Performance Report 2021-2022

HUMAN RIGHTS DIVISION

MINISTRY OF FOREIGN AFFAIRS, REGIONAL INTEGRATION AND INTERNATIONAL TRADE



TABLE OF CONTENTS

State	ement from the Minister	4
State	ement from the Permanent Secretary	5
PAR	TI	
1.1	Introduction	7
1.2	Vision and Mission	8
1.3	Our Goals and Objectives	9
1.4	Roles and Functions of the Human Rights Division	10
1.5	About our People	11
1.6	Organigram	12
1.7	List of Senior Staff	13
1.8	Staffing Position as at 30 June 2021	14
1.9	Gender Statement	15
1.10	Training and Development	16
1.1	10.1 Training Courses and Seminars	16
PAR	T II	
2.0	Conventions and Treaties	18
2.1	International Humanitarian Law	21
2.2	National Human Rights Institutions	24
2.3	National Mechanism For Reporting And Follow Up (NMRF)	25
2.4	National Mechanism For Reporting And Follow Up Meeting	26
2.5	Questionnaires	27
2.6	Reports Submitted from July 2021 to June 2022	28
2.7	Universal Periodic Review	29
2.8	World Humanitarian Day	30
2.9 F	Human Rights Day	32
2.10	Workshops And Events	35
2.1	10.1 Launching of the Second Batch of Human Rights Themed Videos	35
2.1	10.2 Events with the Office of the High Commissioner for Human Rights	37
2.1	10.3 Events with the Commonwealth Secretariat	39
2.11	International Workshops And Events	42



2.	.11.1 Senior International Humanitarian Law Officials' Meeting	42
2.	.11.2 Annual Conference of the Geneva Human Rights Platform	42
2.	.11.3 Implementation of International Humanitarian Law	42
2.	.11.4 Africa Regional Consultation on NMRF	42
2.	.11.5 Sub-Regional Online Workshop for National IHL Committees	43
2.	.11.6 Arms Trade Treaty Meetings	43
2.12	2 Country Visits by Special Rapporteurs	44
2.	.12.1 Visit of Dr Marcos. A. Orellana, United Nations Special Rapporteur	44
2.	.12.2 Visit of Mrs Mama Fatima Singhateh, the United Nations Special Rapporteur	45
2.	.12.3 Other Achievements	45
PAR	RT II	
3.1	Financial Highlights	47
3.2	Analysis Of Major Changes	47
3.3	Statement of Revenue and Expenditure	47
3.	3.1 Statement of Revenue	47
3.	.3.2 Statement of Expenditure	47
PAR	RT IV	
4.1	Swot Analysis, Trends and Challenges	50
4.2.5	Strategic Direction	51



Statement from Honourable Alan Ganoo, Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade

I am pleased to present the Annual Report of the Human Rights Division of the Ministry of Foreign Affairs, Regional Integration and International Trade for the Financial Year 2021-2022.

I wish to express my satisfaction regarding our State reporting obligations. The State of Mauritius submitted four reports to various Human Rights Committees and International Multilateral Organisations, including the United Nations and the African Union. Further, Annual Updates in terms of five reports relating to the Arms Trade Treaty, Convention on Cluster Munitions, Convention on Certain Conventional Weapons were also compiled and forwarded.



The Human Rights Division published the National Human Rights Action Plan Progress Report 2012 -2020 in December 2021 which highlighted the main achievements of the State of Mauritius under 11 objectives and 100 priority actions. It is worth noting that at least 90 % of the measures of the Action Plan 2012-2020 are being implemented at different stages.

Promotion of Human Rights has been ongoing through various awareness workshops in collaboration with the Office of the High Commissioner for Human Rights and the Commonwealth Secretariat.

I seize this opportunity to thank the former Senior Chief Executive, Ms Asha Burrenchobay for her leadership and commitment and wish her a well-deserved retirement. I also extend my thanks to all the staff of the Human Rights Division for their performance and encourage them to continue their work with dedication and enthusiasm.

Honourable Alan Ganoo Minister of Land Transport and Light Rail Minister of Foreign Affairs, Regional Integration and International Trade



Statement from the Permanent Secretary

I am pleased to be associated with the presentation of the Annual Report on the performance of the Human Rights Division of the Ministry of Foreign Affairs, Regional Integration and International Trade for the period 01 July 2021 to 30 June 2022.

The Human Rights Division contributed actively in the preparation of four State Reports forwarded to International Treaty Bodies and on the fifth Periodic Report of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Human Rights Division also published the National Human Rights Action Plan Progress Report 2012-2020, after consultation with stakeholders.



Inputs were provided to the Office of the United Nations High Commissioner for Human Rights on multiple questionnaires pertaining to numerous thematic issues on human rights. Workshops on Youth Engagement and on Business and Human Rights were held in collaboration with the Human Rights Unit of the Commonwealth Secretariat.

I express my appreciation to all officers of the Human Rights Division for their commitment and hard work and wish a peaceful retirement to the former Senior Chief Executive, Ms Asha Burrenchobay. I also convey my thanks to all members of the National Mechanism for Reporting and Follow-up and of the International Humanitarian Law Committee of Mauritius for their support and collaboration.

I look forward to pursue the work entrusted to the Human Rights Division with the cooperation of one and all.

Z. Auladin Auckburally
Permanent Secretary
Human Rights Division
Ministry of Foreign Affairs, Regional Integration and International Trade



PART I

THE HUMAN RIGHTS DIVISION



1.1 INTRODUCTION

The former Ministry of Justice, Human Rights, and Institutional Reforms was established in September 2017, and the Human Rights portfolio was transferred from the Prime Minister's Office to the newly formed Ministry.

Following the November 2019 general elections, the Ministry of Foreign Affairs, Regional Integration, and International Trade dedicated the issue of Human Rights to a full-fledged Division, the Human Rights Division.

The Permanent Secretary is the Human Rights Division's Administrative Head and Accounting Officer, and is in charge of the Division's overall administration and general supervision, as well as the execution of Government policies and programmes.

She is assisted in her duties by a Deputy Permanent Secretary, an Assistant Permanent Secretary, a Human Rights Officer and officers of the Financial Operations Cadre, Human Resources Management Cadre, Procurement and Supply Cadre as well as officers of the General Services Grades.

The Human Rights Division is mandated to ensure that the State of Mauritius fulfils its reporting obligations and also provides a platform for the dissemination of information on Human Rights through the National Mechanism for Reporting and Follow-up. The Human Rights Division is also the National Focal point for International Humanitarian Law.



1.2 VISION AND MISSION

Our Vision

Our vision is to have a country where Human Rights and human dignity are valued, humanitarian laws are respected and each individual can enjoy his/her fundamental rights freely as per the Constitution, laws of Mauritius and international laws.

Our Mission

To promote Human Rights and International Humanitarian Law.

To empower individuals to recognise their fundamental rights and claim any violation of their Human Rights without fear and prejudice.

To ensure appropriate actions are taken and implemented for the State to meet its international reporting obligations regarding Human Rights and International Humanitarian Law.

To establish a national platform for engagement and active participation of all stakeholders including public organisations, NGOs and civil society, to address the challenges in Human Rights and International Humanitarian Law.

To ensure that the State of Mauritius is compliant with the Arms Trade Treaty.



1.3 OUR GOALS AND OBJECTIVES

- ❖ To ensure that the fundamental rights of all are respected.
- ❖ To ensure that fairness and justice prevail in our society.
- To mainstream Human Rights issues.
- ❖ To ensure that State Reports are prepared in a timely manner and follow up actions are taken thereon.
- ❖ To ensure that the State of Mauritius fulfils its Human Rights obligations.
- To be a platform for dissemination of data, information and statistics on Human Rights.
- To establish appropriate mechanisms in order to uphold the rule of law.
- ❖ 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.



1.4 ROLES AND FUNCTIONS OF THE HUMAN RIGHTS DIVISION

With regards to **Human Rights**, the Human Rights Division is responsible, inter-alia to:

- ❖ draft and prepare reports on Human Rights in line with State obligations.
- * maintain and monitor a database on the implementation of recommendations made by the United Nations Treaty Bodies and the African Union Commission.
- ❖ facilitate, through the National Mechanism for Reporting and Follow-Up, consultations, coordination and engagements with all the relevant stakeholders.
- * respond to all queries, questionnaires, surveys and procedures made by Treaty Bodies and other regional Human Rights organisations.
- ❖ advise Government on Human Rights issues as and when required.

With regards to, **International Humanitarian Law** (**IHL**), the Human Rights Division is responsible, interalia to advise and assist Government, through the International Humanitarian Law Committee of Mauritius:

- ❖ in implementing and spreading knowledge of International Humanitarian Law Instruments to which Mauritius is a party.
- ❖ in ensuring that the existing legislations are in compliance with IHL instruments.



1.5 ABOUT OUR PEOPLE

The Human Rights Division is manned by a workforce of 29 staff.

One Human Rights Officer has been recruited in November 2021.

Two interns have been enrolled as part of the Ministry of Finance, Economic Planning and Development's Service to Mauritius Programme. They have been assigned to the Human Rights Unit to assist the current staff while acquiring experience and improving their employability on the labour market.

One Officer from the Central Information Systems Division (CISD) provides technical support as and when required.

One Health and Safety Officer from the Ministry of Public Service, Administrative and Institutional Reforms serves the Division on a part time basis.

Provision for one additional post of Human Rights Officer has been made in the financial year 2022-2023.

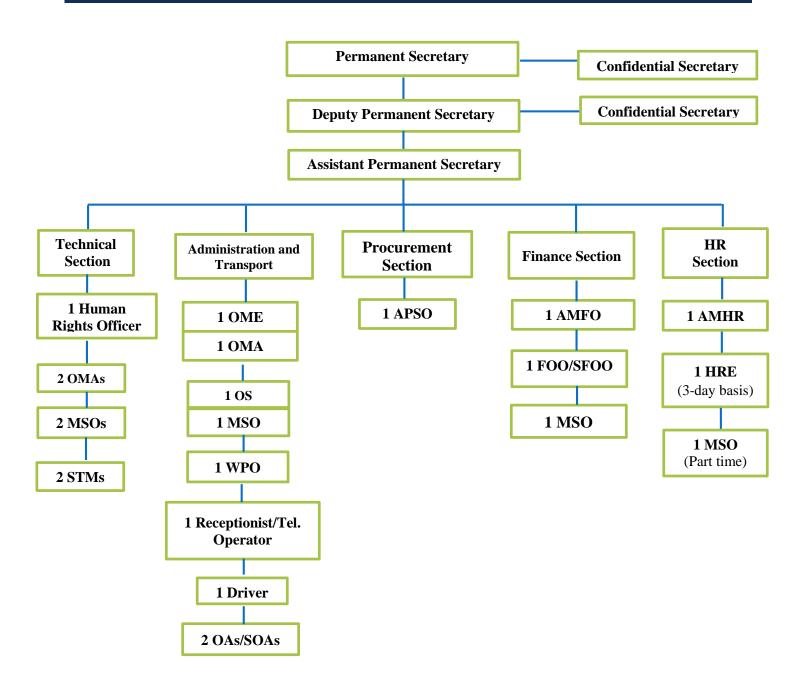
An organigram of the Human Rights Division is at page 11, a list of Senior Officials is at page 12 and the staffing position as at 30 June 2021 is at page 13.

Our Core Values





1.6 ORGANIGRAM





1.7 LIST OF SENIOR STAFF

POST	NAME	PHONE No	FAX No	E-MAIL	
Senior Chief Executive (retired on 26.06.22)	Asha Burrenchobay	260-1907	214-3616	aburrenchobay@govmu.org	
Permanent Secretary	Z. Auladin Auckburally	260-1907	214-3616	zauladin@govmu.org	
Deputy Permanent Secretary	Abdul Nizam Jurawon	260-1908	214-3643	ajurawon@govmu.org	
Assistant Permanent Secretary	Oumah Vinktaremdoo (Mrs)	260-1904	241-3616	ovinktaremdoo@govmu.org	
	HUMAN	RIGHTS SEC	TION		
Human Rights Officer	Divya Maruthan (Ms)	214-1909	241-3616	dmaruthan@govmu.org	
	HUMA	AN RESOURC	ES		
Assistant Manager, Human Resources	Cadrivel Munisamy	260-1910	214-3616	cmunisamy@govmu.org	
	FINA	NCE SECTIO	N		
Assistant Manager, Financial Operations	Salmah Bibi Oummeh Khodabux (Mrs)	260-2401	214-3616	sakhodabux@govmu.org	
	ADMINISTRATION SECTION				
Office Management Executive	Marie-Anne Mooneesamy (Mrs)	260-1906	214-3616	mmooneesamy@govmu.org	
	PROCUREMENT SECTION				
Assistant Procurement and Supply Officer	Pooja Ramseook (Mrs)	260-1905	214-3616	pramseook@govmu.org	



1.8 Staffing Position as at 30 June 2021

SN	POST	FUNDED POSITIONS 2020/2021	NO. IN POST	REMARKS
1	Senior Chief Executive	-	1	
2	Permanent Secretary	-	-	
3	Deputy Permanent Secretary	1	1	
4	Assistant Permanent Secretary	1	1	
5	Human Rights Officer	1	-	
6	Assistant Manager, Human Resources	-	1	
7	Assistant Manager, Financial Operations	1	1	
8	Financial Officer/Senior Financial Officer	1	1	
9	Human Resource Executive	-	1	
10	Assistant Procurement and Supply Officer	1	1	
11	Office Management Executive	1	1	
12	Office Management Assistant	3	3	
13	Office Supervisor	1	1	
14	Confidential Secretary	2	1	
15	Management Support Officer	3	5	
16	Word Processing Operator	2	2	
17	Receptionist/Telephone Operator	1	1	
18	Driver	-	1	
19	Office Auxiliary/ Senior Office Auxiliary	3	3	
	TOTAL	21	26	Note: In addition, there are two (2) Interns enlisted under the Service to Mauritius Programme of the Ministry of Finance, Economic and Planning Development and posted to this Division with effect from February 2021.



1.9 GENDER STATEMENT

Gender equality is at the heart of the Universal Declaration of Human Rights. The Human Rights Division recognises women's important role as development agents and acknowledges that gender equality and women's empowerment are key variables for overall economic, social, and political advancement.

There are 7 male officers and 22 female officers among the 29 officers working without any discrepancy, whether at the professional, technical, or support staff level.

The Division is adopting the following practices for an appropriate gender approach:

- * employment under delegated power from the Public Service Commission will be given due consideration, that is, irrespective of applicants' caste, colour, creed, ethnic origin, impairment, marital status, place of origin, political opinion, race or sex.
- * reinforcement of equal opportunity at all levels of the Division, in both the technical and administrative functions.



1.10 TRAINING AND DEVELOPMENT

Needful is done to ensure that staff at all levels are provided with relevant training to keep them up-to-date on new skills, trends, and procedures. The Civil Service College offers a variety of generic competency-based training courses.

Specific training programmes have been also organised to upgrade boosting the technical abilities and knowledge of officers so as to enhance productivity.

1.10.1 Training courses and seminars attended by officers from July 2021 to June 2022

- ❖ Competency-based Training Courses organised by the Civil Service College, Mauritius:
 - ♦ Awareness in Gender Mainstreaming
 - ◆ Procurement (Bid Evaluation Committee)
 - ◆ Tea Making and Service
 - ♦ Communication and Interpersonal Skills
- **Safety and Health in the Workplace.**
- ❖ Fire Safety and Fire Risk Management.
- * Risk Management (In-house training).



PART II HUMAN RIGHTS DIVISION'S ACHIEVEMENTS AND CHALLENGES



2.0 CONVENTIONS AND TREATIES

One of the key tasks of the Human Rights Division is to prepare reports on Human Rights in line with State obligations.

Mauritius is party to 7 international instruments, 6 Optional Protocols, 4 Multilateral Treaties and 6 Regional Human Rights Instruments and has ratified and acceded same as follows:

Table 1: Accession/Ratification to Human Rights Conventions

SN	Treaty/Convention	Date of accession/ratification
1	International Convention on the Elimination of all Forms of Racial Discrimination (CERD)	Acceded on 30 May 1972
2	International Covenant on Economic, Social and Cultural Rights (ICESCR)	Acceded on 12 December 1973
3	International Covenant on Civil and Political Rights (ICCPR)	Acceded on 12 December 1973
4	International Convention on the Elimination of all Forms of Discrimination against Women (CEDAW)	Acceded on 09 July 1984
5	Convention on the Rights of the Child (CRC)	Acceded on 26 July 1990
6	Convention on the Rights of Persons with Disabilities (CRPD)	Acceded on 08 January 2010
7	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	Acceded on 09 December 1992



Table 2: Accession/Ratification of Optional Protocols

SN	Optional Protocol	Date of accession/ratification
1	Optional Protocol to the International Covenant on Civil and Political Rights (CCPR-OP1)	Acceded on 12 December 1973
2	Optional Protocol to the Convention against Degrading Treatment or Punishment (CAT- OP)	Acceded on 21 June 2005
3	Optional Protocol to the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW-OP)	Ratified on 31 October 2008
4	Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC-OP-AC)	Ratified on 12 February 2009
5	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (CRC-OP-SC)	Ratified on 14 June 2011

Table 3: Accession/Ratification of Multilateral Treaties

SN	Multilateral Treaties	Date of accession/ratification
1	The Hague Convention on the Civil Aspects of International Child Abduction	Acceded on 23 March 1993
2	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational	Acceded on 24 September 2003
3	United Nations Convention against Transnational Organised Crime	Ratified on 21 April 2003
4	Convention for the protection of individuals with regards to automatic processing of personal data (European Treaty 108)	Ratified on 17 June 2016



Table 4: Ratification of Regional Human Rights Instruments

	Regional Human Rights Instruments			
1	African Charter on the Rights and Welfare of the Child	Ratified on 14 February 1992		
2	African Charter on Human and Peoples' Rights	Ratified on 19 June 1992		
3	Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights	Ratified on 03 March 2003		
4	Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa	Ratified on 16 June 2017		



2.1 INTERNATIONAL HUMANITARIAN LAW

International Humanitarian Law is the set of international treaties and customary rules that, in times of armed conflict, defends people who are not or are no longer taking part in hostilities and restricts the use of means and methods of war.

The State of Mauritius is party to most of the International Humanitarian Law instruments though it is a peaceful country and outside armed conflict regions. The list of International Humanitarian Law instruments to which Mauritius is party is indicated in the table below.

Table 5: International Humanitarian Law Instruments

SN	The Four Geneva Conventions and their Protocols	Date Signed/ Acceded / Succeeded
1	1949 Geneva Convention I for the Amelioration of the conditions of the Wounded and Sick in the Armed Forces in the Field	Ratified on 18 August 1970
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	Ratified on 18 August 1970
3	1949 Geneva Convention III relative to the Treatment of Prisoners of War	Ratified on 18 August 1970
4	1949 Geneva Convention IV relative to the Protection of Civilian Persons in Time of War	Succeeded on 18 August 1970
5	1977 Protocol I – Additional to the 1949 Geneva Convention relating to the Protection of Victims of International Armed Conflict	Ratified on 22 March 1982
6	1977 Protocol II – Additional to the 1949 Geneva Convention relating to the Protection of Victims of Non- International Armed Conflicts	Ratified on 22 March 1982
7	Final Act of the Diplomatic Conference of Geneva of 1974- 1977	Signed on 10 June 1977



SN	The Four Geneva Conventions and their Protocols	Date Signed/ Acceded / Succeeded
1	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	Ratified on 07 August 1972
2	Chemical Weapons Convention on the Prohibition of the Development, Production Stock-piling and Use of chemical Weapons and their Destruction	Ratified on 09 February 1993
SN	The Convention on Prohibitions or Restrictions on the Weapons (CCW) and its Pro	
1	1925, Geneva Protocol on Asphyxiating, Poisonous or other Gases and of Bacteriological Methods of Warfare	Acceded on 12 March 1968
2	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 06 May 1996
3	1980 Protocol I on the Non- Detectable Fragments	Acceded on 06 May 1996
4	1980 Protocol II on the Prohibitions and Restrictions on the Use of Mines, Booby-traps and other Devices	Acceded on 06 May 1996
5	1980 Protocol III on Prohibitions or Restrictions on the Use of Incendiary Weapons	Ratified on 06 May 1996
6	1995 Protocol IV on Blinding Laser Weapons	Ratified on 06 May 1996
7	Amended Protocol II on the Prohibitions and Restrictions on the Use of Mines, Booby-traps and other Devices (1996)	Ratified on 02 November 2018
8	Protocol V on Explosive Remnants of War	Ratified on 02 November 2018
9	Convention on the prohibition of the Use of Stockpiling, Production and Transfer of Anti-Personnel Mines and on their destruction, 1997	Acceded on 03 December 1997



SN	The Four Geneva Conventions and their Protocols	Date Signed/ Acceded / Succeeded	
1	Convention on Cluster Munitions, 2008	Ratified on 01 October 2015	
2	Hague Convention for the Protection of Cultural Property in the event of armed conflict	Ratified on 22 September 2006	
SN	The Rome Statute		
1	The Rome Statute for the International Criminal Court, 1998	Ratified on 05 March 2002	
2	Amendment to the Statute of the International Criminal Court	Ratified on 05 September 2013	
SN	Arms Trade Treaty and others		
1	Convention on the Prohibition of military or any hostile use of environmental modification techniques (ENMOD), 1976	Acceded on 09 December 1992	
2	Arms Trade Treaty	Ratified on 23 July 2015	
3	Convention on the Prevention and Punishment of the Crime of Genocide, 1948	Acceded on 08 July 2019	



2.2 NATIONAL HUMAN RIGHTS INSTITUTIONS

The Protection of Human Rights Act

The Protection of Human Rights Act provides for the setting up of the National Human Rights Commission, which is a full-fledged institution with quasi jurisdictional competence to receive complaints against violation of Human Rights and to summon witnesses and respondents.

The Ombudsman Act

The Ombudsman Act 1969 provides for the establishment of the Office of the Ombudsman to investigate into complaints against Government Institutions and seeks redress to injustice, if any, sustained in consequence of any alleged maladministration that may have been committed by any public officer or authority in exercise of administrative functions.

The Ombudsperson for Children's Act

This Act provides for the establishment of the Office of the Ombudsperson for Children to represent and defend the rights and interests of children in Mauritius, Rodrigues, Agaléga, children of Mauritian origin who live abroad and children of any other nationalities who reside in the Republic of Mauritius.

The Equal Opportunities Act

The Equal Opportunities Act provides for the establishment of the Equal Opportunities Commission to work, inter- alia, towards the elimination of discrimination and the promotion of equality of opportunity and good relations between persons of different status.

The Independent Police Complaints 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. The Commission also investigates into the cause of death of a person who died whilst the person was in police custody or as a result of police action.

Sports Act

The Sports Act provides for Ombudspersons for Sports to investigates into appeals for conciliation made any person who feels aggrieved by a decision of the Mauritius Olympic Committee, the Mauritius Paralympic Committee, a National Sports Federation, a Multisport Organisation, a regional sports committee, a sports club, a licensee, any member, referee, coach or other official of a sports organization, other than a decision or dispute related to doping.

Financial Services Act

This Act provides for Ombudsperson for Financial Services to provide protection to and deals with complaint made by consumers of financial services, inform and educate the general public on investments in the financial services offered by the financial institutions.



2.3 NATIONAL MECHANISM FOR REPORTING AND FOLLOW UP (NMRF)

The NMRF is a one-of-a-kind inter-ministerial structure designed to facilitate effective reporting and implementation of treaty obligations, engagement with international and regional Human Rights systems, and follow-up on recommendations or decisions made by Treaty Bodies, the Human Rights Council, the Universal Periodic Review, Special Procedure Mandate Holders, Regional Human Rights Mechanisms, and at the national level. The NMRF is chaired by the Hon. Minister responsible for Human Rights, and it is made up of delegates from Ministries and Departments, National Human Rights Institutions, and Non-Governmental Organisations/Civil Society. During the Financial Year 2021-2022, the NMRF had two meetings, namely, in October 2021 and in January 2022.

The Human Rights Division also engaged actively with the Office of the High Commissioner for Human Rights and the African Commission on Human and People's Rights in the promotion and protection of Human Rights.



2.4 NATIONAL MECHANISM FOR REPORTING AND FOLLOW UP (NMRF) MEETING

Two meetings of the NMRF were held during Financial Year 2021 – 2022 to address all reporting obligations and follow-up actions in a more systematic manner with all stakeholders, namely, Ministries, Departments, National Human Rights Institutions, Civil Society and Non-Governmental Organisations (NGOs).

The National Mechanism for Reporting and Follow-up is a platform that enables the country to more effectively meet its requirements regarding, namely, the timely reporting to the international and regional human rights systems, the implementation of obligations under the various international instruments, as well as the follow-up of recommendations from them, through better coordination and collaboration among relevant stakeholders.



NMRF meeting of 25th January 2022

Former Senior Chief Executive Ms A. Burrenchobay

The Minister Hon. Alan Ganoo The Deputy Permanent Secretary Mr A. N. Jurawon



2.5 QUESTIONNAIRES

The Human Rights Council appoints independent Human Rights Experts to report and advise on human rights from a thematic or country-specific perspective.

The Special Rapporteurs:

- conduct annual thematic studies, seek information from calls for input and convene expert consultations:
- contribute to the development of international human rights standards; and
- engage in advocacy, raise public awareness, and provide advice for technical cooperation.

The Human Rights Division receives questionnaires regularly from Special Rapporteurs through the Office of High Commissioner for Human Rights (OHCHR) requesting inputs on various thematic issues.

The Human Rights Division coordinates with relevant Ministries and Departments and submit responses to the OHCHR. The replies are also published on the website of the OHCHR.

During the period of 01 July 2021 to 30 June 2022, this Division replied to 104 questionnaires on the following topics, among others:

- Administration of Justice.
- **&** Business and Human Rights.
- Coercive Measures.
- Data Protection.
- Democracy.
- Development.
- **&** Education.
- Freedom of Expression.
- Freedom of Peaceful Assembly and of Association.
- Freedom of Religion and Belief.
- Independence of Judiciary.
- Migration.
- Minorities.
- Persons with Disabilities.
- Sustainable Development Goals.
- Toxic Substances.
- Water and Sanitation.
- Women Rights.



2.6 REPORTS SUBMITTED FROM JULY 2021 TO JUNE 2022

The State of Mauritius submitted the following reports to the relevant International Authorities during the Financial Year 2021 - 2022:

- ❖ 5th Periodic Report of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) on 30th November 2021.
- Compliance Report for Certain Conventional Weapons Convention (CCW) submitted on 24th March 2022.
- ❖ Annual Report for Amended CCW Protocol II on the Prohibitions and Restrictions on the Use of Mines, Booby-traps and other Devices (1996) submitted on 24th March 2022.
- ❖ Annual Updates of the National Report for the CCW Protocol V on Explosive Remnants of War (ERW) on 24th March 2022.
- ❖ Transparency Report of the Convention on Cluster Munitions submitted on 24th March 2022.
- ❖ Arms Trade Treaty Annual Report for calendar year 2021 submitted on 24th March 2022.
- ❖ International Humanitarian Law (IHL) Country Report in November 2021.



2.7 UNIVERSAL PERIODIC REVIEW

A preliminary preparatory meeting on the next Universal Periodic Review (UPR) Report of Mauritius was held under the Chairpersonship of the then Senior Chief Executive on 18 March 2022 with all relevant stakeholders to take stock of the 176 recommendations that were made to Mauritius during the third Periodic Review of Mauritius held in 2018.

Out of the 176 recommendations, Mauritius noted 43 and accepted 133 recommendations for implementation at the United Nations Human Rights Council, which was held in Geneva in March 2019. The next UPR Report of Mauritius is due in October 2023.



2.8 WORLD HUMANITARIAN DAY

On the occasion of the World Humanitarian Day 2021, commemorated on 19th of August with the theme "*Climate emergency and its impacts on the most vulnerable people*", a poster on the theme was produced in collaboration with the Ministry of Environment, Solid Waste Management and Climate Change. Same was displayed digitally at the Municipal Council of Port Louis and distributed to all Ministries and Departments, Community Centres, Social Welfare Centres, Women Empowerment Centres, Hospitals, Police Stations, Citizen Advice Bureaus, Social Security Offices and other relevant stakeholders.





A **message** of the Hon. Alan Ganoo, Minister of Land Transport and Light Rail and Minister of Foreign Affairs, Regional Integration and International Trade was also disseminated to all GES users.

Moreover, a half day **awareness campaign** was organised by the Ministry of Local Government and Disaster Risk Management and the National Disaster Risk Reduction and Management Centre (NDRRMC) in collaboration with the Human Rights Division for 20 Managers of Residential Care Homes from both private and public sectors.

The targeted Care Homes were located in flood prone areas such as Cité La Cure, Roche Bois and Gayasingh, amongst others, and the Resource Persons were from the Meteorological Services, the National Disaster Risk Reduction and Management Centre and the Mauritius Fire and Rescue Services.



NDRRMC awareness campaign on climate change emergency

Furthermore, a radio talk was organised and broadcasted on MBC Radio and Facebook Live along with the participation of Officers of the National Disaster Risk Reduction and Management Centre and the Ministry of Environment, Solid Waste Management and Climate Change (Environment and Climate Change Division), who are stakeholders of the International Humanitarian Law Committee of Mauritius, falling under the aegis of the Human Rights Division.



Recording in the MBC radio studio



2.9 HUMAN RIGHTS DAY

On the occasion of the International Human Rights Day 2021 celebrated on 10th of December with the theme "*Equality – Reducing inequalities and advancing human rights*", the Human Rights Division organised an event on 09 December 2021 at Caudan Arts Centre. Two speakers addressed the audience namely Mr D.B. Seetulsingh, S.C, Chairperson of the National Human Rights Commission who gave an insight to the Human Rights Treaties and Conventions in Mauritian Law and Dr R. Mahadew, Senior Lecturer at the University of Mauritius who provided an overview of the Universal Declaration of Human Rights and its impact on human rights in Mauritius.

The event was attended by representatives of the Diplomatic Corps, Ministries/Departments, National Human Rights Institutions, Non-Governmental Organisations, Civil Society and other relevant stakeholders.



Mr. D.B. Seetulsingh, S.C, Chairperson of the National Human Rights Commission



Dr R. Mahadew, Senior Lecturer at the University of Mauritius

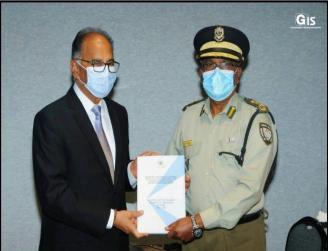


National Human Rights Action Plan Progress Report 2012-2020

The National Human Rights Action Plan Progress Report 2012-2020 was also launched on 10th of December 2021. The Progress Report gives an overview of the State of Mauritius' achievements in respect of the various recommendations of the United Nations Conventions for the period of 2012-2020 and depicts the actions taken by the State of Mauritius to ensure that Human Rights are safeguarded.

The Progress Report was distributed to all NMRF stakeholders, Embassies, Permanent Missions and Honorary Consulates.





Distribution of Progress Report



Wreath Laying Ceremony on International Human Rights Day 2021

A wreath ceremony was also held on 10 December 2021 at the Monument of the Universal Declaration of Human Rights situated near the Theatre of Port Louis in the presence of the Hon. Alan Ganoo, Minister of Land Transport and Light Rail and Minister of Foreign Affairs, Regional Integration and International Trade and the following Officials:

- ❖ Mr Mahfooz Moussa Cadersaib, Lord Mayor of Port Louis;
- ❖ Mr Soleman M. Hatteea, Ombudsman;
- Mrs Rita Venkatasawmy, Ombudsperson for Children;
- ❖ Mr Ahmad Sulliman Jeewah, Chairperson of the Equal Opportunities Commission;
- ❖ Mr Dheerujlall Baramlall Seetulsingh, Chairperson of the National Human Rights Commission;
- Mr Ramesh Sunt, Ombudsperson for Sports;
- Mr Phalraj Servansingh, Member of the Independent Police Complaints Commission; and
- ❖ H.E Mrs Christine N. Umutoni, United Nations Resident Coordinator;



Monument of the Universal Declaration of Human Rights



Wreath Laying ceremony



2.10 WORKSHOPS AND EVENTS

2.10.1 Launching of the second batch of Human Rights themed videos

Nine Human Rights videos were launched on 04 August 2021 at the Labourdonnais Waterfront Hotel on the following themes:

- * Right to Vote and take part in the Government.
- * Right to Work.
- Right to a Healthy and Sustainable Environment.
- * Right to Participate in Cultural Life of the Community.
- Business and Human Rights.
- * Right to Development.
- ❖ Freedom of thought, conscience and religion.
- * Right to Rest and Leisure.
- * Right to Social Security.

The videos were distributed among different stakeholders for awareness and further dissemination, namely, all Ministries/ Departments and National Human Rights Institutions.

Additional distributions were done to Youth Centres and Sport Complexes, Social Security Centres, Community Centres, Citizen Advice Bureaus, Employment Information Centres, and Cultural Centres.











2.10.2 Events held in collaboration with the Office of the High Commissioner for Human Rights

A two-day Introductory Training on the Right to Participate in Public Affairs and **the United Nations (UN) Participation Guidelines** was held from 06 to 07 April 2022, at the Labourdonnais Waterfront Hotel, Port Louis, in collaboration with the Office of the High Commissioner for Human Rights and the United Nations Resident Coordinator's Office for Mauritius and Seychelles.

The objectives of the workshop were:

- outline how the right to participate in public affairs is protected in international and national human rights law.
- ❖ use the Guidelines on Participation as a practical tool to ensure and advocate for the effective implementation of the right to participate in public affairs.
- identify areas in which their respective organizations need to enhance their work to effectively implement the right to participate in public affairs.
- ❖ learn about best practices in the area of public participation.

The workshop was facilitated by Mr Hernan Vales, Human Rights and Democracy Advisor from the Office of the High Commissioner for Human Rights in Geneva and the themes covered were, namely, Human Rights law and mechanisms; the legal and policy framework for participation in Mauritius; an introduction to the UN Participation Guidelines; discrimination; participation before decision-making; and the participation ladder; direct and indirect participation.

The two-day workshop was attended by representatives of Ministries/Departments, National Human Rights Institutions and Non-Governmental Organisations.



Opening of the workshop



Working Session during the workshop



Awareness workshop for Youth on the United Nations (UN) Participation Guidelines

A half day awareness workshop on the same theme for some 30 youth was also held on 08 April 2022 at the Labourdonnais Waterfront Hotel, Port Louis.

The objectives of the half-day workshop were to:

- ❖ to empower young participants and ensure they are equipped with the knowledge and capacity necessary to claim their rights and particularly the right to participate in public affairs, including in the context of the implementation of the 2030 Agenda for Sustainable Development;
- to allow young participants to become "participation multipliers", who can take the acquired knowledge about the right to participate to their communities and act as participation champions; and
- ❖ to facilitate an exchange between officials of the Ministry of Youth Empowerment, Sports and Recreation and young participants on good practices and challenges faced by youth in participating in decision making and provide an opportunity for young people to share feedback and recommendations with relevant authorities.

The event was attended by youth from Universities, Youth Centres, Youth Clubs and Non-Governmental Organisations.







Participants of the workshop



2.10.3 Events held in collaboration with the Commonwealth Secretariat

The Human Rights Division in collaboration with a delegation from the Commonwealth Secretariat organised and delivered two events in Mauritius from 23 to 26 May 2022 at the Labourdonnais Waterfront Hotel, Port Louis, namely, a three-day workshop on **Human Rights and Youth Engagement** from 23 to 25 May 2022 and a one day workshop on **Business and Human Rights** on 26 May 2022.

The delegation consisted of:

- ❖ Dr. Shavana Haythornthwaite, Adviser and Head, Governance and Peace Directorate of the Commonwealth Secretariat;
- ❖ Mr. Steve Onwuasoanya, Human Rights Adviser, Governance and Peace Directorate of the Commonwealth Secretariat:
- ❖ Ms. Alithia Barampataz, Human Rights Officer, Governance and Peace Directorate of the Commonwealth Secretariat; and
- ❖ Mr. Sushil Ram, Programme Manager (Youth), Economic, Youth, and Sustainable Development Directorate of the Commonwealth Secretariat.

• Human Rights and Youth Engagement Workshop

The three-day Human Rights and Youth Engagement workshop aimed at educating youth trainers on building confidence and capacity as regards human rights protection and promotion.

The overall objectives of the workshop were to:

- train other youth in human rights promotion and protection;
- * use a basic instructional design model to plan and develop effective human rights training for youth;
- facilitate HRE activities with youth in their communities more effectively drawing on methods, techniques, skill, and attitudes developed and practiced during the workshop;
- promote youth participation and engagement in their communities and societies so that youth will become more actively involved in issues that affect them;
- * apply a variety of methods and processes for evaluating their HRE activities; and
- develop an action plan with programmes that enhances the education, training, advocacy, and awareness of human rights.



The three-day workshop was attended by Youth Officers from the Ministry of Youth Empowerment, Sports and Recreation, Youth Trainers, Youth Ambassadors and Delegates from various Youth Centres, Councils and Clubs across the island, Lecturers from Universities and Representatives of Non-Governmental Organisations.













• Business and Human Rights Workshop

A one-day Business and Human Rights workshop was also organised on 26 May 2022 at the Labourdonnais Waterfront Hotel aiming to raise awareness and strengthen understanding on the United Nations (UN) Business and Human Rights Guiding Principles.

The overall aims and objectives of the workshop were to:

- strengthen understanding of business and human rights in Mauritius amongst key stakeholders in government, civil society, and business.
- ❖ highlight opportunities to strengthen policy and institutional frameworks on business and human rights in Mauritius.

The workshop was attended by representatives from Ministries and Departments, the Private Sector, Parastatals Bodies, Non-Governmental Organisations, Civil Society, and Federations of the Trade Unions.









2.11 INTERNATIONAL WORKSHOPS AND EVENTS

2.11.1 Senior International Humanitarian Law Officials' Meeting

Ms Asha Burrenchobay, Former Senior Chief Executive, participated to a virtual workshop organised by the International Committee of the Red Cross (ICRC), South Africa, for Senior IHL Officials held on 07 October 2021.

Ms Asha Burrenchobay provided a presentation regarding the IHL priorities of the State of Mauritius, how the ICRC could further support Mauritius and the response of the stakeholders of the International Humanitarian Law Committee including aid provided during the COVID-19 pandemic.

2.11.2 Annual Conference of the Geneva Human Rights Platform

The Human Rights Division participated virtually to the Annual Conference held on 12th October 2021 during which Ms Asha Burrenchobay, Former Senior Chief Executive intervened on the theme "The coordination among national human rights actors as key to effective engagement with the UN Human Rights System" during the Plenary Panel 1.

Ms Asha Burrenchobay, Former Senior Chief Executive, provided an insight as to how the Mauritian NMRF works and coordinates amongst its stakeholders as well as the best practices put in place at the level of the NMRF Secretariat, that is, the Human Rights Division.

$2.11.3\ 20^{\text{th}}$ annual Regional Seminar on the Implementation of International Humanitarian Law

Mrs Oumah Vinktaremdoo, Assistant Permanent Secretary, participated virtually in the 20th annual Regional Seminar on the Implementation of International Humanitarian Law, celebrating 20 years of the Regional Seminar on International Humanitarian Law: reflecting on achievements and challenges in the region, held on 19 November 2021. The Country Report of Mauritius was presented.

2.11.4 Africa Regional Consultation on NMRF

The Human Rights Division participated virtually to the African Regional Consultation on NMRF Seminar held on 02 and 03 December 2021. The Former Senior Chief Executive, as a Guest Speaker, shared experiences, including challenges on:

- ❖ how a NMRF puts into practice the coordination capacity.
- * the use of the NRTD within the framework of the information management capacity.



2.11.5 Sub-Regional Online Workshop for National IHL Committees

Mr Abdul Nizam Jurawon, Deputy Permanent Secretary, participated in a sub-regional online workshop for National IHL Committees jointly organised by the International Committee of the Red Cross and the Department of International Relations and Cooperation of the Government of the Republic of South Africa, on 09 June 2022.

Mr Abdul Nizam Jurawon provided information regarding the establishment of the International Humanitarian Law Committee of Mauritius, the best practices, challenges faced by the Committee and ways to sensitise the public at large regarding IHL issues.

2.11.6 Arms Trade Treaty Meetings

Ms Asha Burrenchobay, Former Senior Chief Executive, former focal point for Arms Trade Treaty (ATT) and International Humanitarian Law for the State of Mauritius, participated in the ATT National Point of Contact (NPC) Briefing, the ATT Working Group meetings and the 2^{nd} Eighth Conference for States Parties (CSP8) Informal Preparatory Meeting that took place from 25 - 29 April 2022 in Geneva.

These meetings serve as important platforms for promoting transparency and building confidence among States involved in the global arms trade.

The outcome of the aforementioned ATT meetings was to better understand how to better implement the provisions of the ATT and find the best practices for combatting illicit arms trade through consultations with States Parties around the world.



2.12 Country Visits by Special Rapporteurs

2.12.1 Visit of Dr Marcos. A. Orellana, United Nations Special Rapporteur

Dr Marcos. A. Orellana, the United Nations Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes visited Mauritius from 25 to 29 October 2021. The Special Rapporteur, along with Mr Gotzon. O. Zarrabe, Human Rights Officer, had various working sessions with relevant stakeholders. During his debriefing session at the Human Rights Division, he presented his preliminary report to all the stakeholders concerned, namely:

- The Ministry of Blue Economy, Marine Resources, Fisheries and Shipping (Fisheries Division).
- ❖ The Ministry of Environment, Solid Waste Management and Climate Change.
- ❖ The Ministry of Agro Industry and Food Security.
- ❖ The Ministry of Health and Wellness.
- ❖ The Ministry of Energy and Public Utilities, among others.

The issues covered were, inter-alia, the MV Wakashio oil spill disaster, solid and hazardous wastes; pesticides, environment degradation, climate change and human rights.

The Final Report of the Special Rapporteur will be presented during the fifty-first session of the Human Rights Council in September 2022.



The Special Rapporteurs and the former SCE



Stakeholders



2.12.2 Visit of Mrs Mama Fatima Singhateh, the United Nations Special Rapporteur

Mrs Mama Fatima Singhateh, the United Nations Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material undertook a country visit to Mauritius from 21 to 30 June 2022.

The Special Rapporteur on the sale and sexual exploitation of children was mandated by the United Nations to analyse the root causes of sale and sexual exploitation of children, identify new patterns of the phenomena, exchange good practices to combat it, promote measures to prevent it, and make recommendations for the rehabilitation of child victims of sale and sexual exploitation.

At the end of her mission, a debriefing session was held with representatives of the Human Rights Division along with all relevant stakeholders, including the representatives of the UN Resident Coordinator's Office.

2.12.3 Other achievements

Two 'A' grades obtained from the Human Rights Committee

On 31 December 2021, the State of Mauritius obtained two "As" by the Human Rights Committee, during the 2021 follow-up processes, for implementing the recommendations pertaining to the treatment of asylum seekers, refugees and stateless persons residing in its territory. It was deemed as one of the five front runners in terms of follow-up for year 2021.

Mauritius collected data and published on these groups. The country also provided information on the measures it had taken in regards to juvenile justice, including the training of Police Officers to handle cases relating to juvenile justice.

The Human Rights Committee periodically examines reports on the implementation of the legal obligations of countries that have ratified the International Covenant on Civil and Political Rights.

Jordan, Liechtenstein, the Republic of Moldova and New Zealand also received top A grades in implementing priority recommendations by the Human Rights Committee.

Mauritius was the only country to obtain top grades in the African Region and the only one to obtain two 'A' grades.



PART III FINANCIAL PERFORMANCE



3.1 FINANCIAL HIGHLIGHTS

Appropriation of funds for the Human Rights Division was made from Vote 6-3 'HUMAN RIGHTS DIVISION' of the Estimates for financial year 2021 -2022.

3.2 ANALYSIS OF MAJOR CHANGES

The Budgetary Provision for Financial Year 2021-2022 of Rs 22.5 Million compared to Rs 21 Million in Financial Year 2020-2021.

No provision was made under Capital Expenditure.

The Actual Expenditure incurred for Financial Year 2021-2022 under VOTE 6-3 was Rs 21.17 Million representing 94.09% of the total provision for the year. For implementation of the PRB Report 2021, additional funds amounting to Rs 0.75 Million were provided by way of Departmental Warrant from the Ministry of Finance, Economic Planning and Development.

3.3 STATEMENT OF REVENUE AND EXPENDITURE

3.3.1 Statement of Revenue

The Human Rights Division does not collect Revenue.

3.3.2 Statement of Expenditure

The Preparation of the Statement of Expenditure is based on information extracted from the Treasury Accounting System.



Table 6

List of Expenditures VOTE6-3	2020-2021 Actual	2021-2022 Estimates after Virement	2021-2022 Actual
	(Rs Million)	(Rs Million)	(Rs Million)
Compensation of Employees	9.26	13.19	12.64
Goods and Services	7.93	8.62	7.85
Grants	0.42	0.69	0.68
Acquisition of Non-Financial Assets	0.29	Nil	Nil
Total	17.90	22.50	21.17

Figure 1





PART IV WAY FORWARD



4.1 SWOT ANALYSIS, TRENDS AND CHALLENGES

The changing economic, social, and environmental world presents the government with new challenges and opportunities. Expectations for public-sector organisations' performance and quality are rising all the time.

The public sector is continuously challenged to achieve more with less resources. The SWOT analysis on the next page offers an overview of this Division's current situation, as well as the numerous trends and difficulties, as well as other operational/strategic concerns that must be addressed in order to increase its efficiency and effectiveness.

STRENGTHS

- ♦ Good leadership
- ♦ Exposure to best international practice
- ♦ Experienced Senior staff
- ♦ Engagement and collective responsibilities
- ♦ Wide array of compiled information
- ♦ Database of Reports on various Human Rights issues
- ♦ Good communication and operating Network with Ministries/Departments

WEAKNESSES

- ♦ Limited number of officers
- ♦ High staff turnover
- ◆ Lack of technical expertise in Human Rights

OPPORTUNITIES

- ♦ Sensitization on Human Rights at all levels
- ♦ Access to additional Regional and International Human Rights Instruments
- ◆ Training and development in new Human Rights approaches and Institutional Reforms
- Use of Management Information System (MIS) in Human Rights and Institutional Reforms
- ◆ Access to the National Recommendations Tracking Database (NRTD)

THREATS

- ♦ Economic rising prices
- Limited budget dissemination of HR awareness



4.2 STRATEGIC DIRECTION

The Strategic Direction of the Human Rights Division over the next three years is as follows:

- ❖ To develop the National Human Rights Action Plan 2023-2030.
- * To draft the report of the Universal Periodic Review schedule to be presented in October 2023.
- ❖ To drive the implementation of recommendations made by Treaty Bodies, the Human Rights Council and the African Commission on Human and Peoples' Rights.
- ❖ To synergise the Human Rights and Sustainable Development Goals reporting to international bodies.
- ❖ To strengthen the engagement with all national actors on human rights.
- ❖ To enhance human rights awareness.
- To build up capacity on human rights and international humanitarian law.
- ❖ To promote domestication of International Humanitarian Law.





THE HUMAN RIGHTS DIVISION

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