



MINISTRY OF JUSTICE, HUMAN RIGHTS AND INSTITUTIONAL REFORMS

**Annual Report
For Financial Year
2018/2019
31.10.2019**

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PART I – ABOUT THE MINISTRY

1.1 Vision, Mission and Core Values

- **OUR VISION**

Our vision is to ensure that justice prevails in our democratic society and is accessible to one and all, human rights are observed according to our Constitution and all institutions are governed in full transparency and good governance.

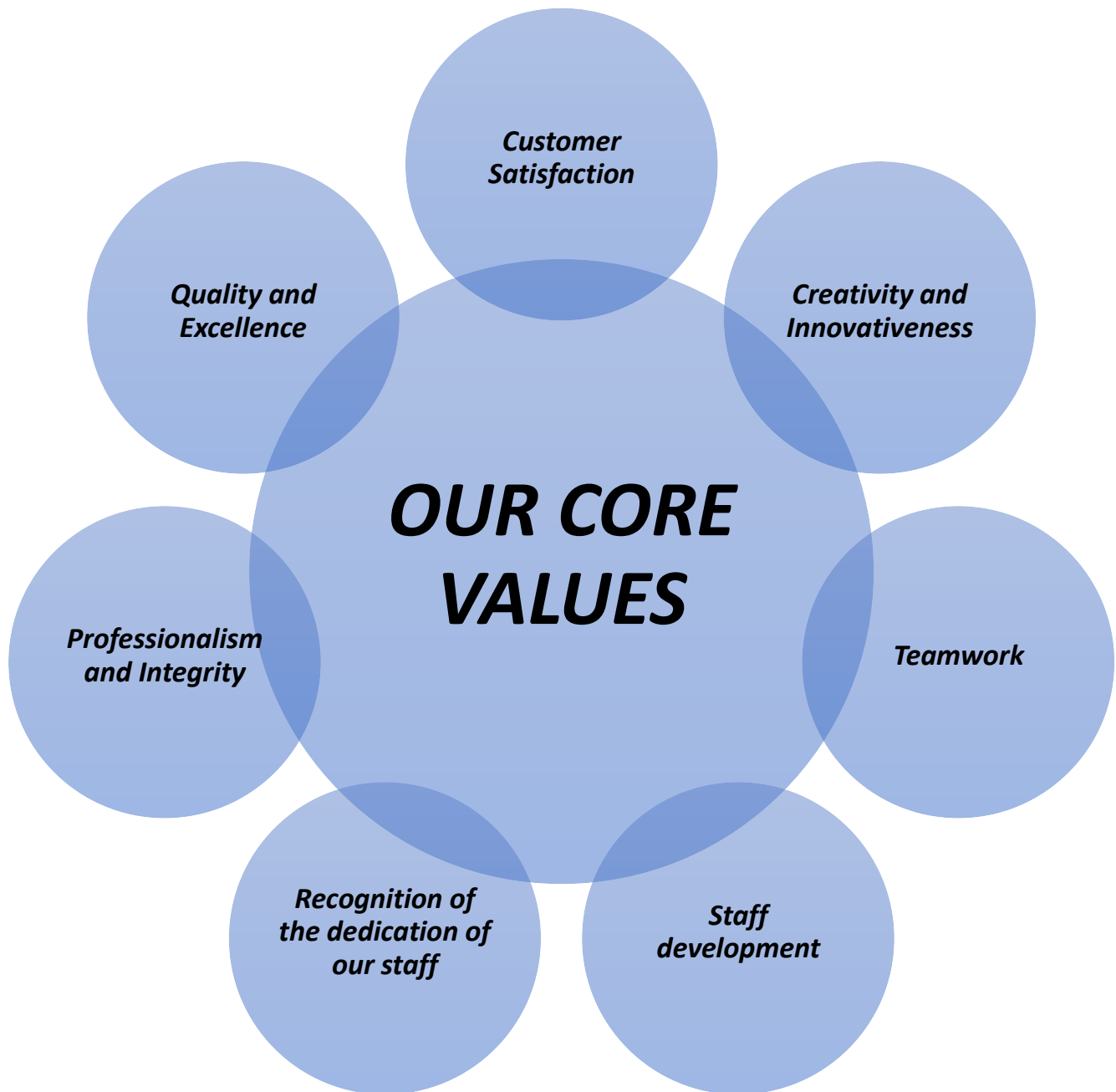


- **OUR MISSION**

To provide assistance to relevant institutions so as the principle of justice and good governance prevails, to protect and promote human rights and to re-engineer public sector bodies so as to ensure judicious utilization of public resources and funds.



- **OUR CORE VALUES**



1.2 OUR GOALS AND OBJECTIVES

- To ensure that fairness and justice prevail in our society.
- To ensure that the fundamental rights of all are respected.
- To establish appropriate mechanisms in order to uphold the rule of law.
- To mainstream human rights issues.
- To be a platform for dissemination of data, information and statistics on human rights.
- To ensure that the State of Mauritius fulfills its human rights obligations.
- To ensure that State Reports are prepared in a timely manner and follow up actions are taken thereon.
- To liaise with international bodies to ensure dissemination of human rights for one and all.
- To enhance the governance landscape in public sector organisations.
- To enhance institutional reforms so that our institutions become more responsive to the needs of the society.
- To activate the role of institutional development to ensure proper implementation of plans and programmes.

1.3 Minister's Statement



It gives me great pleasure to present the Annual Report for the Ministry of Justice, Human Rights and Institutional Reforms for the Financial Year 2018-2019. The Report gives an account of the Ministry's performance for the year. Although the Ministry is fairly new, it has nevertheless managed to live up to my expectations and lay the foundations for the future years.

I wish to express my satisfaction regarding our State reporting obligations. Mauritius has submitted during the last two years all the state reports that were due under each convention namely the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Committee on the Elimination of Racial Discrimination (CERD), the Convention against Torture (CAT) and the Universal Periodic Review (UPR). The process of reporting was an inclusive one whereby the different stakeholders were consulted through the National Mechanism for Reporting and Follow-Up.

Human rights apply to all human beings, regardless of race, age, gender identity, sexual orientation, religious affiliation, disability or socio-economic background. There has been a continuous process to promote and sensitise the public at large on the issue.

I would like to highlight that the process for re-engineering the OPSG has been initiated to meet the challenges in the public sector and deliver effectively its enlarged mandate. The OPSG has, during the financial year, made two organisational reviews and has investigated on four major cases of malpractice.

I would also seize this opportunity to thank and congratulate all the staff of the Ministry of Justice, Human Rights and Institutional Reforms for the performance of the Ministry and hope they will continue their work with the same dedication and enthusiasm.

***Honourable Maneesh Gobin,
Attorney-General, Minister of Justice, Human Rights and Institutional Reforms***

1.4 SUPERVISING OFFICER'S STATEMENT

I am pleased to be associated with the presentation of the Annual Report on the performance of the Ministry of Justice, Human Rights and Institutional Reforms for the period 01 July 2018 to 30 June 2019.

The year under review was a hectic one for the Ministry with the preparation of three State Reports and four reviews. It is indeed a great satisfaction to meet up to these challenges successfully.

We were involved in the preparation of two very important State Reports to the Treaty Bodies and the Universal Periodic Review to the Human Rights Council and subsequently attended the various reviews in Geneva. The Mauritius delegation to the Human Rights Council was privileged to meet Ms M. Bachelet, United Nations High Commissioner for Human Rights AND Mr Michael Møller, Director General of the United Nations Office in Geneva (UNOG).

Moreover, we continued to provide inputs to the Office of the United Nations High Commissioner for Human Rights regarding various questionnaires on different themes of human rights. Furthermore, we held many workshops with their assistance.

We have also had prominent speakers such as Honourable Dipak Misra, former Chief Justice in India and Honourable T.M. Masutha, Minister of Justice and Correctional Services of South Africa in Mauritius to share their priceless experience in the promotion of human rights.

I am thankful to the dedicated officers of this Ministry for all the reports that were managed to produce in house and for which we were congratulated by the various Committees under the Treaty Bodies.

***Asha Burrenchobay,
Senior Chief Executive,
Ministry of Justice, Human Rights and Institutional Reforms***

1.5 ROLES AND FUNCTIONS OF THE MINISTRY

The Ministry of Justice, Human Rights and Institutional Reforms looks into the following main portfolios:-

(a) Human Rights

- To draft and prepare reports on human rights in line with State obligations;
- To maintain and monitor a database on the implementation of recommendations made by the United Nations Treaty Bodies and the African Union Commission;
- To facilitate through the National Mechanism for Reporting and Follow-Up (NMRF) consultations, coordination and engagements with all the relevant stakeholders including from the Ministries/Departments, the National Human Rights Institutions, NGO's and Civil Society;
- To respond to all queries, questionnaires, surveys and procedures made by Treaty Bodies and other regional human rights organisations; and
- To advise Government on human rights issues as and when required.

(b) International Humanitarian Law (IHL)

- To advise and assist Government, through the National Humanitarian Law Committee:
 - a) in implementing and spreading knowledge of International Humanitarian Law Instruments to which Mauritius is a party; and
 - b) in ensuring that the existing legislations are in compliance with IHL instruments.

(c) Office of Public Sector Governance (OPSG)/ Institutional Reforms

- To monitor and report on the effectiveness of the implementation of the recommendations of the National Audit Office (NAO), the Public Accounts Committee (PAC) and the Internal Control Unit;

- To monitor the pace of reform of public sector enterprises and recommending corrective measures, where appropriate;
- To conduct special enquiries into reported cases of mismanagement;
- To conduct programme evaluation with a view to ensuring that cost effective ways are adopted in the delivery of quality service to the public;
- To promote and monitor the implementation of the Code of Corporate Governance and carrying out sensitization activities on good governance;
- To provide support to public sector enterprises in implementing performance enhancing reforms approved by Government;
- To establish, review and monitor the effectiveness of Audit Committees in Ministries and Departments;
- To promote and assist the Ministry of Civil Service and Administrative Reforms in the reform of public sector organizations with a view to ensuring that their services are responsive to the needs of the public; and
- To provide services to Public Sector Organisations including Corporate Governance Review, Financial Reviews and Special Enquires and Organisational and Management Reviews.

1.6 CONVENTIONS AND TREATIES

Mauritius is party to the following international instruments and has ratified and acceded to the following:

Table 1: Ratification of Human Rights Conventions

SN	Treaty/Convention	Date of ratification
1	Optional Protocol to the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW-OP)	31 October 2008
2	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (CRC-OP-SC)	14 June 2011
3	Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC-OP-AC)	12 February 2009
4	Convention on the Rights of Persons with Disabilities (CRPD)	08 January 2010
Other Multilateral Treaties		
5	United Nations Convention against Transnational Organized Crime	18 April 2003
Regional Human Rights Instruments		
6	African Charter on Human and Peoples' Rights	19 June 1992
7	African Charter on the Rights and Welfare of the Child	14 February 1992
8	Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights	03 March 2003
9	Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa	16 June 2017

Table 2: Accession to Human Rights Conventions

SN	Treaty/Convention	Date of accession
1	International Covenant on Civil and Political Rights (CCPR)	12 December 1973
2	Optional Protocol to the International Covenant on Civil and Political Rights (CCPROP-1)	12 December 1973
3	International Covenant on Economic, Social and Cultural Rights (CESCR)	12 December 1973
4	International Convention on the Elimination of all Forms of Racial Discrimination (CERD)	30 May 1972
5	International Convention on the Elimination of all Forms of Discrimination against Women (CEDAW)	09 July 1984

6	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	09 December 1992
7	Optional Protocol to the Convention against Degrading Treatment or Punishment (CAT- OP)	21 June 2005
8	Convention on the Rights of the Child (CRC)	26 July 1990
Other Multilateral Treaties		
9	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational	24 September 2003
10	The Hague Convention on the Civil Aspects of International Child Abduction	23 March 1993
11	Convention for the protection of individuals with regards to automatic processing of personal data (European Treaty 108)	17 June 2016

Table 3: International Humanitarian Law Instruments

Treaty		Date Signed/ Acceded / Succeeded	Domestic Legislation enacted
A.	The Four Geneva Conventions and their Protocols		
1.	1949 Geneva Convention I for the Amelioration of the conditions of the Wounded and Sick in the Armed Forces in the Field	Succeeded on 18 August 1970	Geneva Conventions Act
2	1949 Geneva Convention II for the Amelioration of the condition of the Wounded and Sick and Shipwrecked members of the Armed Forces at Sea	Succeeded on 18 August 1970	Geneva Conventions Act
3	1949 Geneva Convention III relative to the Treatment of Prisoners of War	Succeeded on 18 August 1970	Geneva Conventions Act
4	1949 Geneva Convention IV relative to the Protection of Civilian Persons in Time of War	Succeeded on 18 August 1970	Geneva Conventions Act

5	1977 Protocol I – Additional to the 1949 Geneva Convention relating to the Protection of Victims of International Armed Conflict	Acceded on 22 March 1982	Geneva Conventions (Amendment) Act 2003
6	1977 Protocol II – Additional to the 1949 Geneva Convention relating to the Protection of Victims of Non-International Armed Conflicts	Acceded on 22 March 1982	Geneva Conventions (Amendment) Act
B.	The Biological Weapons Conventions 1972 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction	Signed on 10 April 1972 Ratified on 7 August 1972	Biological and Toxin Weapons Convention Act
	Treaty	Date Signed/ Acceded / Succeeded	Domestic Legislation enacted
C.	Chemical Weapons Convention on the Prohibition of the Development, Production Stock-piling and Use of chemical Weapons and their Destruction	Ratified on 9 February 1993	Chemical Weapons Convention Act
D.	The CCW and its Protocols		
1	1980 Convention on Prohibitions or Restrictions on the Use of Certain conventional Weapons (CCW) which may deemed to be Excessively Injurious or to Have Indiscriminate Effects	Acceded on 6 May 1996	The Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons (CCW) which may deemed to be Excessively Injurious or to Have Indiscriminate Effects Act 2018
2	1980 Protocol I on the Non- Detectable Fragments	Acceded on 6 May 1996	
3	1980 Protocol II on the Prohibitions and Restrictions on the Use of Mines, Booby-traps and other Devices	Acceded on 6 May 1996	
	Amended Protocol II on the Prohibitions and Restrictions on the Use of Mines, Booby-traps and other Devices (1998)	Acceded on 30 October 2018	

4	1980 Protocol III on Prohibitions or Restrictions on the Use of Incendiary Weapons	Acceded on 6 May 1996	
5	1995 Protocol IV on Blinding Laser Weapons	Acceded on 6 May 1996	
	Protocol V on Explosive Remnants of War	Acceded on 30 October 2018	
E.	The Ottawa Treaty 1972 Ottawa Convention on the prohibition of the Use of Stockpiling, Production and Transfer of Anti-Personnel Mines and on their destruction	Acceded on 24 December 2002	Anti-Personnel Mines (Prohibition) Act
	Treaty	Date Signed/ Acceded / Succeeded	Domestic Legislation enacted
F.	The Rome Statute 1998 Rome Statute for the International Criminal Court	Signed on June 1998 Ratified on 5 March 2002	International Criminal Court Act
G.	The Convention on the Rights of the Child The 2000 Optional protocol on the involvement of children in armed conflict	Signed on 11 November 2001 Ratified on 12 February 2009	The main provisions of the CRC were to be incorporated in the Childrens' Bill
H.	Convention for the Protection of Cultural property in the event of Armed Conflict	Ratified on 22 December 2006	Draft Amendment Bill under Preparation at the Ministry of Arts and Culture
I.	Arms Trade Treaty	Acceded on 23 July 2015	The Firearms Act (amended in 2016)

1.7 KEY LEGISLATIONS

The Protection of Human Rights Act

The Protection of Human Rights Act provides for the setting up of the National Human Rights Commission, for the better protection of human rights.

The Independent Police Complaints (IPCC) Act

This Act provides for the establishment of an Independent Police Complaints Commission to investigate into complaints made against the police officers in the discharge of their functions, other than complaints of acts of corruption or money laundering offences.

1.8 GENDER STATEMENT

Gender equality is at the very heart of human rights. The Ministry recognizes the major role of women as agents of development and shares the opinion that gender equality and empowerment of women are critical factors for overall economic, social and political progress.

This Ministry aims to integrate a gender perspective and women's human rights throughout its policy formulation, programme development and activity implementation, including statistics, project monitoring and evaluation. It is proposing to adopt the following gender mainstreaming approaches :-

- (a) Assessment of the implications for women and men of any planned action, including legislation, policies and programmes in all areas and at all levels.;
- (b) Ensuring that both men's and women's concerns and experiences are an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political economical and societal sphere so that women and men benefit equally and inequality is not perpetuated;
- (c) Employment under delegated power from the Public Service Commission to be carried out irrespective of applicants' caste, colour, creed, ethnic origin, impairment, marital status, place of origin, political opinion, race, sex or sexual orientation;
- (d) Reinforcement of equal opportunity at all levels of the Ministry, in both the technical and administrative functions;
- (e) Encouragement of all officers to develop their skills and qualifications, and to take advantage of promotion and development opportunities in the organization;
- (f) Provision of facilities such as equipment and furniture to staff without discrimination;
- (g) Investigation into complaints about discrimination in the course of employment with due diligence; and
- (h) Stilling a change in mindset of men and women at work to enjoy equal rights and to be at par.

Furthermore, a Gender Cell has been set up to ensure implementation of the Gender mainstreaming activities as follows:-

SN	Name	Designation
1.	Mr R. Emrith	Assistant Permanent Secretary (Chairperson)
2.	Mrs O. Motah	Assistant Permanent Secretary
3.	Mr S. Banshi	Lead Financial and Governance Analyst
4.	Ms P. Sunassee	Financial and Governance Analyst/ Senior Financial and Governance Analyst
5.	Mrs K. B. Oojageer	Assistant Manager, Human Resources
6.	Mrs M. A. Moonesamy	Office Management Executive
7.	Mrs D. Doolum	Office Management Assistant
8.	Mr D. Lisette	Management Support Officer (Secretary)

1.9 ABOUT OUR PEOPLE

The Ministry of Justice, Human Rights and Institutional Reforms is presently manned with a workforce of 47 staff.

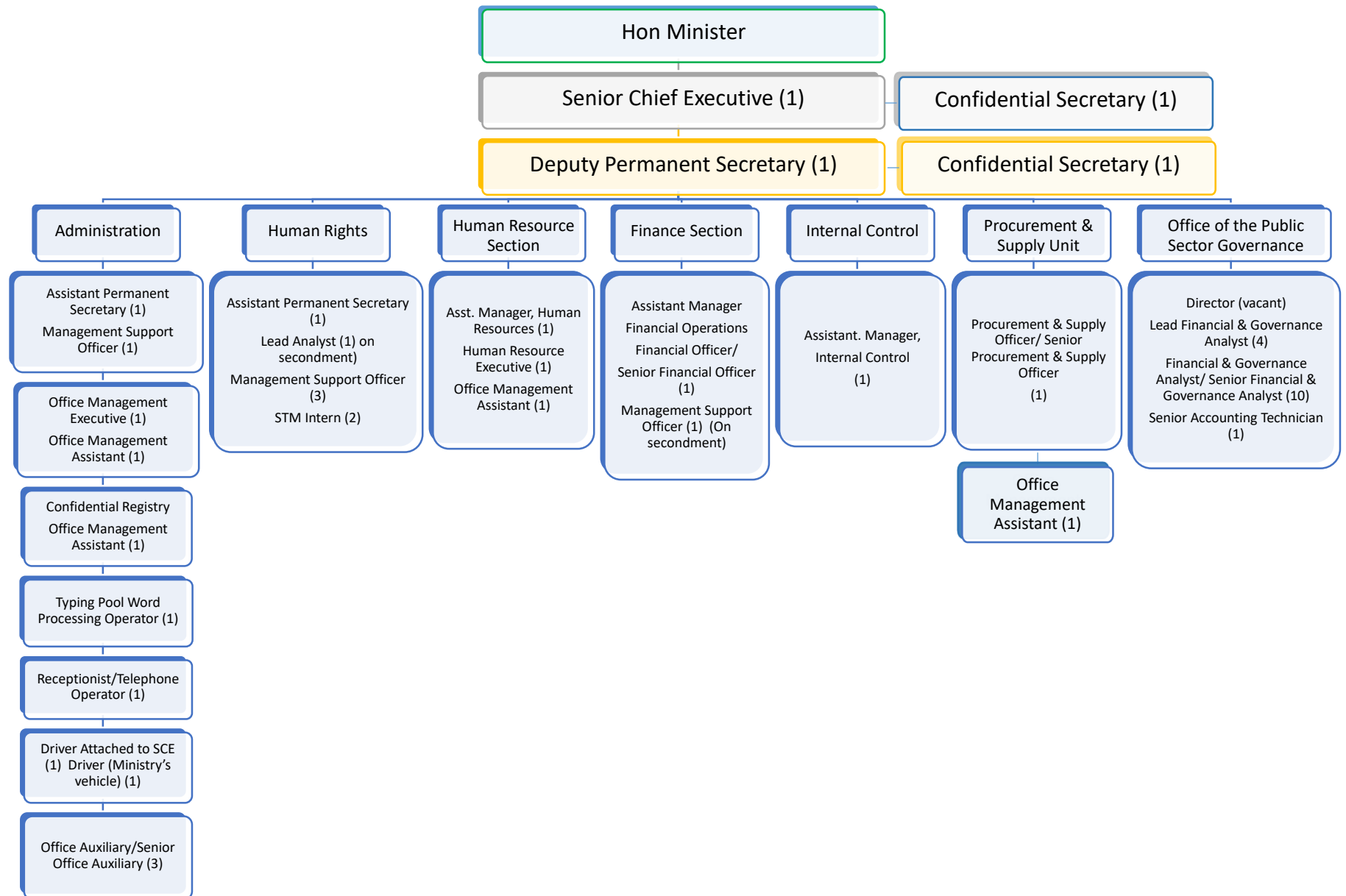
The Senior Chief Executive is the Administrative Head and Accounting Officer of the Ministry. She is assisted in her duties by a Deputy Permanent Secretary, two Assistant Permanent Secretaries and officers of the Office of Public Sector Governance and support staff from Financial Operations Cadre, Human Resources Cadre, Procurement and Supply Cadre as well as officers of the General Service Grade.

1.10 THE STAFFING STRUCTURE 2018-2019

As at 30 June 2019, the staffing position was as follows:

JOB TITLE	No. in post
Senior Chief Executive	1
Deputy Permanent Secretary	1
Assistant Permanent Secretary	2
Lead Analyst (on secondment)	1
Assistant Manager, Human Resources	1
Assistant Manager, Financial Operations	1
Assistant Manager, Internal Control	1
Procurement and Supply Officer/Senior Procurement and Supply Officer	1
Financial Officer/Senior Financial Officer	1
Office Management Executive	1
Intern under Service to Mauritius	2
Office Management Assistant	4
Confidential Secretary	2
Management Support Officer	6
Word Processing Operator	1
Receptionist/Telephone Operator	1
Driver	2
Office Auxiliary/Senior Office Auxiliary	3
SUB TOTAL	32
Director, Office of Public Sector Governance	Vacant
Lead Financial and Governance Analyst	4
Financial and Governance Analyst/Senior Financial and Governance Analyst	10
Senior Accounting Technician	1
SUB TOTAL	15
TOTAL	47

1.11 ORGANISATIONAL STRUCTURE



1.12 List of Senior Officers

POST	NAME	PHONE No	FAX No	<u>E-MAIL</u>
Senior Chief Executive	BURRENCHOBAY Asha Devi (Ms)	214-1603	201-3723	aburrenchobay@govmu.org
Deputy Permanent Secretary	JHOERREEA Asish Kumar	201-3726	211-0285	ajhoerreea@govmu.org
Assistant Permanent Secretary	EMRITH Rakesh	214-1606	201-3723	raemrith@govmu.org
Assistant Permanent Secretary	MOTAH Oomeswaree (Mrs)	201-2958	201-3723	omotah@govmu.org
Lead Analyst (on secondment)	RUGHOOBUR Avinash	201-2959	201-3723	arughoobur@govmu.org
HUMAN RESOURCES				
Assistant Manager, Human Resources	OOJAGEER Koresha Banon (Mrs)	201-3506	211-0285	kboojageer@govmu.org
FINANCE SECTION				
Assistant Manager Financial Operations	KHODABUX Salmah Bibi Oummeh (Mrs)	201-2519	211-0285	sakhodabux@govmu.org
ADMINISTRATION SECTION				
Office Management Executive	MOONEESAMY Marie-Anne (Mrs)	201-3735	211-0285	mmooneesamy@govmu.org
PROCUREMENT SECTION				
Procurement and Supply Officer/ Senior Procurement and Supply Officer	NOELLETTE Jos Edley	201- 3732	211-0285	jnoellette@govmu.org
OFFICE OF PUBLIC SECTOR GOVERNANCE				
Lead Financial and Governance Analyst	MATHOORAH Mohun	201-3730	211-0285	mmathoorah@yahoo.com
Lead Financial and Governance Analyst	BANSHI Satianand	201-3918	211-0285	sbanshi@govmu.org
Lead Financial and Governance Analyst	NARAINEN Edison	201-2897	211-0285	enarainen@govmu.org
RECEPTION				
Reception Desk		214-1604		

PART II-MINISTRY'S ACHIEVEMENTS AND CHALLENGES

2.1 Main achievements in 2018/19

Obligations to Human Rights and International Humanitarian Law Instruments

(i) Reports submitted

The State of Mauritius through this Ministry submitted the following reports to the international human rights organisations in Financial Year 2018-19:-

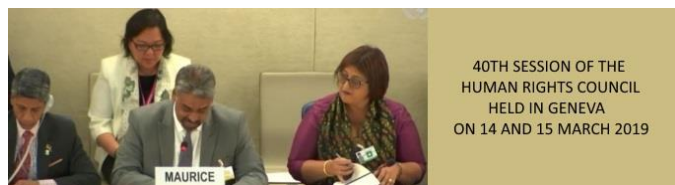
- Universal Periodic Review (UPR) Report in July 2018;
- a report to respond to the advance list of issues of the International Covenant for Economic, Social and Cultural Rights (ICESCR) Committee on 3 December 2018;
- an Interim Report for the Committee Against Torture on 6 December 2018; and
- the Annual Reports regarding the Arms Trade Treaty and the Convention on Cluster Munitions.

(ii) State Reviews

The Republic of Mauritius represented by a delegation led by the Hon. Minister of Justice, Human Rights and Institutional Reforms was subsequently reviewed on the State Reports as follows:-



- Convention for the Elimination of Racial Discrimination (CERD) on 14-15 August 2018, Palais Wilson
- UPR on 5-7 November 2018, Palais des Nations
- ICESCR on 26-27 February 2019, Palais des Nations
- UPR – Adoption of Report, 14 March 2019, Palais des Nations



2.2 National Mechanisms for Reporting and Follow Up (NMRF)

Regular meetings of the NMRF were held to address all reporting obligations and follow up actions in a more systematic manner with all stakeholders, Ministries, Departments, Civil Society and Non-Governmental Organisations (NGOs).

The NMRF held a Consultative working session specifically for the UPR with all its members on 23 January 2019 to engage consultative discussions on the recommendations of the UPR Working Group prior to providing feedback to the Human Rights Council in March 2019.



Furthermore, various working sessions were organised to prepare the 9th and 10th Combined Report on the implementation of the African Charter on Human and People's Rights and meetings were held on a quarterly basis for the Human Rights Action Plan 2012-2020.

2.3 Awareness Campaigns

(i) Production and launching of Video Clips on Human Rights

The following 8 video clips on Human Rights were produced and launched on 10 December 2018 in the context of celebrations of the International Human Rights Day. They focused on the following themes:

- What are Human Rights?
- Right to Education
- No to Sexual Harassment
- No to Child Marriage
- Rights of Disabled Persons
- Yes to Meritocracy and Equal Opportunity
- Rights of Detainees
- Rights of the Elderly



The video clips were widely distributed in Mauritius and Rodrigues among the student population. Moreover, the Citizen Advice Bureaus were also provided with same.

(ii) Publication of “Know Your Rights” Pamphlets

A “Know Your Rights” Pamphlet intended for Migrant Workers was produced and published in collaboration with the British High Commission in six different languages, namely English, French, Hindi, Tamil, Bangla and Mandarin.

The main objective of the pamphlet is to inform migrant workers working in the secondary economic activities sector of their rights, the possible remedial actions to be taken in case of violations and also to sensitise them about the dangers of human trafficking.



The Pamphlets were launched on 23 March 2019, at Princes Tuna by Hon M. Gobin, in the presence of the Minister of Labour Industrial Relations, Employment and Training, the British and Bangladesh High Commissioner among a gathering of foreign workers, trade unions and representatives of Madagascar and India.



Some 90,000 pamphlets printed in the different languages were distributed to the economic industries employing migrant workers through the Ministry of Labour, Industrial Relations, Employment and Training. The Passport and Immigration Office, trade union organisations as well as respective Embassies and Consulates based in Mauritius were provided copies for distribution at their end.

A video graphic of the “Know Your Rights” Pamphlet was also produced in English language and was broadcasted on the channels of the MBC TV in June 2019 for a period of 2 weeks.

(iii) Awareness session on Human Rights for Senior Chief Executives and Permanent Secretaries of Ministries

A half day awareness session on Human Rights was held on 4 May 2019 at Hennessy Park Hotel, in collaboration with the National Human Rights Commission, for Senior Chief Executives and Permanent Secretaries of Ministries.

The aim of the training was to promote awareness of the State obligations under the various international instruments within the Head of Ministries and Departments and ensure that the best conditions are put in place in Ministries and Departments for compliance therewith.

The session was attended by around 35 Senior Officials and was facilitated by Mr D. Seetulsingh, Chairperson of the National Human Rights Commission.



(iv) Sensitisation Campaign on the rights of children

A poster campaign on 60 buses was carried out for a period of two weeks in June 2019, in collaboration with the Office of Ombudsperson for Children, to sensitise the public at large on the need to eliminate violence against children. The theme of the campaign was “*Violans Detrir Lavenir Zanfan: Aret Violans Kont Zanfan Nou Repiblik*”.

(v) Human Rights awareness in Rodrigues

The Senior Chief Executive and other officers of the Ministry of Justice, Human Rights and Institutional Reforms were in Rodrigues on two occasions during Financial Year 2018-19.

In September 2018, UPR consultations were carried out to take stock of issues pertaining to Human Rights with various stakeholders. Discussions were held, inter alia, on the practice of weekend custody, teenage pregnancy, high rates of illiteracy among elderly persons, gender equality and domestic violence.

Moreover, the Hon. Minister along with the Senior Chief Executive and other officials went to Rodrigues from 7 to 9 June 2019 to apprise of issues pertaining to Human Rights on the island and to have consultations with various stakeholders to raise their awareness on this subject matter. Furthermore, the human rights materials produced by this Ministry were also handed over to the Island Chief Executive for wider distribution to the public.



2.4 Lectures and Talks organized around specific themes relating to Human Rights

(i) Public Lecture by Ms Thuli Madonsela, Advocate of the High Court of South Africa



A public lecture on the theme "50 Years of Independence - Inspiration from the making and workings of the South African Constitution - The Way Forward" was organised, in collaboration with the High Commission of South Africa in June 2018.

The speaker was Ms Thuli Madonsela, who is an eminent Advocate of the High Court of South Africa and a lifelong activist on social justice, constitutionalism, human rights, good governance and the rule of law.

(ii) Talk on "Disability and Human Rights" by Mr Tshililo Michael Masutha, Minister of Justice and Correctional Services of South Africa



Mr Tshililo Michael Masutha, Minister of Justice and Correctional Services of South Africa delivered a talk focusing on "Disability and Human Rights" on 18 January 2019.

Honourable Minister T.M Masutha was on a two-day visit in Mauritius to share his own experiences being himself visually impaired. He dwelt on the need for social inclusion and equal opportunities for people with disabilities and also expressed hope for these people to achieve success in various fields.



(iii) Lecture by Honourable Justice Dipak Misra, former Chief Justice of India

A talk on the theme “Progressive Realisation of Rights through the Courts: the experience of the Supreme Court of India” by Justice Dipak Misra, Former Chief Justice in India was organised on 22 March 2019. in collaboration with the Equality & Justice Alliance (UK).



The talk was attended by around 50 legal professionals, including the Chief Justice, Senior Puisne Judge, Puisne Judges, Solicitor General, Senior Magistrates, Magistrates, and senior officers from the Attorney General’s Office and the office of the Director of Public Prosecutions, as well as legal professionals in the private

practice. The main objective was to apprise members of the legal profession on progressive approach adopted by Judges in India with regard to cases on human rights issues.



2.5 Workshops

(i) International Humanitarian Law and International Disaster Law

Three Workshops focusing on International Humanitarian Law and International Disaster Law, were organised in collaboration with the Mauritius Red Cross Society from 19 to 22 November 2018 as follows:

- a two-day workshop on 19 and 20 November 2018 to raise awareness and promote International Humanitarian Law among officers from the Attorney General's Office, the Office of the Director of Public Prosecutions, the Police Force, the Prisons Services and Private Law practitioners.
- a full-day session on 22 November 2018 dedicated to 100 Secondary Educators and participants from the University of Mauritius and University of Technology (Mauritius) to build capacity for the dissemination of International Humanitarian Law among students.
- a half-day session on 21 November 2018 for the benefit of participants from the National Disaster Risk Reduction Management Centre, National Emergency Operations Command, Local Disaster Management Coordinators and other stakeholders involved during emergencies.



The workshops were conducted by experts from the Italian Red Cross and the University of San Remo, Italy and had a total of around 250 participants.

(ii) ‘State Party Reporting to Treaty Bodies’

A 3-day workshop on ‘State Party Reporting to Treaty Bodies’ in collaboration with the Regional Office of the UN High Commissioner for Human Rights (Southern Africa) was held at Labourdonnais Hotel from 24 to 26 April 2019.



The aim of the training was to strengthen the national capacity of Mauritius on engagement with human rights mechanisms to report more efficiently and implement their recommendations. The Workshop was facilitated by Ms Abigail Noko, Acting Head of the Regional Office of the High Commissioner for Human Rights for Southern Africa and Mr. Jean Fokwa, Human Rights Officer of the Regional Office of the High Commissioner for Human Rights for Southern Africa.

The workshop was attended by around 50 participants from Ministries/ Departments, National Human Rights Institutions and Non-Governmental Organisations who are members of the National Mechanism for Reporting and Follow-up (NMRF).



(iii) ‘Capacity Building Programmes of the National Mechanism for Reporting and Follow up (NMRF)’

Two additional workshops were organised to build capacity of representatives from Ministries/ Departments, National Human Rights Institutions and Non-Governmental Organisations who are members of the National Mechanism for Reporting and Follow-up (NMRF), namely:

- (a) a 2-day workshop on ‘The four key capacities of a National Mechanism for Reporting and Follow up (NMRF)’ on 21 and 22 May 2019; and
- (b) a 2-day workshop on ‘The use of the National Recommendations and Tracking Database (NRTD)’ on 23 and 24 May 2019’



The objective of the first workshop was to familiarize participants with the key features and capacities of the NMRF with particular focus on the coordination and information

management capacities and the development of a plan to implement the recommendations.

In the second workshop, the participants were introduced to the NRTD including its possible benefits, its main functions and features and ways to customize its use in Mauritius.



The 2 workshops were attended by around 50 participants and were facilitated by Ms Ivana Machonova Schellongova, Human Rights Officer of the Office of the United Nations High Commissioner for Human Rights in Geneva and Mr. Jean Fokwa, Human Rights Officer of the Regional Office of the High Commissioner for Human Rights for Southern Africa.

(iv) Workshop on Asylum Seekers and Refugees

A two-day workshop was organised in collaboration with the United Nations High Commissioner for Refugees on 30 and 31 May 2019, firstly to sensitise officers from key Government agencies on refugee laws, and secondly to develop standard operating procedures for better coordination and synergy among all stakeholders to deal with cases of refugees and asylum seekers in Mauritius.

(v) National Human Rights Action Plan

Several meetings were held with the various Ministries/Departments and other stakeholders to update and follow-up on the implementation of the National Human Rights Action Plan 2012-2020.

As at 30 July 2019, measures of the National Human Rights Action Plan 2012-2020 which have been initiated or implemented at various degrees stood at around 90%.

2.6 Office of Public Sector Governance (OPSG)

The OPSG has been monitoring regularly the effective operations of the 35 Audit Committees set up in Ministries and Departments. Based on observations of the NAO, the OPSG has initiated actions to review the Audit Committee Charter and prepare a handbook to strengthen the process of monitoring by Audit Committees.

The OPSG carried out two Organisational reviews in respect of the Fire Safety Division of the Mauritius Fire and Rescue Service and the Cooperatives Division, Ministry of Business, Enterprise and Cooperatives.

The OPSG enquired in 4 cases of malpractices in Government bodies, namely:

- a) Case of Allegations at the Savanne District Council;
- b) Structural Defects in the Special Education Needs Centre at Flacq;
- c) Construction of a Fruit Fly Rearing Facility at Réduit, Ministry of Agriculture and Food Security; and
- d) Misappropriation of Funds at the Mauritius Institute of Education (MIE).

2.7 TRAINING AND DEVELOPMENT

Training and development are important components of the Human Resource Management. Staff of this Ministry are provided with regular training to keep them abreast of new skills, trends and techniques. Such courses are run by the Civil Service College, Mauritius in order to increase staff efficiency, sense of responsibility and accountability.

Officers of the Ministry are also nominated to participate in overseas trainings, workshops, seminars and conferences to upgrade their technical skills, abilities and competencies. The international exposures help them to broaden their horizon and establish networking with their counterparts in other countries.

The list of Training Courses/Workshops/Seminars attended by officers of this Ministry for Financial Year 2018/19 are as follows:

Sn	Course	Number of Officers	Designation
1	Level 4 :Certificate of Achievement in Service and Performance Excellence	2	2 Financial and Governance Analysts
2	Level 3 : Certificate of Achievement in Service and Performance Excellence	5	1 Procurement Supply Officer/ Senior Procurement Supply Officer 3 Office Management Assistants 1 Financial Officer/Senior Financial Officer
3	Induction Course for OAs/SOAs	2	2 Office Auxiliaries/Senior Office Auxiliaries
4	Level 1: Certificate of Achievement in Service and Performance Excellence	1	2 Office Auxiliaries/Senior Auxiliaries
5	Induction Course for newly recruited MSOs	3	2 Management Support Officers
6	Level 2: Certificate of Achievement in Service and Performance Excellence	1	1 Management Support Officer
7	Induction Course for OMEs	1	1 Office Management Executive
8	Induction Course for Newly Appointed HREs	1	1 Human Resource Executive
9	Induction Course for OMAs	3	3 Office Management Assistants
10	Training Programme in Performance and Public Service Excellence for Support Staff	1	1 Receptionist
11	Training course on Advance Excel for Internal Control	1	1 Assistant Manager, Internal Control
12	Tea Making & Services	1	1 Office Auxiliary/Senior Office Auxiliary

Training/Seminar/Workshop Overseas:

Opportunity was provided to officers to attend overseas training during the Financial Year as follows:

- Audit Workshop for Supreme Audit Institution of Mauritius in People's Republic of China attended by two Financial and Governance Analysts/Financial and Governance Analysts in September 2018.
- Seminar on "Public Sector Reform for Mauritius" in People's Republic of China attended by one Assistant Permanent Secretary in September 2018.
- 18th Annual Regional Seminar on International Humanitarian Law in Pretoria

Furthermore, two officers of this Ministry were sponsored by the Office of the United Nations High Commissioner for Human Rights to attend the Universal Periodic Review and the Human Rights Council where the Universal Periodic Review was approved respectively.

2.8 Risk Management, Internal Control and Good Governance

Risk Management, Internal Control and Good Governance are three related practices that help an organisation to assure its objectives, address uncertainty and reliability and act with integrity. The Ministry is working towards incorporating those mechanisms in its overall operations.

For the Financial Year 2018-2019, three major areas were covered, by the Internal Control Officer posted to this Ministry as follows:

SN	Areas	Recommendations to risks' identified
1	Functions of the OPSG ICC/MJHRIR/2018-19/236/5	10
2	Procurement and Warehouse Management ICC/MJHRIR/2018-19/349/6A	5
3	Finance Section [Personal Emoluments, Overtime, Advances and Deposits] ICC/MJHRIR/2018-19/349/6B	-

Necessary actions have been initiated for implementation of the recommendations made.

DIRECTOR OF AUDIT COMMENTS

For the year ended 30 June 2018, the Director of Audit had produced a Performance Audit Report on the effectiveness of Internal Audit Function and Audit Committees in Ministries and Government Departments and made 10 recommendations to ensure that the OPSG do fully and effectively fulfill its roles and responsibilities as provided for in its mandate.

As at 30 July 2019, actions had already been initiated to implement all the recommendations as follows :-

Degree of Implementation of Recommendations

SN	Recommendations	Degree of Implementation
1	The mandate for the AC should be explicitly stated in the Charter.	The AC has been revised and provisions have been made therein to cater for all recommendations made by the NAO. Clearance of the MOFED is being awaited to implement the new charter.
2	Term of office for AC members needs to be reviewed so that the AC can make a substantive contribution and maintain continuity and stability.	
3	Governance structure should be included in the Charter and oversight activities on same appropriately defined.	
4	There is a need to enhance the independence of the AC. An external Chair should be chosen. Appointment of members for ACs of Ministries/Departments should preferably be done by one with high authority within the Civil Service. A database of individuals willing to serve as AC members should be set up and maintained.	
5	To enhance the effectiveness of the AC, a profiling exercise that facilitates the selection of candidates with the right characteristics should be done.	A Handbook is also being developed that will provide guidance on the setting up and operation of ACs. Profiling and selection of candidate including Performance Contract would be spelt out in the Handbook. The Handbook is expected to be finalised by January 2020.
6	A competency based selection process should be developed for appointing AC members. A list of the personal attributes, skills and expertise an AC needs should also be developed. A broad range of skills and expertise should be explicitly stated in the Charter.	
7	Members' competencies and the overall balance of skills on the Committee should be periodically evaluated to align with the changing environment in which the entity operates.	
8	Ministries/Departments should provide AC members with training within a reasonable time following their appointments. As a minimum, appropriate checklists should be prepared for the review and oversight of	

	governance arrangements set by management. A process of continuing education should be established.	
9	To be fully operational, the ACs need to fulfill all the roles and responsibilities described in the Charter.	
10	AC's performance needs to be properly assessed. Compliance with Charter requirements, participation of AC's members and contribution of the AC to the organisation should be taken into consideration. A self-assessment exercise with inputs from relevant parties and stakeholders should be followed.	

PART III- FINANCIAL PERFORMANCE

3.1 Financial Highlights

In this Financial Year 2018-19, this Ministry was provided with its first independent budget amounting to a provision of Rs 61 (million) as per Estimates 2018 - 2019 apportioned under two Subheads, out of which Rs 33.34M was spent as follows:-

	Estimates 2018/2019 (Rs Million)	Actual Expenditure 2018/2019 (Rs Million)
Subhead16-401 (Justice and Human Rights)	36.80	16.26
Subhead16-402 (Institutional reforms)	24.20	17.08
TOTAL	61.00	33.34

3.2 Analysis of Major Changes

In Financial Year 2017-2018, the appropriation of funds for the Ministry was made under the Ministry of Financial Services and Good Governance for the Office of the Public Sector Governance and the Prime Minister's Office (Home Affairs) for Human Rights. This Ministry was provided with its own budget in 2018/19. However, expenditure Items 'Contribution to Permanent Court of Arbitration' and 'Contribution for Operation of Mauritius International Arbitration Centre Limited' previously under the control of this Ministry are now shown under the Vote 16-1 Office of the Solicitor-General.

The allocated budget was not fully used in Financial Year 2018-2019 due to delay in relocation of the Ministry resulting in non-spending on rental and other associated costs. Additionally, funds were not used for Consultancy Services and Capital Project in respect of 'Development of Human Rights Portal and Website' in view that consultations were in progress with the Office of the High Commissioner for Human Rights (OHCHR) regarding the project.

3.3 Statement of Revenue and Expenditure

Statement of Revenue

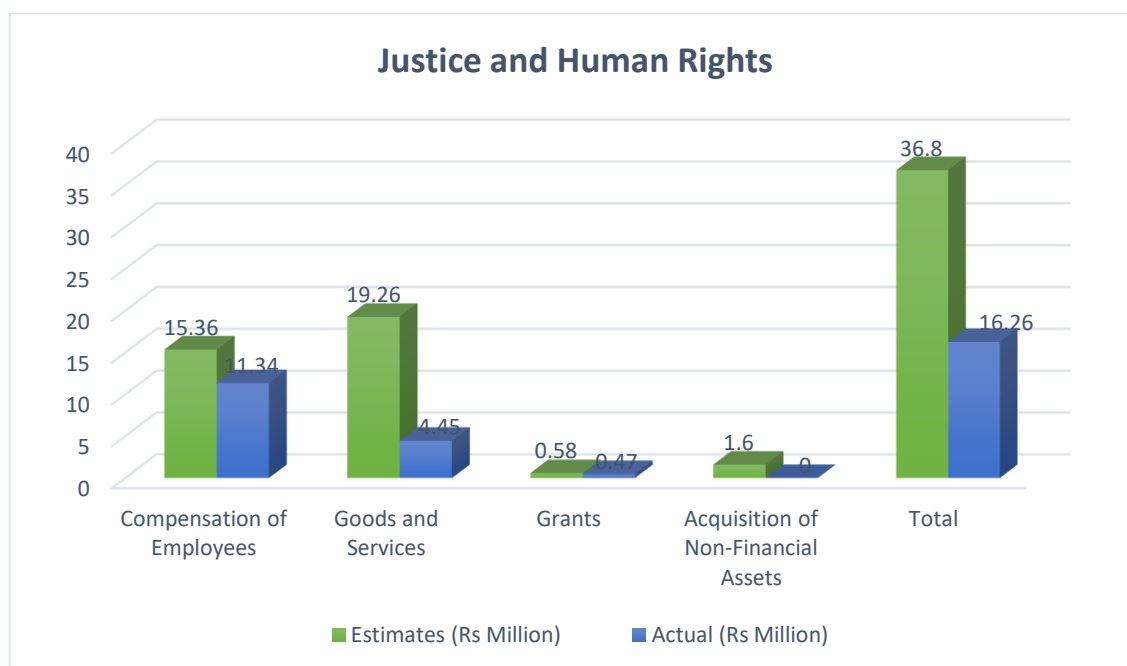
This Ministry does not collect Revenue.

Statement of Expenditure

The Statement of Expenditure as per information obtained from the Treasury Accounting System (TAS) for Financial Year 2018/19 is as follows:

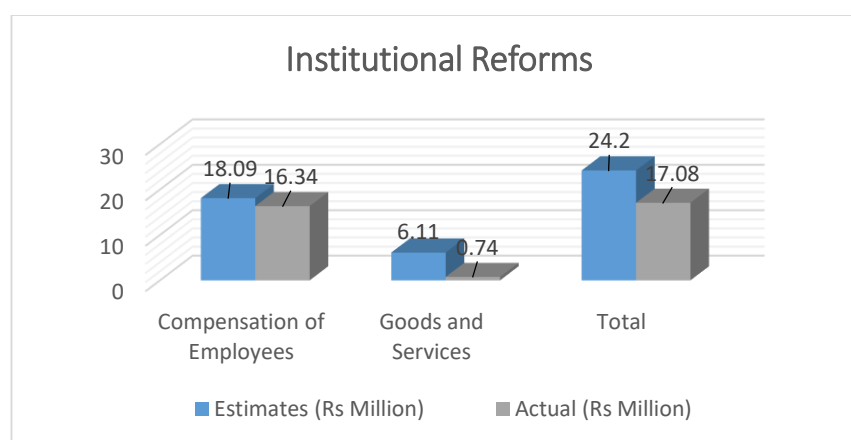
1) Sub-Head16 – 401 (Justice and Human Rights)

	2018 - 2019 Estimates (Rs Million)	2018/2019 Actual (Rs Million)
Compensation of Employees	15.36	11.34
Goods and Services	19.26	4.45
Grants	0.58	0.47
Acquisition of Non-Financial Assets	1.60	0
Total	36.80	16.26



2) Subhead16 – 402 (Institutional Reforms)

Sub-Head of Expenditure	2018 - 2019 Estimates (Rs Million)	2018/2019 Actual (Rs Million)
16 – 402: Institutional reforms		
Compensation of Employees	18.09	16.34
Goods and Services	6.11	0.74
Total	24.20	17.08



3.4 Contributions to International Organisations Budget

In Financial Year 2018/19, this Ministry, on behalf of Government, contributed some Rs 575,000 to international organisations as follows:

Contributions to International Organisations Budget	
Organisation	Grants (Rs)
Organisation for the Prohibition of Chemical Weapons	355, 000
Arms Trade Treaty	150, 000
Office of the United Nations High Commissioner for Human Rights	65, 000
Convention on Cluster Munitions ISU Trust Fund	5000
TOTAL	575,000

PART IV- WAY FORWARD

4.1 SWOT Analysis, trends and challenges

The changing economic, social and environmental landscape provides new challenges and opportunities for Government. Expectations about performance and quality of organisations in the Public domain are increasing all the time.

The public sector is constantly being asked to do more with less. The SWOT analysis below provides an overview of the position of this Ministry and the various trends and challenges and other operational/strategic issues to address to improve its efficiency and effectiveness.

STRENGTHS

- Newly set up Ministry
- Good leadership
- Exposure to best international practice
- Experienced Senior staff
- Engagement and collective responsibilities
- Opportunities for collaborative research
- Wide array of compiled information
- Good communication and operating network with Ministries/Departments

WEAKNESSES

- Limited number of staffs
- Duplication of work by various Governmental Institutions
- High staff turnover
- Lack of technical expertise in Human Rights
- Lack of well-established methods
- Time consuming processes
- Heavily dependent on paperwork
- Disconnected approach to Institutional Reforms
- Limited office space

OPPORTUNITIES

- Aggressive Human Rights sensitization at all levels of society
- Access to additional Regional and International Human Rights Instruments
- Research output beneficial to layman
- Review of structure OPSG
- Training and development in new Human Rights approaches and Institutional Reforms
- Use of Management Information System (MIS) in Human Rights and Institutional Reforms
- Need for services of OPSG in Ministries/Departments and Parastatals
- Creating a Human Rights Cadre

THREATS

- Institutional Memory
- Change in portfolio of Ministry
- Merging and diversification of existing entities
- Low commitment from stakeholders

4.2 Strategic Direction

The Strategic Direction of the Ministry over the next three years is as follows:-

- To reinforce the public sector governance and accountability structures to protect the rights of all individuals.
- To monitor and follow-up regarding recommendations made by the UN Human Rights Council in respect of all ratified conventions.
- To prepare documents with latest available statistics.
- To involve all stakeholders in preparation of reports.
- Integration of the SDGs as human rights issues.
- To prepare a communication strategy in respect of human rights issues pertaining to the Republic of Mauritius.
- To make Mauritius a reference in respect of human rights issue.