



**OPENING STATEMENT**

**BY**

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**MINISTER OF FOREIGN AFFAIRS, REGIONAL INTEGRATION  
AND INTERNATIONAL TRADE**

**9<sup>TH</sup> AND 10<sup>TH</sup> COMBINED PERIODIC REPORT ON THE  
IMPLEMENTATION OF THE AFRICAN CHARTER ON HUMAN  
RIGHTS**

**REPUBLIC OF MAURITIUS**

**24 July 2020**

**VIRTUAL, ZOOM WEBINAR**

**Distinguished Hon. Chairperson, Vice Chairperson and Members of the African Commission on Human and Peoples' Rights**

**All representatives of National Human Rights Institutions and NGOs**

**Distinguished guests**

**Ladies and Gentlemen**

A very good morning to you all.

I am very pleased to be in your midst today at this virtual session. It is indeed a great privilege and honour for me to present, on behalf of the Government of the Republic of Mauritius, the 9<sup>th</sup> and 10<sup>th</sup> Combined Periodic Report of Mauritius on the implementation of the African Charter on Human and People's Rights (ACHPR) to this august assembly.

First of all, allow me to introduce to you the members of my delegation:

- Ms Asha Burrenchobay, Senior Chief Executive of the Human Rights Division; and
- Ms Sooraya Gareeboo, Assistant Parliamentary Counsel, Attorney General's Office

**Respected Commissioners**

Before proceeding further, let me seize this opportunity to convey my heartiest congratulations to the four newly elected members of the Commission, namely Hon. Gertrude Alexia Amesbury, Hon. Mudford Zachariah Mwandenga, Hon. Marie Louise Abomo, and Hon. Ndiamé Gaye. I

wish them success in their endeavours and am sure that their esteemed contribution would be much valuable in the work of the Commission for the universal respect of human rights.

I wish also to express our profound appreciation to the African Commission on Human and Peoples' Rights for scheduling a promotional mission to Mauritius from 13 to 17 August 2019.

We were particularly honoured to welcome the delegation headed by Hon. Soyata Maiga, Former Chairperson of the Commission and comprising Hon. Rémy Ngoy Lumbu, Vice Chairperson of the Commission and Hon. Hatem Essaim. We are grateful to them for the fruitful discussions and shared insights.

### Chagos Archipelago

#### **Respected Commissioners**

At the very outset, I wish to convey on behalf of the Government of Mauritius our sincere appreciation to the African Union for their unconditional support in our fight regarding the Chagos Archipelago.

As you may be aware, in its Advisory Opinion of 25 February 2019, the International Court of Justice has made it clear that the Chagos Archipelago is, and has always been, an integral part of Mauritius. The Court found that the process of decolonization of Mauritius was not lawfully completed upon its accession to independence in 1968, in view of the unlawful excision of the Chagos Archipelago from Mauritius in 1965. The Court also ruled that the

UK's continued administration of the Chagos Archipelago is an unlawful act of a continuing character and that the UK is under an obligation to bring to an end its administration of the Chagos Archipelago as rapidly as possible.

In Resolution 73/295 which it adopted on 22 May 2019 by an overwhelming majority of 116 votes to 6, the UN General Assembly, *inter alia*, affirmed, in accordance with the Advisory Opinion of the International Court of Justice, that the Chagos Archipelago forms an integral part of the territory of Mauritius and demanded the UK to withdraw its colonial administration from the Chagos Archipelago unconditionally within six months. The UK failed to do so by the deadline of 22 November 2019.

### **Respected commissioners**

The UK's continued colonization of part of the territory of Mauritius prevents Mauritius not only from fully and effectively exercising its sovereignty over the Chagos Archipelago, but also from implementing a programme for the resettlement of its nationals, particularly those of Chagossian origin, in the Chagos Archipelago. The Government of Mauritius is highly sensitive to the plight of Mauritians of Chagossian origin who were forcibly removed by the UK from the Chagos Archipelago in the wake of its unlawful excision, and supports their legitimate aspiration to return to the Chagos Archipelago in dignity. The Government of Mauritius is therefore prepared to implement a resettlement programme in the Chagos Archipelago as soon as is practical. In this regard, the special provision of Rs 50 million (\$12.5 M) which was made in the Budget for the last financial year for meeting, *inter alia*, expenses relating to preparations for eventual resettlement in the Chagos Archipelago has been maintained in the Budget for the financial year 2020-2021.

We note with much satisfaction that the designation of the Chagos Archipelago on maps published by the UN Secretariat has been modified in line with the UN General Assembly Resolution 73/295.

In the new official world map published last February by the UN Secretariat, the Chagos Archipelago is clearly shown as part of the territory of Mauritius.

The change made to the maps produced by the UN Secretariat confirms the United Nations' recognition of the sovereignty of Mauritius over the Chagos Archipelago. It also constitutes confirmation of the illegality of the so-called "British Indian Ocean Territory" under international law and of the UK's purported administration of the Chagos Archipelago.

The Government of Mauritius would be grateful for any support the Commission can provide in accordance with UN General Assembly Resolution 73/295.

### **Structure of Report**

#### **Respected Commissioners**

We are today being reviewed in respect of our 9<sup>th</sup> and 10<sup>th</sup> Combined Periodic Report. It covers the period from April 2016 to August 2019 and accounts for Mauritius, Rodrigues, Agalega, St Brandon and the Chagos Archipelago.

The Report has been prepared in accordance with the general guidelines issued by the African Commission on Human and Peoples' Rights and after

extensive consultations through the National Mechanism for Reporting and Follow-Up, which is a national platform comprising members from Ministries/ Departments, National Human Rights Institutions (NHRIs), NGOs and the Civil Society. Many of the members are around me right now to support me and respond to any clarification you may have.

The Report comprises two Parts, namely:

- Part I which focuses on general information on demographics, economic, social and cultural characteristics as well as constitutional, political and legal structure; and
- Part II which depicts the progress made in the implementation of the provisions of the African Charter including the measures taken to enhance the promotion, protection and realisation of the human rights of the people.

The salient points of the Report are:

- i. the new developments in the human rights framework since the last review in 2017, namely the creation of the Ministry of Justice, Human Rights and Institutional Reforms and the setting up of the National Mechanism for Reporting and Follow up and the Independent Police Complaints Commission;
- ii. the various human rights policies and actions for the promotion and protection of human rights over the period 2017 to August 2019;
- iii. the ratification of international human rights and international humanitarian law instruments, namely the **Protocol on Human and People's Rights on the Rights of Women in Africa** with reservations in June 2017 and the **Convention on the Prevention and Punishment of the Crime of Genocide** in July 2019;

- iv. the achievements and best practices in terms of human rights projects and programmes;
- v. the latest development on the issue of Chagos Archipelago; and
- vi. the measures taken by the Republic of Mauritius to address the areas of concern in the Concluding Observations made by the Commission in 2017.

### General Elections

#### **Respected Commissioners**

Less than two months after the submission of the Report, we had the 12<sup>th</sup> General Elections in Mauritius.

The citizens were called upon to exercise their democratic rights on 07 November 2019.

The Mauritian Alliance (a coalition comprising *inter alia* the Movement Socialist Militant, the Muvman Liberater and Plateforme Militante) won 42 out of the 70 seats and a new Government was constituted with Hon. [Pravind Kumar Jugnauth](#) of the Movement Socialist Militant as Prime Minister.

The new portfolio of Ministers brought along a structural change in the overall human rights framework. The subject matter for human rights has been dedicated to a full-fledged Division under the aegis of the Ministry of Foreign Affairs, Regional Integration and International Trade with a view to ensuring better coordination with regional and international organisations.

Human rights is at the forefront and crosses across all the Ministries and Departments of Government. It is, in fact, entrenched in the vision of the newly elected Government which is to make Mauritius:

- a country that nurtures its deeply entrenched democratic values and human rights;
- a country that values its population as its main asset, through empowerment, enhanced social inclusiveness, and equality of opportunity;
- a country that meets the aspirations of its population, including its youth for higher standards of living, enhanced opportunities and sustainable development;
- an economy in the league of high- income countries, driven by technology and innovation and bringing higher levels of growth, equality and shared prosperity; and
- a society where gender equality is promoted to ensure a fair and adequate representation of all genders as well as the human and social development of women in Mauritius.

The strategies to that end have been set clearly in the Government Programme 2020-2024, the title of which is “***Towards an inclusive high income and green Mauritius forging ahead together***”.

It worth mentioning that the innovative strategies initiated over past years have proved to be successful. The World Bank has acknowledged the economic progress of Mauritius thereof and has just classified the country as a high-income country in its recent list of July 2020.

But then the pandemic came.

## Covid-19 pandemic

### **Respected Commissioners**

We are all being faced with an unprecedented health crisis since the start of this year. The new coronavirus 2019 (COVID-19) was declared as a pandemic by the World Health Organization (WHO) on 11 March 2020.

A national campaign was initiated in Mauritius to inform the population of protective measures to contain the spread. Faced with this crisis, the Government of Mauritius actively implemented exceptional measures to address the impact of COVID-19 on our people. As soon as the first three cases were confirmed on 18 March, Mauritius closed its borders and imposed a 24/7 lock down. Testing and screening massively were done and necessary treatment were provided to the infected persons while respecting all the sanitary precautions and guidelines of the World Health Organisation. In fact, we had a National Committee chaired by the Prime Minister which was meeting on a daily basis to monitor the situation.

The rapid response and collective action proved to be successful and the island was able to contain the virus. We had the unfortunate death of 10 Citizens but the remaining 332 cases recovered. Currently, Mauritius has only 1 imported case of COVID-19.

### **Respected Commissioners**

During the whole process of sanitary urgency, the Republic of Mauritius ensured that human rights considerations were taken fully on board in its policies and actions. In fact, it had at heart the hardships on its citizens, especially those in vulnerable situations, and ensured that their fundamental rights were safeguarded throughout.

Let me list a few of those measures:

- the payment of pensions at the doorstep of beneficiaries who did not have a bank account;
- the free distribution of protective equipment and food packs to persons on the Social Register List;
- the provision of a Government wage subsidy to Employers to ensure that all employees (including expatriate workers) in specific areas of activities are duly paid their salary;
- a monthly financial support of Rs 5,100 (\$127.5) to all self-earned person;
- the extension of payment period for rent, utility bills and licences; and
- continuous education to students through TV channels and other online means.

### Delay in implementation of commitment laws

#### **Respected Commissioners**

The General Elections of 2019 coupled with the COVID-19 and lock down period of approximately three months have in some way delayed the passing of various key legislations as well as numerous initiatives that were already at an advanced stage.

The **Children's Bill** which will bring the child protection laws, the juvenile justice laws and certain other legislation in line with international and regional obligations on the rights of children will be introduced in the current session of the National Assembly.

The **National Heritage Bill** which will *inter alia* introduce an integrated and inclusive system of heritage of the Republic of Mauritius and the **Status of Artists Bill** which is intended to promote the appreciation, understanding, and importance of the professional artists and other professional in arts and culture will also be brought to the Parliament in the near future.

Moreover, consultations in respect of the other key legislations affecting the fundamental rights of people will be expedited.

I wish to reaffirm the commitments taken by the Republic of Mauritius in front of the Commission at its last review in 2017 and ensure that steps are being taken to fulfil them in the near future.

#### Ratification and domestication of international instruments

##### **Respected Commissioners**

As regards the Ratification and domestication of international instruments, the Republic of Mauritius has acceded to **the African Union Convention on Preventing and Combatting Corruption** in August 2019.

Moreover, we are proposing to accede to the two other protocols of **the African Charter on Human and People's Rights**, namely that on **the Rights of Older Persons in Africa** and that on **the Rights of Persons with Disabilities in Africa** shortly.

Furthermore, the Republic of Mauritius has re-evaluated the reservations it made to the Convention on the Rights of persons with Disabilities and is proposing to withdraw two out of the three reservations namely:

- Article 11 on situations of risk and humanitarian emergencies: and

- Article 9.2 (d) on the provisions of public signage in buildings and other facilities in Braille and easy to read and understandable forms.

## **Respected Commissioners**

We do not propose to ratify the **OAU Convention Governing the Specific Aspects of Refugee Problems in Africa** for the time being. However, let me reassure you that we fully adhere to the principle of non-refoulement and treat requests for refugee status or political asylum on a humanitarian, case-to-case basis by facilitating their re-settlement in a friendly country willing to grant them refugee status.

Moreover, though we do not propose to sign the **International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families**, we apply the essence of the Convention in cases of disputes between migrant workers and their employer.

It is also worthwhile noting that Mauritius has a Migration Policy since June 2018. The Policy is in coherence with the **UN GA A/RES/74/148** regarding migrants while emphasizing on orderly, safe and regular migration aligning with the Global Compact for Migration Sustainable Development Goals 2030 Target 10.7.

## **Distinguished Commissioners**

We would like to highlight that we are not proposing, for the time being, to accede to the **International Convention for the Protection of all Persons from Enforced Disappearance** and the **Convention for the Protection**

**and Assistance of Internally Displaced Persons in Africa (the Kampala Convention)** as there is neither any cases of enforced disappearance nor any cases of internally displaced persons in Mauritius.

The consultations with stakeholders on the **African Charter on Democracy, Elections and Governance** are well on the way and we are proposing to ratify the Convention in the near future.

### **Respected Commissioners**

I wish to reassure the Commission that all the Articles of the African Charter are already afforded constitutional or legal status under Chapter II of the Constitution or in a subsequent wide array of enactments though the provisions have not been incorporated in a single piece of legislation.

Moreover, I wish to point out that though the Republic of Mauritius is not party to the **Second Optional Protocol to the International Covenant on Civil and Political Rights**, the death penalty has been abolished by way of the enactment of the Abolition of Death Penalty Act in 1995.

### **Respected Commissioners**

I will now give an overview of some human rights issues of fundamental importance to the Mauritian Citizens including measures being envisaged to ensure better promotion and protection.

## Education

Education is considered as a driver of our development process. Mauritius is committed to instil a quality education that would maximise the talents and potential of its citizens. Education is compulsory till the age of 16 years and no child is left out of the education system. Moreover, education is free up to Tertiary level in all public higher education institutions.

Government aims at securing an inclusive education system fully adapted to the new developmental needs of our economy and society.

Continued efforts are being made to ensure that:

- all children from both urban and rural areas as well as Rodrigues and the Outer Islands are not penalized;
- strategies are put in place by the Special Education Needs Authority to ensure education of children with special needs;
- students from vulnerable backgrounds are provided adequate assistance such as free meals, school kits or Scholarship Scheme;
- Human rights education is effectively dispensed as from a very young age; and
- education goes hand in hand with digitalization and development through the setting up of a National e-Learning Platform.

In line with the education reform policy, an Institute of Technical Education will be set up to create opportunities and pathways for students to pursue studies in technical education. An Educators' Council Bill will be introduced to promote the continuous professional development and status of our teachers and educators.

Furthermore, significant investment is being made in the renovation, upgrading and refurbishment of the schools. Some \$ 2.5 M will be deployed in the installation of a wireless local area network in 155 secondary schools in Mauritius and Rodrigues.

In the same line, grant-in-aid are being provided to NGOs running Special Education Needs (SEN) Schools to help them improve their learning environment. Moreover, financing facilities are being provided to households by the Development Bank of Mauritius Ltd for acquisition of IT equipment for educational purposes.

## **Health**

### **Distiguated Commissioners**

Mauritius recognises that the good health of its citizens is key to achieving high quality of life and wellness. Primary, secondary and specialised medical treatment is free in Public Medical Institutions. As at end 2019, there were 5 regional hospitals, two district hospitals and 4 other specialized hospitals with a total bed number of was 3,670. Additionally, the primary health care system comprises a network of 21 Area Health Centres, 130 Community Health Centres, 5 Medi Clinics, 2 Community Hospitals and other satellite institutions.

The life expectancy at birth has increased from 65 years to nearly 75 years. Infant mortality rate and maternal mortality rate is very low and the fertility rate is at 1.4.

All women of reproductive age, including adolescent girls have universal access to sexual and reproductive health services through family planning

clinics in all of the 140 health service delivery points. Counselling services and different modes of contraception are provided free of cost.

National measures are being further pursued to combat NCDs and cancer. Continued efforts are also made to sensitize the population on the HIV/ AIDS. A rapid Testing Caravan carries out regular testing in the community throughout the island.

### **Hon. Commissioners**

Mauritius is investing massively in healthcare to enhance human development and social well-being. It will expand, diversify and modernise its public health infrastructure, including a Cancer Hospital, a new Eye Hospital, a renal transplant unit, a new National Laboratory, a new warehouse for the storage of medicines and a new Teaching Hospital. a National Centre for Disease Control and Prevention will be set up to effectively control infectious diseases and a National Laboratory Information Management System will be introduced. The effectiveness of the health system was clearly proven with the tremendous work effected in Covid-19 period.

Government is proposing to come up with a new 5 year Strategic Plan 2020-2024 to ensure that our national health services can cope with new challenges of today and tomorrow.

### **Women**

#### **Respected Commissioners**

Mauritius is committed to empower women who constitute around 55.6 percent of its population and remove barriers to the enjoyment of their

rights. Efforts will be made to accelerate their active participation in socio economic and political activities of the country.

Women participation in the labour force has increased over the last decades to around 37.1 % in first quarter of 2020 following the various initiatives taken by Government such as the Back to Work Programme, the Youth Employment Scheme, the Dual Training Programme and entrepreneurship courses amongst others. Moreover, to encourage entrepreneurship, the Development Bank of Mauritius Ltd will provide Rs 200 million(\$5M) for loans at a concessional rate of 0.5 percent per annum to women entrepreneurs,

We believe in women holding key leaderships roles both in the public and private sectors and measures would be further taken to encourage gender representation in managerial positions as well as their economic empowerment.

Moreover, girls including those in deprived regions will continue to be provided with all facilities and the best opportunities for their development. It is worth noting that for the period October 2018 to December 2019, 730 girls from deprived regions have benefitted support through the Goal Programme and the 3 E's project: Empowerment through Education and Entertainment.

### Domestic Violence

#### **Respected Commissioners**

Violence against women will not be tolerated, be it domestic violence or gender based violence. It is a violation of human rights. Comprehensive

measures are being put in place to address the problem both from a victim's and perpetrators' perspective. A High-Level Committee under the Chairpersonship of the Hon. Prime Minister has been set up to address the scourge of domestic violence including determining the root causes and the relevant strategies.

The Protection from Domestic Violence Act was amended in 2016 to enhance the protection of victims of domestic violence by widening the definition of the term 'domestic violence' itself. The Protection Against Domestic Violence Act will be amended further to strengthen the protection given to victims and make Perpetrators Rehabilitation Programme compulsory.

An Integrated Support Centre (ISC) has also been set up in 2019 to provide immediate, consistent and coordinated support and counselling to victims on a 24-hour basis. Additionally, an Observatory on Gender Violence is being implemented with the assistance of the European Union.

## **Gender Equality**

### **Respected Commissioners**

The Constitution of Mauritius prohibits discrimination on the basis of sex, and we have reinforced our legislations to improve the situation of women. Moreover, Government is proposing to come shortly with a Gender Equality Bill to –

- (a) promote, protect and regulate gender equality in public and private spheres;
- (b) eliminate gender-based discrimination, ensure that human rights of men and women are guaranteed and acknowledged in existing as well as the proposed legislation in order to achieve gender equality;

(c) provide for gender equality principles that aim at reducing socio-economic inequalities so as to achieve substantive equality in all spheres, that is socially, economically and politically;

(d) provide for equal opportunities for both men and women and create responsibilities of all entities, public and private, to eliminate barriers that lead to gender discrimination; and

(e) promote equality and gender balance between family roles, unpaid care work and employment for men and women.

We will report more in depth on the landscape of protection and promotion of the rights of women in our forthcoming initial report to the Commission under the **Protocol on Human and People's Rights on the Rights of Women in Africa**.

#### Elderly persons

#### **Respected Commissioners**

The Elderly is a source of inspiration and their contribution to the development of our country is invaluable. They hold a special place in the heart of the traditional Mauritian family and are the root of basic values.

The Government of Mauritius provides for a universal non-contributory Basic Retirement Pension for any citizen of Mauritius aged 60 and above. Between December 2014 and December 2019, it has increased from Rs 3,500 (\$87.5) to Rs 9,000 (\$225) representing an increase of 2.5 times. As at May 2020, around 238,333 elderly persons, that is around 16 % of the population, were benefitting from this pension. In the same vein, several social allowances have been increased including the incontinence allowance which has been doubled from Rs 450 (\$11.25) to Rs 900 (\$22.5) since July

2019 and the monthly grant to employees of residential care homes and institutions has been increased to Rs9,700 (\$242.5) in January 2020.

We will spare no effort to continuously provide better facilities to our elderly, such as day care and recreational centres. Additionally, we will strengthen the regulatory framework pertaining to charitable institutions and residential care homes.

Government will ensure that effective measures are put in place to promote and sustain the physical, psychological, emotional, social and economic protection of our elderly as well as their well-being and security.

#### **Persons with disabilities**

##### **Respected Commissioners**

Mauritius will pursue its efforts to uplift the rights of persons with disabilities, prevent their discrimination and promote their rights.

Children with disabilities will not be neglected. The Special Education Needs Authority will endeavour to provide the best facilities adaptable to the need of the disabled children and ensure their integration in the mainstream.

Health services for disabilities have been strengthened. Bedridden and severe disability persons benefit now from medical domiciliary visits irrespective of their age.

Government is coming up with a survey on employment of persons with disabilities which will allow to situate the weaknesses in the employment system with a view to devising effective policy actions and measures.

## Children and Youth

### **Respected Commissioners**

The Government of Mauritius recognises that Children and Youth are essential players in shaping the Mauritius of tomorrow. Their protection and empowerment are vital and have to be safeguarded. Equal opportunities and facilities to enable them to succeed in life is high on our agenda.

We will develop a National Skills Development Strategy 2020-2024 to better prepare and empower our young people. The Strategy will map out the skills development needs for the next five years and address the new trends influencing skills development policies, such as industry 4.0, Artificial Intelligence and ageing population.

Additional measures envisaged are *inter alia*:

- i. the setting up of additional Child Protection Services in the various Districts.
- ii. the upgrading of the Relay Shelters and creches;
- iii. the extension of Foster Care Programme to children above 10 years old;
- iv. the setting up of an Early Childhood Screening and Referral Unit with a view to ensuring timely intervention in cases of potential health problems, developmental delays and cases of child abuse; and
- v. the introduction of a National Social Observatory to scientifically study and analyse all issues relating to disruptive social behaviour

to understand its root causes with a view to preparing a national action plan.

### Social Inclusiveness

#### **Respected Commissioners**

Mauritius has a well-established welfare system which has been consolidated over years to create a more inclusive society. Nevertheless, it is estimated that there is around 10 % of the population that live in relative poverty.

In line with the Marshall Plan, various Empowerment Schemes were initiated to combat absolute poverty and support financially the families who are eligible under the Social Register of Mauritius (SRM).

Government is proposing to enhance its policy effectiveness in its fight against poverty and set up a National Database for Vulnerable Groups to cover both absolute and relative poverty cases. Additionally, it will provide some 2,570 tablets to students of Grades 10 to 13 for families in the existing SRM and extend Free broadband internet facilities to an additional 5,000 families under the existing SRM including 2,000 families in Rodrigues.

The **quantum** of National Minimum Wage has also been reviewed in January 2019 from Rs 8,140 (\$203.5) to **Rs 9,700 (\$242.5)**. The relief provided to workers by way of this measure is still being further enhanced by the Negative Income Tax Scheme and a Special Allowance implemented by the Mauritius Revenue Authority to reach a minimum of Rs 10,200 (\$255) a month.

Additionally, Government will invest Rs 12 billion (\$300M) over the next years for the construction of 12,000 social housing units across the whole island.

### Right to work

#### **Respected Commissioners**

Government promulgated the Workers Rights Act with effect from October 2019. It incorporates and harmonises all the core conditions of employment in the various sectors of activities in Mauritius.

The legislation provides necessary safeguards and protection regarding labour rights, indistinctively and indiscriminately to all workers as well as to ensure the application of the principle of equality between men and women including persons with disabilities.

Additionally, it affords for enhanced protection and conditions of work to new parents, especially mothers, to-be mothers or pregnant workers including:

- 14 weeks maternity leave with pay to a worker irrespective of her number of confinements or her length of service;
- daily one hour breastfeeding time for 6 months;
- 3 weeks leave with full pay for miscarriage;
- limited hours of work prior to and after a confinement; and
- 5 days paternity leave.

The Workers' Rights Act also makes provisions for:

- a **Wage Guarantee Fund** which guarantees remuneration up to Rs 50,000(\$1250), representing unpaid wages, wages in lieu of notice and end of year gratuity, to workers who lose their jobs in case of insolvency of their employer; and
- the **Portable Retirement Gratuity Fund** which will ensure that workers be paid a gratuity on retirement which recognizes the full length of service of a worker, irrespective of the number of employers he has worked for as a new mechanism for computation of gratuity.

We have also introduced in October 2019 **The Workers' Rights (Atypical Work) Regulations 2019** in replacement of **the Employment Rights (Working from Home) Regulations** which covers a broader spectrum of workers who does not have a standard work agreement.

### Migrant Workers

#### **Distinguished Commissioners**

Migrants workers have contributed greatly to the national workforce of Mauritius over the years and during the evolution of its industries. As at January 2020, there were **45,062** migrant workers issued with valid work permits (**36,508** Male and **8,554** Female) to work mainly in economic activities such as manufacturing (including textile), Construction, Trade, Hotel and Restaurant and Information and Communication Technology. The migrant workers come mainly from Bangladesh, India, Madagascar, China and Sri Lanka.

Recruitment of the migrant workers are regulated and further facilitated through Bilateral Agreements or Memorandum of Understanding between the sending country and Mauritius.

Migrant workers are treated on the same footing like local workers. They are governed by the same labour laws and enjoy the same privileges, including the minimum wage.

We will pursue our efforts to ensure that the rights of the migrant workers are always respected, they enjoy a safe working environment and their stays in Mauritius are in accordance with all human rights standards as far as possible.

## Culture

### **Respected Commissioners**

Let me now move to Arts and Culture which are key elements of a strong social fabric. We ensure that the traditions of each component of the population are safely preserved and practice without any prejudice.

Government supports religious bodies through an annual grant. The quantum in this current budget has been increased from Rs 93 million to Rs 103(4) million.

Moreover, Rs 35 Million (\$ 875,000) has been earmarked for the preservation and rehabilitation of historical and cultural sites.

Government is committed to set up the Intercontinental Slavery Museum over the next years. The building will be a vibrant example of the cultural

preservation and the scientific study of the phenomenon of slavery and slave trade in the Indian Ocean. It will assist in the promotion of cultural exchanges and a culture of peace and union among peoples of several continents and will be a driving factor for developing cultural tourism across the South West Indian Ocean by the creation of slave heritage trails.

### **Respected Commissioners**

The Festival International Kreol is an annual cultural event organised in the context of the International Creole Day aiming at showcasing the authenticity of the Creole culture through local music, art, language and cuisine.

The cultural asset of Mauritius is already recognized internationally. We have two UNESCO World Heritage Sites, namely the Aapravasi Ghat in commemoration of the indentured Indian labourers and Le Morne Cultural Landscape commemorating slavery. Moreover, the Traditional Mauritian Segha, the Bhojpuri folk song - Geet Gawai and the Segha Tambour of Rodrigues are classified as Intangible Cultural Heritage by UNESCO.

On 11 December 2019, Mauritius marked another milestone when the 'Segha Tambour Chagos' was inscribed on the UNESCO list Intangible of Cultural Heritage.

The 'Segha Tambour Chagos' is a gentle, vibrant and rhythmic performance of music, song and dance born from the miseries of slavery and sung in Chagossian Creole particular to the islands. The lyrics consists of everyday

experiences, often composed spontaneously, including narrations of sadness, happiness and rebellion.

Government is committed to pursue the promotion of culture and artistic forms through its five artistic centres on arts.

## Environment

### **Respected Commissioners**

As a Small Island Development State, Mauritius is particularly vulnerable to climate change and exposed to natural calamities. In this context, it has embarked in a number of initiatives to increase its resilience and level of preparedness. An early system for incoming storm and tidal surge has been implemented. A national multi hazard Emergency Alert System has been introduced and sensitization are carried out in vulnerable areas.

The Republic of Mauritius will continue to implement appropriate preventive measures, provide more protection and mitigate the impact of climate change in respect of both its citizens and its economy

Government organized the “*Assises de l’Environnement*” in December 2019 where more than 400 participants from 22 institutions participated in that event. Based on the various recommendations made, a Master Plan for the Environmental Policy 2020-2030 as well as an Action plan for the next five years will be developed.

A National Biodiversity Strategy and Action Plan has also been developed to implement the Convention on Biodiversity.

Climate-related legislation are being finalised to strengthen the environmental management and sustainable development frameworks of the country.

The Mauritius Oceanography Institute will implement a project on coral culture for small scale reef rehabilitation. The overall objective of the project is to mitigate the impact of climate change on coastal communities by implementing coral reef restoration initiatives using selected resilient corals.

Government is also accelerating the development of renewable energy to reach 35% in 2025 and 40% in 2030 and promoting the setting up of a photovoltaic system for households, SMEs, cooperatives, NGOs, small planters and breeders.

Additionally, we will implement a national cleaning and waste management programme and a centralised medical and clinical waste incineration project to ensure better management of waste including toxic and hazardous products.

New eco-friendly measures such as building norms and improve public infrastructure will be introduced for better protection against natural disasters such as cyclones and floods.

## **Human Trafficking**

### **Respected Commissioners**

Combating Human Trafficking, be it forced labour or sex trafficking, is a priority of Government.

A National Action Plan to Combat Trafficking in Persons has been prepared and is being finalised with the assistance of the local offices of the United Nations Office on Drugs and Crime and the International Organization for Migration in Mauritius.

Significant efforts are being made to:

- identify and assist trafficking victims;
- monitor labour recruitment companies including their delicensing and referral for criminal investigation;
- carry out labor inspections of migrant worker employment sites; and
- sensitize migrant worker on their rights and address any passport seizure by employers.

In 2019, 1520 labour inspections were carried out covering 50414 expatriate workers and around Rs 7.8 M (\$1.95M) of unpaid amount to the workers were recovered.

The construction works of the shelter for adult victims of human trafficking has been completed and the modalities for its operation are currently being finalised.

## **Discrimination/ Human Rights Violation**

### **Respected Commissioners**

Government takes seriously all cases of violation of human rights.

It does not, in any way, allow discrimination and hate speech against any individual, or minority groups.

Adequate legislative safeguards and measures are in place for better protection of the individual against all forms of discrimination and hate speech ,including those caused through internet and online means. We will continue to strengthen those provisions so that there is no “culture of impunity”.

Abuses by Security Forces and the Police are, under no circumstances, tolerated and severe sanctions will be taken against the perpetrators.

To that end, the National Human Rights Institutions and independent bodies are called upon to play more actively their role.

Parliamentarians are also encouraged to contribute to the human rights landscape. Two Honorable Members of the National Assembly had the privilege to participate in a **webinar** organised by the Inter Parliamentary Union and the Office of the High Commissioner for Human Rights in July 2020 under the theme “*Engaging parliaments on the promotion of human rights including on the work of the Human Rights Council and its Universal Periodic Review.*”

## Law and Order

### **Respected Commissioners**

**Mauritius** was ranked among the safest or most **peaceful countries** by the Global **Peace** Index 2019.

Though we may have different race, culture and faith in Mauritius, we live in a spirit of unity, mutual respect and dynamic tolerance. This synergy has created the Mauritian identity based on the “*Vivre Ensemble*” concept with a shared identity, share values and a shared vision for the future. These values have also greatly upheld the process of nation building.

We will continue to enhance security and ensure that law and order prevails in the country as well as promote safety of our citizens and visitors.

## Economic recovery / Conclusion

### **Respected Commissioners**

It is needless to say that the economic fallout of the pandemic on Mauritius would be high. With an estimated contraction of approximately 10%, Government would need to reinvent its normality to face the emerging challenges including those impacting of human rights.

I wish to reassure the Commission that the Government of the Republic of Mauritius will take all necessary steps to ensure that the fundamental rights of its Citizens are respected.

In fact, the Budget 2020-21 already sets out the main strategies with focus on:

- Rolling out the ‘Plan de Relance de l’investissement et de l’économie’;
- Engaging in Major Structural Reforms; and
- Securing Sustainable and Inclusive Development.

We are confident that the steps taken and to be taken would pave the way for the gradual recovery of the economy while respecting all international human rights instruments. The challenges are enormous but with our innovative spirit, shared values and dedication, we will overcome all the obstacles and rise to the expectations of our citizens.

## Conclusion

### **Respected Commissioners**

I hope that I have been able to provide you and the members of the Commission with adequate update on the human rights situation in Mauritius and the actions envisaged to further uphold the promotion and protection of the fundamental rights of the individuals.

Before I conclude, allow me, on behalf of the Government and the people of Mauritius, to extend our appreciation to the African Commission on Human and People’s Rights for all the good work it is doing. We reassure you once again our commitment to work towards the upholding of human rights of our citizens and to meet our obligations under the different human rights instruments to which we are party.

I thank you for your attention. We look forward to responding to your questions or clarifications.