is already the case for victims of wife-beating. Earlier this year, the Collectif had to provide support to a French lesbian on holidays in Mauritius. She was victim of homophobic acts and went to the police station to seek help. There, she encountered homophobic and demeaning attitudes from the police officers that even refused to take her statement (annex 3 Kate). Moreover, we believe that this demeaning attitude of the police force towards the LGBT community is responsible for the refusal of the people of the latter group to press charges when they are victim of violence, threat or discrimination.

We also wish to stress on the situation faced by transgender and transsexual Mauritian. Nearly all surgical operations and treatments need to be carried out in foreign countries thus generating very high costs. Unfortunately, in order to save such an important sum of money, prostitution seems to be the only way. This situation justifies why the Collectif believes it is important to set up local structures and facilities offering some or most of the medical and psychological support available in foreign countries. We also deem it important to facilitate change of gender at the civil status.

We also denounce the penalization of sodomy maintained in Mauritius. This law applies to homosexuals but also to heterosexuals. Since the Collectif believes that sodomy is a sexual practice

like any other, and that the state cannot interfere in the sexual life of two consenting adults, we wish to see this law definitely abrogated.

Finally, we think it is urgent to have proper surveys carried out as soon as possible in the country in order to have a better picture of the discrimination and homophobia faced by the LGBT community and the impact it has on the individual and social level (suicide, rape, addiction, depression, etc....).