



Mauritius - 25th October 2019

New challenge to discriminatory and archaic law targeting LGBT Mauritians

On the 25th of October 2019, Abdool Ridwan Firaas Ah Seek, a 29-year-old activist, filed a new case before the Supreme Court challenging the constitutionality of Section 250 of the Mauritian Penal Code.

Mr Ah Seek is supported in his endeavour by the Collectif Arc-En-Ciel (CAEC), the largest and longest-standing organization in Mauritius working to uphold the human rights of lesbian, gay, bisexual and transgender (LGBT) people.

The current version of Section 250 dates back to 1898, and is a relic of Mauritius's colonial past. Those convicted under this law face a maximum penalty of five years imprisonment.

By criminalizing consensual same sex-activity between adults, Section 250 violates fundamental rights enshrined in the Constitution of Mauritius, the supreme law of the land. These include the right to equality, privacy, freedom of expression, personal liberty, non-discrimination and protection against inhuman and degrading treatment.

"Section 250 is like the sword of Damocles hanging over the lives of LGBT Mauritians. The time has come to repeal this discriminatory law that unfairly targets members of our society simply because of who they love," said Aschwin Ramenah, Director of CAEC.

Although prosecutions for consensual same-sex activity are rare under Section 250, the mere existence of this law contributes to the stigmatization of LGBT people, which can discourage them from seeking HIV testing and treatment and legitimize hate speech and discrimination.

"The way in which adults lead their lives in close, consensual relationships in the privacy of their own homes should never be a matter for state interference. Archaic laws like Section 250 have no place in our modern and democratic society."

"Challenging Section 250 opens a new chapter in Mauritian history. The CAEC hopes that the Supreme Court will relegate it to the history books, and our country can finally live up to its reputation as a rainbow nation, where every citizen enjoys the same constitutionally-protected rights and is treated with equality and dignity," added Aschwin Ramenah.



Notice to editors

- Founded in 2005, the [Collectif Arc-en-Ciel](#) (CAEC) is the first non-governmental organization in Mauritius to fight against all forms of hatred, discrimination and violence related to gender identity and sexual orientation. Collectif Arc-En-Ciel is an interested party in this case.
- Abdool Ridwan Firaas Ah Seek is represented by a Mauritian legal team composed of Mr Gavin Glover SC, Ms Yanilla Moonshiram, barristers-at-law, and Ms Komadhi Mardemootoo, attorney-at-law

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