

ORAL ANSWERS TO QUESTIONS

POWER PLANTS – LETTERS OF INTENT

The Leader of the Opposition (Mr N. Bodha) (*By Private Notice*) asked the Minister of Public Utilities whether, in regard to the production of energy for the coming years, he will state if Letters of Intent have been issued to promoters for new power plants and, if so, will he indicate the terms and conditions thereof.

Dr. Kasenally: Mr Speaker Sir, based on the demand and supply forecast for the period 2006-2013, the Central Electricity Board (CEB) had to make necessary arrangements to ensure that adequate and timely supply is put in place to match electricity demand. Consequently, CEB started working on different scenarios to meet the demand requirements. At that time and in the context of the economic reform which advocates measures to attract Foreign Direct Investment in the country, the Board of Investment (BOI) was in presence of a number of proposals for the setting up of power plants.

These project proposals, namely from the Gamma-Covanta, The (Mauritius) CT Power Ltd, Suzlon Energy Ltd and Waste to Energy for Indian Ocean (WEFIO) were referred to the CEB by the BOI for views. Based on its requirements, the CEB commented on the proposals and in the light of the CEB's comments, BOI issued a Letter of Intent each to The (Mauritius) CT Power Ltd on 21 April 2006 and the Gamma Covanta Ltd on 05 May 2006.

On the CEB's side, still in accordance with its supply requirements for the period 2006-2013, two Letters of Intent were issued; one each to Suzlon Energy Ltd and Compagnie Thermique de Savannah (CTsav) on 23 December 2005 and 16 November 2006 respectively.

The terms and conditions attached to the Letters of Intent were as follows -

For The (Mauritius) CT Power Ltd

- (a) a lease agreement is signed between the Ministry of Housing and Lands and The (Mauritius) CT Power Ltd. and is duly registered;

- (b) a Power Purchase Agreement between the CEB and the company is signed with respect to the purchase of electricity from the company;
- (c) clearance is obtained from the Mauritius Ports Authority for the setting up of a jetty facility at Montagne Jacquot;
- (d) an EIA licence is received from the Department of Environment;
- (e) submission of a photocopy of the company's Certificate of Incorporation;
- (f) specification of the proposed start date of operation;
- (g) submission of the Company's shareholding structure;
- (h) submission of the numbers of employees of the company (type: local or foreign and level managerial, technical and administrative); and
- (i) the (Mauritius) CT Power Limited obtains all the necessary permits and licences to allow the company to start its activities.

For Gamma-Covanta :

- (a) completion of a Waste Characterisation Study to determine the actual calorific value of Municipal Solid Waste (MSW) in Mauritius;
- (b) a waste procurement agreement, which takes into account the tipping fee and the nature of waste (segregated) to be provided to the proposed waste to energy plant and the implications thereof, is signed between the Ministry of Local Government and Gamma-Civic Ltd;
- (c) a lease agreement is signed between the Ministry of Housing and Lands and Gamma-Civic Ltd and is duly registered;
- (d) a Power Purchase Agreement between the CEB and the company is signed with respect to purchase of electricity from the company;
- (e) an EIA licence is received from the Department of Environment for the proposed project;

- (f) submission of a photocopy of the company's Certificate of Incorporation;
- (g) specification of the proposed start date of operation;
- (h) submission of the Company's Shareholding Structure;
- (i) submission of the number of employees of the company (type: local or foreign, and level: managerial, technical and administrative); and
- (j) Gamma-Civic Ltd obtains all the necessary permits and licences to allow the company start its activities.

For Suzlon Energy Ltd. -

- (a) Suzlon Energy Ltd. shall enter into negotiations with a view to signing a PPA based on the following principal provisions and substantial conditions;
- (b) the timing and term of delivery of electricity to be for a period not less than twenty (20) years;
- (c) CEB to purchase electricity from the project at a price to be determined through discussions/negotiations;
- (d) in the process of consultations related to delivery of electricity, Suzlon Energy Ltd. intends to exchange with the CEB technical and financial information related to the setting up of the Wind Park at Bigara and electricity production patterns, metering, reliability and other questions of general principles of power supply;
- (e) provisions of the Letter of Intent, any negotiations and correspondence between Suzlon Energy Ltd and the CEB shall be considered confidential and shall not be disclosed to third parties without the approval of both parties;
- (f) the Letter of Intent shall become effective on 23 December 2005 and is valid for one year. So long as the Letter of Intent remains in force,

the CEB shall not enter into negotiations or discuss with third parties the above project;

- (g) the Letter of Intent and relations between Suzlon Ltd and CEB under the Letter of Intent and any agreements which may be entered into following the Letter of Intent shall be governed by the laws of the Republic of Mauritius;
- (h) The Letter of Intent does not and cannot create any obligations for either party unless and until agreement is reached on a PPA and on all matters relating thereto, such as pricing and timing of delivery; and
- (i) the Letter of Intent is executed in two originals.

For CTSav - Government has given its approval for the setting up of a third unit at Savannah with capacity 15 MW throughout the year.

CEB and CTSav and its shareholders shall keep confidential information exchanged between them in connection with the finalisation of the new PPA.

Except as specifically set forth in the new PPA, CEB and CTSav and CTSav's shareholders shall bear their own costs and expenses incurred in connection with the finalisation of the PPA and interconnection facilities.

CTSav undertakes to provide to CEB detailed technical, financial and commercial information about the project. The commercial proposal should not seek to re-open the commercial terms of the PPA for CTSav I and II.

CTSav (either itself or through a representative) shall submit a Development Security for a value of MUR 30,000,000 (thirty million Mauritian rupees) securing the obligation of CTSav to negotiate and deliver the executed PPA.

Mr Speaker Sir, I wish to inform the House that, at a certain point in time, reckoning with the proposed reform of the sugar industry focussing on the optimisation of bagasse, room had to be created for accommodating Power Plants from the sugar industry. To do so, the CEB requested the (Mauritius) CT Power Ltd to downsize its proposal as this would allow the CEB to take on board the capacity of the sugar industry to add new plants to burn bagasse. Thus, the project

proposal from the (Mauritius) CT Power Ltd was downsized from 3 x 50 MW to 2 x 55 MW.

Despite the Letter of Intent it received, Suzlon Energy Ltd has not reacted, to the extent that the Letter of Intent has lapsed on 22 December 2006.

As for the project proposal from Gamma Covanta Ltd, discussions are ongoing between the promoter and the CEB on technical issues. Concerning the pricing elements, the CEB has referred the matter to a High Powered Committee with wide representations from all quarters. BOI has hired the services of consultants to have expert advice on the overall aspects of the project. Discussions between the promoter and CEB will pursue in the light of the report of the consultants.

For the CTSav project, discussions are ongoing. Regarding the (Mauritius) CT Power Ltd, I am informed that two rounds of discussions have been held on technical matters and legal matters. The promoter has already submitted the required pre-development security. Furthermore, the CEB has already appointed a consultant, namely, "*Electricité de France*" (EDF) to assess cost reasonableness, technologies and provide assistance to the CEB during negotiations with the (Mauritius) CT Power Ltd.

To ascertain the technical soundness of the proposed plant, a team comprising engineers of the CEB and EDF experts as well, would be delegated to visit two reference plants similar to the one proposed in the project funded by the CEB entirely.

Mr Bodha: Mr Speaker, Sir, may I ask the hon. Minister how can he reconcile the fact that the National Coherent Strategy for energy sector in Mauritius was published in April 2007, highlighting the demand and the constraints for the next years and the fact that a Letter of Intent for power plants producing 150 MW had been already given one year before, in April 2006?

Dr. Kasenally: Mr Speaker, Sir, the situation has been evolving as far as we know the high volatility of oil over the period of the last two years and in 2005, when we assumed power, there was a project for the expansion of electricity at the time from 2006 to 2013. But, in light of the accompanying measures by the EU in view of the reduction of the price of sugar by 36%, Government has had to review its strategy and that is why we have come to have the new outline policy on energy which was submitted to the EU for approval and which was dependent on the delivery of our indicators. As a result of which, the Minister of Finance signed the

agreement last week so that the first *tranche* would be paid to Mauritius. As we said the energy situation is evolving because, as I have explained to the House in my statement, we had to make room for the sugar sector so that they would use bagasse optimally. I have said it and I have repeatedly said it both in the House and outside that this country is going to use each and every single shred of bagasse produced by this country. If tomorrow we have new technologies in the production of sugar cane, there are new varieties, maybe we will get more bagasse, but even then we'll have provision for using extra bagasse which will be produced in this country.

Mr Bodha: Would the hon. Minister agree, Mr Speaker, Sir, that this CT Power Ltd project and the Covanta project are unsolicited bids which were made to the BOI and my second question is: on what did the BOI refer to, to be able to grant a development certificate to these two projects?

Dr. Kasenally: I agree that there are unsolicited bids, but the policy of Government, as I have again said, in the context of attracting foreign direct investment, the BOI together with the CEB, considered these projects. First of all, concerning CT Power Ltd, the price which was being mentioned at the time was the most attractive one and, as for Covanta, we had a serious problem as far as the environment is concerned with the disposal of waste. I presume that the BOI decided that they would give the Letter of Intent, taking into consideration perhaps all the other economic imperatives.

Mr Bodha: M. le président, il s'agit là d'une situation où on est en train de mettre la charrue devant les boeufs et qu'on a choisi deux compagnies avant même d'avoir défini la politique nationale comme exigée par l'Union Européenne.

How can the hon. Minister reconcile what he has said, that that agrees that it is an unsolicited bid when the Financial Secretary, Mr Mansoor, has said that unsolicited bids are a recipe for disaster for this country?

Dr. Kasenally: I don't think it would be our policy to *mettre la charrue devant les boeufs*, but Mr Mansoor might have said whatever he has said in some meetings which may be irrelevant at the time we took that decision. I must confess,

Mr Speaker, Sir, that whatever has been done at the time, as I would explain it again, this is a situation which has been evolving all the time. We never realise that the price of oil would have shot up and, therefore, we had to revisit it. There was a policy from 2006 and 2013, but the European Union asked us this new policy which has emanated in consultation with all stakeholders from 2007 to 2020.

This is a very long-term energetic policy. It is not correct to say that we had no idea. We had an idea, but it had to be revisited in light of the situation which is developing and that is why the European Union insisted that we have a very long-term policy where we will also have to take into consideration the renewable energy. As we have said, we started with Suzlon, but they have not responded. *Il faut voir ailleurs!* There is also the new renewable energy of solar energy where we have had new technology being evolved all over the country. Recently, we had a solar energy farm in Spain providing electricity to 7000 houses.

(Interruptions)

I am going to come to it, but I am giving all the indications. Because as far as energy policy is concerned, we cannot be narrow, we have to expand it.

(Interruptions)

Mr Speaker: Order!

Dr. Kasenally: Mr Speaker, Sir, this is what I say, and the world listens to it, that it is my dream is that in Mauritius each and every house has got a solar panel which it is going to use not only for domestic use, but can even export it to the grid.

Mr Bodha: We are not dreaming here, Mr Speaker, Sir; we are talking about realistic matters. Since there has been the grant of the Letter of Intent, fundamental changes have been brought to the CT power project, for example, as far as technology and investment are concerned, from \$142 m. to \$174 m. There have also been fundamental changes as far as - he said himself - from 3 plants to 2 plants. May I ask the hon. Minister whether how he reconciled the fact that a Letter of Intent has been given and then we are having fundamental changes? That is why I am saying *qu'on a mit la charrue devant les boeufs*.

Dr. Kasenally: Mr Speaker, Sir, let me first answer about the question of dreaming. I might have been dreaming, but my dream is coming true in Germany. This is how we are trying to look forward.

(Interruptions)

Mr Speaker: Order!

Dr. Kasenally: Coming back to what the hon. Leader of the Opposition is saying, there have been changes in the project. As I would keep repeating, there is bound to be changes in the project because we are pragmatic and we will have to take into consideration the new imperative as we want to protect our sugar industry. That is why we downsize it so as to make room for the sugar industry. As far as the figure is concerned, negotiation is still under way. I, as Minister, don't poke my nose in the day-to-day management and certainly not in the negotiations by professionals. The figures of \$142 m. and \$174 m. are still a matter of discussion. It is not final. But, one thing, Mr Speaker, Sir, which I would impress upon the House is that the primary consideration of my Ministry and this Government is to ensure that the interests of the consumers are safeguarded.

Mr Bodha: Mr Speaker, Sir, the interests of the consumers are not safeguarded. May I ask the hon. Minister whether it is good governance to come with a project for 150 MW, which starts with \$142 m. and ends up with \$174 m., with a jetty of Rs400 m. and whether it is the proper manner to manage such an important file in the national interest and in the interests of the consumers? Has not he failed on that, Mr Speaker, Sir?

Dr. Kasenally: Mr Speaker, Sir, I think it is a bit premature for the Leader of the Opposition to say that we have failed. We have to be patient and see. The negotiations keep on going, and until all the conditions as specified in the Letter of Intent are met, we are not going to accept. As I have said, the bottom line is the price of electricity that is going to be paid by the CEB. It is 5 cents, which is about Rs1.65 to Rs1.74.

Mr Bodha: Mr Speaker, Sir, may I ask the hon. Minister whether a negotiating panel has been set up by the CEB to negotiate with CT Power and what have been its recommendations in a report which was delivered at the end of this year?

Dr. Kasenally: Mr Speaker, Sir, as I have said, the matter is still under discussion. We have not come to any final agreement, and Government is not going to accept anything which is to the detriment of this country. The panel has

made whatever recommendations, but again they are still under process of discussing with CT Power, and we are not going to budge from our previous positions, that is, we want to see that the best deal is made for the country.

Mr Bodha: Mr Speaker, Sir, will the hon. Minister confirm that the panel has said that this project is financially not attractive for the CEB and is not in the interest of the consumers and the country?

Dr. Kasenally: Mr Speaker, Sir, I understand the hon. Leader of the Opposition is referring to leaked information from the CEB which has been published in the press. I must say that there has been a continuous, sustained campaign to run down all these new projects. However, as I said, whatever the panel decides ...

(Interruptions)

Mr Speaker: Order!

Dr. Kasenally: ... will have to be discussed at the level of the Board, and we may not accept whatever CT Power or Gamma Civic is saying. At the end of the day, they will have to review their figures. We are not going to accept because, as the hon. Leader of the Opposition has said, the price is escalating with the number of wattage being produced, from 150 to 110. I think it stands to logic. But, as I said, it is a matter of discussion and I leave it to the negotiating panel and to the CEB to sort it out. I would impress upon the hon. Leader of the Opposition not to come to premature conclusions, but to wait until the matter is sorted out. When all the facts and figures are known, then we can see what will happen.

Mr Bodha: Mr Speaker, Sir, may I ask the hon. Minister whether he can confirm that the Board set, with strict terms of reference, a negotiating panel which has come with the conclusion that the deal is not attractive for the CEB? May I ask him to confirm whether another committee, which is the Coal Equity Committee, has been set up and may I ask him what are the terms of reference of that Committee?

Dr. Kasenally: Mr Speaker, Sir, as far as the Coal Equity Committee is concerned, it was after in-depth examination of the detailed financial submission that, the CEB considers that further negotiations should be held with the promoter on the indexation formula which has yet to be finalised. Today, there is only ...

(Interruptions)

But I am being transparent, hon. Lady!

(Interruptions)

Mr Speaker: Order! Order! Hon. Dowarkasing, order!

Dr. Kasenally: Today, there is only one company called the Terminal Management Company Ltd. where all the sugar industries are shareholders and nobody else is importing coal. Around 500,000 tons of coal are being imported every year. In the context of democratisation of the economy, it is essential that this monopoly be put to an end. Thus, the CEB will import coal up to berth and deliver to CT Power. In so doing, the CEB will be able to float its tender, thus securing better prices in the interest of the country.

The Equity Coal Committee has been given a specific mandate by the Board. It is responsible to look only at the administrative matters relating to the equity partnership issue and the import of coal. Thus, it does not have any influential say in negotiations between the CEB and the promoter.

Finally, it is the Board which is the decision-making in it.

Mr Bodha: The hon. Minister is giving a bundled answer, Mr Speaker, Sir. May I ask the hon. Minister whether, in fact, the Equity Coal Committee is not a colourable device and whether the Committee has not proposed that the security bond which was set at \$220 m. by the negotiating panel has been reduced for a project of \$174 m., to less than \$1m., that is, Rs25 m? How can he explain all these things? And he says he is doing it for the sake of transparency! *C'est un outrage à la transparence, M. le président!*

Dr. Kasenally: The hon. Leader of the Opposition is speaking about colourable device. As far as I remember, colourable device was used at one stage to unseat the Prime Minister from the Assembly.

(Interruptions)

Mr Speaker: Order!

Dr. Kasenally: However, as far as other fact and figures are concerned, I do not have them at hand. It is highly technical and I will leave it to the negotiating team to respond. I am going to look into the matter, as I said, once all the facts and figures are made available. They are only at a preliminary stage and if whatever

the hon. Leader of the Opposition is saying turns out to be of a disadvantage, Government can still cancel all these if it is not in the interest of the country. As I have said - and I keep it repeating it - Mr Speaker, Sir, that it is in the interests of the country and all the consumers. We are not going to make the consumer pay more than what is available by the IPPs.

Mr Speaker: Last question, Leader of the Opposition.

Mr Bodha: Mr Speaker, Sir, I think we will have to come back with other PNQs on this issue. My last question is: may I ask the hon. Minister and this Government that on such a crucial issue, which is going to cost billions, whether we should not scrap the whole thing and start from zero, now that we have a national policy? Let us come with a new policy to decide on which technology, and on who are going to be the players and not decide on the players and the technology first and come to justify it with a colourable device.

Dr. Kasenally: Mr Speaker, Sir, it is easy to say scrap this and that when you are in the Opposition. We have a mandate and we have started something. Scraping everything will be to go back to 2005. As I have said, we have to ensure that whatever we are doing - as I keep repeating it - will be in the interests of the country. There is no dillydallying on that and the Leader of the Opposition can come with several other PNQs, but we will try to find and give to this House and to the country the facts.

Mr Speaker: The Table has been advised that Parliamentary Question Nos. B/403, B/404, B/405, B/406 and B/420 addressed to the hon. Prime Minister have been withdrawn.

Questions addressed to the hon. Prime Minister!

POLICE BRUTALITY – CASES - NUMBER

(No. B/402) Mrs M. Martin (Second Member for Curepipe and Midlands) the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to reported cases of alleged police brutality since January 2007, he will state the number thereof island wise and constituency wise?

The Prime Minister: Mr Speaker, Sir, I am informed that since January 2007 to date, a total of 58 cases of alleged Police brutality have been reported at the Complaints Investigation Bureau while 27 cases were reported at the National Human Rights Commission. It is to be noted that out of the 27 cases reported at the National Human Rights Commission, 6 of them were also reported at the Complaints Investigation Bureau.

I am tabling information relating to the cases of alleged Police brutality constituency-wise reported at the Complaints Investigation Bureau and the National Human Rights Commission.

Mrs Martin: Mr Speaker, Sir, could the hon. Prime Minister tell us whether any Police officers have been sanctioned as a result of those alleged brutality cases?

The Prime Minister: In fact, I have a list of all the cases and many of them are still under inquiry. There is, I think, a couple of them at the National Human Rights Commission. One of the cases has not been substantiated. It is still under inquiry, but it seems that there is no case. One of them has been changed from physical assault to verbal abuse and then, one looks as if it will be withdrawn.

Mr Varma: Mr Speaker, Sir, can I ask the hon. Prime Minister whether it is still being envisaged to set up an Independent Complaints Investigation Bureau?

The Prime Minister: In fact, this is being envisaged. I think I mentioned last time that a draft Police Complaints Commission Bill is being prepared.

Mrs Martin: May I ask the hon. Prime Minister, the time, in average, those cases take to be processed?

The Prime Minister: Effectively, it does not depend on Government as the hon. Member probably knows, because this goes to the DPP for advice, whether it is from Complaint Information Bureau or from the National Human Rights Commission.

Mr Dowarkasing: Mr Speaker, Sir, may I ask the hon. Prime Minister whether any policeman has been suspended so far with regard to these alleged Police brutality?

The Prime Minister: I do not have the list with me, Mr Speaker, Sir, but all I can say is that many of them are still under inquiry.

Mr Speaker: May I now inform the House that Parliamentary Question Nos. B/407, B/411, B/412 addressed to the hon. Prime Minister will now be answered by hon. Deputy Prime Minister and Minister of Finance, if time permits.

POLICE FORCE – SPECIALISED UNITS

(No. B/403) Mr S. Lauthan (Third Member for Port Louis Maritime and Port Louis East) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to the Police Force, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to –

- (a) the list of its different specialised units, indicating their respective functions and responsibilities, and
- (b) if there is any coordinating body to monitor the activities of these units and, if not, why not.

(withdrawn)

ADSU - QUAY D & PORT

(No. B/404) Mr S. Lauthan (Third Member for Port Louis Maritime and Port Louis East) asked the Prime Minister, Minister of Defence & Home

Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to the offices of The Anti Drug and Smuggling Unit at Quay D and in the Port, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of Police officers posted and vehicles attached, thereat.

(Withdrawn)

MBC – DIGITAL CHANNELS

(No. B/405) Mr S. Soodhun (Fifth Member for La Caverne and Pboenix) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to the television broadcasting channels, he will, for the benefit of the House, obtain from the Mauritius Broadcasting Corporation, information as to –

- (a) the number of digital channels the MBC is operating and,
- (b) if it is proposed to allocate one channel, either terrestrial or digital, to a private operator.

(Withdrawn)

ELECTORAL REFORM – SACHS REPORT

(No. B/406) Mr S. Soodhun (Fifth Member for La Caverne and Pboenix) asked the Prime Minister, Minister of Defence & Home Affairs, Minister

of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to the electoral reform, Government is proposing to –

- (a) launch a national debate on the recommendations of the Sachs Commission on Constitutional and Electoral Reform 2001-2002 or
- (b) commission a new study.

(Withdrawn)

SUBUTEX – ILLEGAL SALE

(No.B/408) Mr R. Bhagwan (First Member for Beau Bassin and Petite Rivière) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether he is aware that there is a widespread misuse of Subutex and, if so

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- (a) whether Government proposes to amend the Dangerous Drugs Act to provide for tougher penalties in connection therewith,
- (b) and for the benefit of the House, obtain from the Commissioner of Police, information as to -
 - (i) the quantity seized during the last twelve months, indicating the value thereof, and
 - (ii) the measures that have been or will be taken to combat its illegal sale in mainland Mauritius and Rodrigues.

The Prime Minister: Mr Speaker, Sir, Subutex is a drug listed under Schedule II of the Dangerous Drugs Act 2000.

Section 29 of the Dangerous Drugs Act 2000 provides for a fine not exceeding Rs100,000 and imprisonment for a term not exceeding 5 years for offences related to possession of Subutex.

As regards part (a) of the question, the answer is yes. We are going to provide for tougher penalties. In fact, I have asked the Attorney-General to bring about the necessary amendments to the Dangerous Drugs Act.

As regards part (b) of the question, I am informed by the Commissioner of Police that during the last twelve months, 982 cases have been established by

ADSU and 1,083 persons were arrested. 85,497 pills of Subutex were secured with a total market value of Rs68,397,600.

I wish to point out, Mr Speaker, Sir, that last week, ADSU has made a large seizure of Subutex at the Sir Seewoosagur Ramgoolam International Airport. A French national and Steward in the Air France Flight AF 966 arriving from Paris was arrested with a total of 51,863 tablets of Subutex, having a market value of over Rs41M. It is to be noted also that Subutex is available on prescription in France.

I take this opportunity to congratulate ADSU for the excellent work they have accomplished through their intelligence network.

Mr Speaker, Sir, Government is sparing no efforts in the fight against the drug scourge in the country. Government's anti-drug strategy will remain focused on three main pillars, namely, supply and demand reduction, education, and treatment and rehabilitation. Specifically, the following measures are being taken -

- (1) Law enforcement agencies will continue to clamp down on drug traffickers through systematic surveillance and making optimal use of advances in technology for tracing such offenders;
- (2) The training of Police personnel is being stepped up on new methods and techniques of investigation;
- (3) Intensive collaboration is being maintained among agencies such as the Customs Department, Postal Services and other Departments.
- (4) Effective liaison is being maintained with neighbouring countries and regional/international organisations to ensure the exchange of intelligence and expertise.
- (5) The Customs Department is planning to implement the World Customs Organisation National Intelligence Database System to facilitate collection and analysis of intelligence information relating drugs.

- (6) The Mauritius Revenue Authority has launched tenders for four small x-ray scanners capable of detecting drugs at Ferry Terminal, Post Office, Express Courier and at SSR Arrival halls.
- (7) On the preventive side, information, education, sensitisation and awareness campaigns are being reinforced by NATReSA, its nine Treatment and Rehabilitation Centres as well as the NGOs. Outreach programmes have been set up by NATReSA among the main risky behaviour groups namely, commercial sex workers, prison inmates and injecting drug users who could misuse Subutex through intravenous route.

And as I have mentioned, we are amending the Dangerous Drugs Act to provide for tougher penalties in relation to trafficking and illegal possession of Subutex.

I have always maintained, Mr Speaker, Sir, that in order to effectively address the drug problem, there is need for concerted action and response from all of us, parents, children, civil society and the Government and everybody else.

Mr Bhagwan: Mr Speaker, Sir, I have taken note of the intention of Government. Can we know from the hon. Prime Minister what is the time frame concerning the amendment to the Dangerous Drugs Act? The situation is very alarming as stated by the officers of the ADSU Department itself. May we know whether, discussions are being held with reliable NGOs, people who are involved in this problem of Subutex and whether they will be asked to give their views while amending the relevant sections of the Dangerous Drugs Act?

The Prime Minister: I think the hon. Member is right. We have to take on board the views of the NGOs. In fact, that is the reason why I don't want to give a time frame, because it is going to meet all the stakeholders and will also liaise with the Ministry of Health and Quality of Life.

Mr Bhagwan: M. le président, le Premier ministre peut-il donner la garantie à la Chambre, tout en respectant les termes de la loi, que le gouvernement va être sans pitié concernant les gens qui récidivent? Plusieurs personnes sont prises en flagrant délit de vente de Subutex et, finalement, avec les lacunes dans la loi, ils opèrent au vu et au su de tout le monde. Je sais ce que je suis en train de dire car dans ma propre circonscription, on les voit opérer. La police, faute de moyens, les

laisse opérer. Peut-on avoir la garantie du Premier ministre qu'il n'y aurait aucune ingérence

(Interruptions)

Mr Speaker: Order!

Mr Bhagwan: au niveau de la police, ou aucun relâchement au niveau des gens qui sont activement engagés ?

Mr Speaker : Hon. Bhagwan, you have sufficiently put your question to be understandable.

The Prime Minister : I must tell the hon. Member that, in fact, I did give this guarantee that with no fear or favour, this problem will be tackled but, as I say, it is not just a question of reinforcing the law, it is also for everybody else in society to react.

Mr Jhugroo: Can the hon. Prime Minister confirm whether there has been any request from any wholesale pharmacy to commercialise this drug on prescription only?

The Prime Minister: I am not aware whether there has been any request. I know that the drug is not registered with the Pharmacy Board.

Mr Varma: Mr Speaker, Sir, could the hon. Prime Minister kindly confirm whether there have been representations from certain NGOs for the legalisation of Subutex?

The Prime Minister: Not that I am aware of, though I must say, Mr Speaker, Sir, that it is a drug which is used as a painkiller as well. But, I am not aware that there has been any request for legalization.

Mr Bhagwan: Le Premier ministre a fait mention des moyens qui vont être mis à la disposition de l'ADSU. Il y a un réel problème de transport au niveau de la Police. Au cas où il y aurait un combat contre l'utilisation illégale de Subutex, est-ce que les moyens nécessaires seront rapidement mis à la disposition de l'ADSU, surtout en ce qui concerne le transport?

The Prime Minister : Last week, I answered a question on that, Mr Speaker, Sir, and I gave details of the additional vehicles that we are buying, specifically for ADSU.

Mr Bhagwan: Mr Speaker, Sir, this is very serious. Can I, at least, give an information to the hon. Prime Minister? This Saturday, there was a real problem of transport at the Petite Rivière Police Station where the public asked me, as an MP, to intervene. Can I ask the hon. Prime Minister to direct the Commissioner of Police to, at least, *faire des échanges de véhicules et de mettre à la disposition de la Police suffisamment de véhicules pour faire leur travail?*

The Prime Minister: In fact, I know, Mr Speaker, Sir, that, for example, there is a specific Unit attached to the Quay and also in the Port Louis area, where normally they transfer vehicles, if the need arises.

RODRIGUES – NCG OFFICERS – RESCUE OPERATION

(No. B/409) Mr J. R. Spéville (Second Member for Rodrigues) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to the rescue operation effected by the National Coast Guard in Rodrigues, on 12 and 13 May 2007, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the circumstances in which seven NCG officers, posted in Port Mathurin, were sent out in search of three fishermen who went missing, indicating –

- (a) the name of the officer in command, and
- (b) if two of the seven officers have disappeared in the course thereof.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that on Sunday 13 May 2007, at about 13.50 hrs, information was received at the National Coast Guard (NCG) of Rodrigues that a fishing boat Registration No. 705 called “Santa Maria” capsized at “*Passe Plate*”, Rodrigues, with three fishermen on board.

A Search and Rescue (SAR) Operation was immediately organised by the Inspector-in-Charge of Rodrigues NCG. He sent a Rescue Team, under the responsibility of PS Stephen, comprising PCs Agathe, Philippe and Legentil. They cast off from Pointe Monnier in the north in a Heavy Duty Boat (HDB Oscar 1) for the SAR operation. The fishing boat was recovered without the three fishermen onboard. Searches were maintained to look for the missing persons.

However, at about 15.40 hrs, the Rescue Team (Oscar 1) reported a steering problem with their Heavy Duty Boat. Another team, under the charge of PC Augustin together with PCs Spéville and Genave, was instructed by Inspector Bothilde to cast off in a Heavy Duty Boat (Oscar 12) with a view to providing assistance to Oscar 1. At 19.00 hrs, Oscar 12 reached the locus and towing operation started immediately towards Port Mathurin.

At 20.30 hrs, contact was lost with both rescue teams, i.e., Oscar 1 and 12. Several attempts were made on Mobile and VHF set, but to no avail.

At 00.15 hrs, on Monday 14 May 2007, following a distress message received from the Marine Rescue and Calling Centre (MRCC) Mauritius, fishing vessel "Black Marlin" was directed to the locus for search and rescue.

At 05.00 hrs, on the same day, the Dornier aircraft joined the rescue operation and the two capsized boats (Oscar 1 and 12) were seen in the lagoon, just within the reef at about five nautical miles from Port Mathurin without their occupants.

PC Legentil from Oscar 1 succeeded to reach ashore at Anse Nicholas by swimming. He reported on their mishap and ascertained that both boats (Oscar 1 and 12) had capsized. After an intensive search operation, PS Stephen, PCs Agathe, Augustin and Genave, were rescued by NCG Avon Craft "Whisky 3" whereas Police Constables Speville and Philippe were found missing.

On Monday 14 May 2007, a Special Operations Room was set up at Port Mathurin Police Headquarters, under the supervision of Mr Bruneau, Deputy Commissioner of Police, assisted by Commander Negi of the NCG, to closely monitor the Search and Rescue Operations. One Heavy Duty Boat (HDB) and one Rigid Hull Inflatable Boat (RHIB) were dispatched to Rodrigues onboard Mauritius Pride to reinforce the SAR Operation.

Searches were maintained in the lagoon by small boats whereas larger boats were deployed outside the reefs, in the vicinity where the boats had capsized. The Fisheries Department and other Civil Crafts also participated in the operation.

On 16 May 2007, the bodies of the three fishermen were found.

On 17 May 2007, human remains were retrieved by NCG divers at about six nautical miles west of Port Mathurin. Same was identified as that of PC Phillippe.

The Search and Rescue Operations are still being maintained for the search of PC Speville.

Mr Spéville: Mr Speaker, Sir, what has just happened in Rodrigues is really a sad week for us. Can I ask the hon. Prime Minister why does not the National Coast Guard set up two or three other posts in Rodrigues, because to go from

Pointe Monnier to Port Sud Est, it takes some two to two and half hours? These posts could be set up at Port Sud Est, Pointe Cotton. We have to think about it.

The Prime Minister: Mr Speaker, Sir, I will pass on this information to the National Coast Guard.

Mr Spéville: Mr Speaker, Sir, can I ask the hon. Prime Minister why, up to now, we do not have a bigger boat in Rodrigues? The two Heavy Duty Boats have been completely damaged and we have had to rely on private companies like Black Marlin for searching operation. Doesn't the hon. Prime Minister think that it is high time to send to Rodrigues a bigger boat with better equipment which will respond urgently to that kind of situation?

The Prime Minister: Mr Speaker, Sir, even for Mauritius, but we have a problem of funds which we are going to address, because, as you know, a lot of money has been spent. Even some boats here are always under repair.

Mr Speville: Mr Speaker, Sir, we can say now that there is no job with no risk for all Police officers. I am made to understand that only some departments in the Police Force are entitled to risk allowance. Will the hon. Prime Minister consider extending risk allowance to all Police officers, National Coast Guards and all their colleagues in the future?

The Prime Minister: We are looking at the risk allowance very carefully, Mr Speaker, Sir, but what we don't want to do is to give risk allowance to everybody. It will cost us double the amount that we are actually spending, but we will look into that matter.

Mr Speville: Up to now, the parents of PCs Speville and Philip are still in despair. Doesn't the hon. Prime Minister think that if a full-fledged inquiry is set up, it will give all the outcome of it?

The Prime Minister: I think an inquiry is being carried out at the moment to see what has happened. This is more or less the information I have given the hon. Member.

RODRIGUES – SEA SWELLS

(No. B/410) Mr J. R. Speville (Second Member for Rodrigues) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether in regard to the sea swells which occurred on 11 and 12 May 2007, in Rodrigues, he will, for the benefit of the House, obtain from the Meteorological Services, information as to if special bulletins were issued in connection therewith and, if so, the details thereof.

The Prime Minister: Mr Speaker, Sir, I am informed by the Acting Director of the Meteorological Services that they had not issued any special bulletin for Rodrigues in connection with the sea swells which affected the island on 11 and 12 May 2007. In fact, there were no swells on 11 May, as far as I understand.

However, in both the regular weather bulletins and the weather bulletins for fishermen in Rodrigues issued on 12 and 13 May 2007, mention was made of heavy swells and the public was advised not to venture at sea.

Moreover, the Meteorologist on duty on 13 May 2007 made a special intervention on MBC Rodrigues to advise the public not to venture at sea because of rough seas and of the south-westerly heavy swells.

Mr Speville: Mr Speaker, Sir, it seems to me that the message from the Meteorological Services in Mauritius was not as convincing as that of Reunion Island. Would the hon. Prime Minister ask the Meteorological Services to work hand in hand with our friends from Reunion Island, because what we have heard on the radio from Reunion Island is completely different from what had been broadcast by the Meteorological Services in Mauritius?

The Prime Minister: I am not too sure that this is the case. I have the meteorological bulletin from Reunion Island which says –

“Le temps reste calme mais le ciel est dégagé sur La Réunion. Beau temps est donc assuré. »

And then they say that there is a south-west wind blowing over Reunion. And then, later on, they say that there will be –

“Forte houle de l’ordre de 4 à 5 mètres qui déferle de la Pointe des Galets et sur les côtes ouest et sud. »

In fact, as you know, the waves were much higher than this. They were about 12 metres, I am told, in Reunion Island and 7 to 8 metres in Mauritius. In fact, even Reunion Island did not give any kind of indication earlier on that there was going to be this problem. I must say that on 13 May at Plaine Corail where they were looking at the direct observation of the sea, in the morning, they did not say that there was any problem. In fact, they said that the sea was slight in the lagoon and it was moderate outside the lagoon. Even with direct observation, it did not seem that this was the case. But I must tell the hon. Member that we are arranging to work in close collaboration with Reunion Island, but even Reunion Island did not give the proper indication. The only difference – and I must admit this – is that in Reunion, they gave a continuous warning and Mauritius did not.

Mr Speville: When we say *raz-de-marée* in Rodrigues, it means for the fishermen that they can go out fishing. But this type of swells is completely different. We should have a specific bulletin which will emphasize the danger to the fishermen.

The Prime Minister: As I said in my statement the other day, there is no way that you can precisely say what height the swells will reach. That is the difficulty that we have.

Mr Speville: But we have to prevent the fishermen from going to the sea. What I am saying is that when there is a *raz-de-marée* in winter, they can go out, but this type of *raz-de-marée* is completely different. We have to make an awareness, I don’t know how, but I think we need to think about it.

The Prime Minister: That is precisely the problem. As the hon. Member says, he does not know how. We must be aware that these waves are going to be so high that we can give that kind of indication. There was no indication. In fact, I must say, Mr Speaker, Sir, that even last Saturday, after all this has happened, on the 19 at Pointe du Raz port in France, there was a big ship disembarking passengers and suddenly a huge wave came and 26 people were injured and one fisherman was lost at sea.

Mr Speville: From the answer given by the hon. Prime Minister last week with regard to Rodrigues, I read that the Chief Commissioner informed him that

there was no damage reported. But we know that two heavy duty boats for the Police Force and all the accessories have been damaged. The boat of the fishermen had been damaged and there were some light damages for other fishermen.

The Prime Minister: At the time I mentioned it in Parliament, there was no mention of any damage.

PQ Nos. B/411 and B/412 – See ‘Written Answers to Questions’

RIVIERE DES GALETS - SEA SWELLS

(No. B/413) Mr A. Ganoo (First Member for Savanne and Black River) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether in regard to the recent sea swells and the ensuing bad weather conditions, he will –

- (a) for the benefit of the House, obtain from the Meteorological Services, information as to the measures that will be taken to implement a warning system;
- (b) if Government proposes to –
 - (i) compensate the families who have suffered losses as a result thereof;
 - (ii) urgently undertake infrastructural works to relieve the inhabitants of the region of Rivière des Galets, and
 - (iii) consider relocating the families living on the coast at Rivière des Galets.

The Prime Minister: Mr Speaker, Sir, in my statement to the House on Tuesday last, I mentioned that the recent sea swells – and I have just mentioned again - were a rare event and that none of the islands of the south-west of the Indian Ocean has a warning system to deal with this phenomenon. In fact, there is no alert system at sea for sea swells such as those we have experienced and the height of the swells cannot be predicted with any accuracy. This is what I have just said.

Nevertheless, the Mauritius Meteorological Services will work in close collaboration with its counterpart in the region to examine what can be done in such cases.

As regards part (b)(i) of the question, I am informed by the Ministry of Social Security, National Solidarity and Senior Citizens Welfare and Reform Institutions that a total of 19 families comprising 83 persons have been affected by the recent sea swells at Rivière des Galets. 81 out of the 83 persons have each received an amount of Rs100 per day as flood allowance for a maximum of three days. The remaining two persons have not yet come forward to cash their allowance.

As regards part (b) (ii) of the question, I am informed by the Ministry of Environment and National Development Unit that the stretch of the coastline at Rivière des Galets is vulnerable to strong and high waves due to the absence of a coral reef system. Moreover, the Ministry is proposing to undertake the upgrading of the beach protection works at Rivière des Galets to mitigate the impact of high waves.

Mr Speaker, Sir, as regards the last part of the question, I am informed that the Ministry of Housing and Lands has carried out a site inspection on 17 May 2007 to gauge the extent to which the housing units have been affected by the sea swells. In the light of the findings of the survey, the Ministry will make appropriate recommendations on remedial measures to be taken.

Mr Ganoo: Mr Speaker, Sir, as far as part (a) of the question is concerned, I have listened carefully to what the hon. Prime Minister has answered to my friend from Rodrigues, but isn't it true to say that, in fact, on that Saturday in question, although the Meteorological Services warned that there would be tides and swells of 2 to 3 metres, they were not strong enough to ask people not to go to the sea. And that's why, for example, poor Mr Babooa who is dead now! With his friends, he went to fish on that fatal Saturday night. What I am saying is that the Meteorological Services should have insisted that people should not go to the sea. The Prime Minister told us that the information was not available, but is he aware that on certain web sites, one used by the surfers, for example, the latter were told and, in fact, Le Morne is a place where people, foreigners principally, surf and all of them didn't surf from Friday because certain web sites had informed all the surfers in the world that in that part of the world, there will be high waves and swells of about 4 to 5 metres! Our Meteorological Services should have known that we were going to have so huge sea swells!

The Prime Minister: Mr Speaker, Sir, I have inquired about this, and in fact, there are two things. The Meteorological Services did say that people should not venture at sea, but, as I said earlier to the question from hon. Speville, they did

not have a continuous band on television to warn people. They did not do that. But they did mention, once they knew that there were going to be high waves - I have the bulletins here - that they should not venture at sea.

Secondly, as far as the wind surfing is concerned, I also inquired about this. I am told that, in fact, since Tuesday, the site was saying that there would be huge waves, but there were no waves on Tuesday, Wednesday, Thursday and Friday. I have been told by the Meteorological Services - because I have asked the question - that they have to go by one system which is the World Meteorological Organisation of which Mauritius is a member. And they told me that sometimes different sites gave different opinions. In fact, they told me worse. Sometimes, even for a cyclone, you will see one site saying the cyclone is going in this direction and another site saying that the cyclone is taking a different direction. That is why they go under one site, that is, the World Meteorological Organisation which is always available. They also look at the others, but they go by this one. And it is the French system that is available here in Mauritius, which is the same for Reunion Island. But, as I said, even in Réunion Island, they did not predict it. Even in a recent case in France itself, it was not predicted.

Mr Ganoo: Mr Speaker, Sir, the hon. Prime Minister has stated that social security services have been there and that the victims would get Rs100 per day, which means Rs300 for the three days. Would not the hon. Prime Minister agree that this sum is clearly insufficient? These people have had their houses flooded. For some of them, their boats disappeared at sea. I have a document with me - and I can table it - where the Police authorities have acknowledged that one of the fishermen, Mr Gooljar, has lost his boat, valuing Rs25,000. I would like to ask the hon. Prime Minister whether Government will rope in solidarity funds at the PMO or the Trust Fund for Vulnerable Groups, as well as funds from the Ministry of Social Security, to compensate in the right proportion all these families who have lost building materials, carpets, food, moveables, clothing, etc.

The Prime Minister: Mr Speaker, Sir, in fact, this is the case. Government is going to do that. What I mentioned were the first measures that were taken. Now, the different Ministries are working on what compensation will be given to them, as far as we can help them.

Mrs Hanoomanjee: Mr Speaker, Sir, can the hon. Prime Minister say whether he is aware that people from the Trust Fund for Vulnerable Groups were there from the first day, that is, on Monday? They were supposed to submit a report. But, they said that the Board had to meet, so that they could provide assistance to these families. Can we know whether the Board has met, and what has been the outcome of the inquiry?

The Prime Minister: Mr Speaker, Sir, I cannot say offhand whether the Board has met, but I am sure they will be meeting if they have not done so. I am sure that they have actually met.

Mr Varma: Mr Speaker, Sir, could the hon. Prime Minister kindly inform the House whether it is being envisaged, as in Reunion Island, to make swimming or venturing at sea during bad weather or other conditions which are not conducive to swimming, an offence in Mauritius?

The Prime Minister: Mr Speaker, Sir, I don't know, because in the past we have seen – as also shown in the papers by way of photographs –people going at sea during full cyclone in Mauritius. I will have to entertain the idea of whether to make it an offence.

Mrs Perrier: M. le président, je voudrais savoir si le Premier ministre est au courant de la façon dont les victimes ont été accueillies au bureau de la sécurité sociale de la région ? Ils ont été presque insultés par les officiers. Je voudrais ensuite savoir comment cela se fait que, dès dimanche matin, alors que tout le monde savait que la vague était passée et que les maisons avaient été inondées et que les habitants avaient dû quitter leur logement pour aller sous le *traffic centre* pendant la nuit, il n'y a pas eu d'ordres donnés afin que le centre communautaire soit ouvert pour accueillir ces familles. Dimanche soir, j'ai essayé de faire...

Mr Speaker: The question has been put. Let the Prime Minister reply.

Mrs Perrier: Je voudrais savoir comment ça se fait qu'on ait pu traiter les gens de cette façon et comment il n'y a pas eu provision pour ouvrir le centre communautaire pour accueillir les familles ?

The Prime Minister: Mr Speaker, Sir, I cannot say why the community centre has not been opened. I am not aware that the treatment was such, but I will look into the matter.

Mr Jhugroo: Mr Speaker, Sir, can the hon. Prime Minister confirm whether the apparatus, wave rider buoy, which is supposed to be installed in the sea, has been placed on the land since many years?

The Prime Minister: Mr Speaker, Sir, the hon. Member is right when he says ‘for many years’. There have always been problems with this apparatus. In fact, it was lost at sea at one point in time. In Reunion Island, they have it, but that did not help them to predict the size of the waves.

Mr Ganoo: Mr Speaker, Sir, as far as the two last parts of the question are concerned, can I ask the hon. Prime Minister whether he would urgently consider to the reconstruction of the retention wall? *Un mur de gabions a été fait là-bas.* According to the inhabitants, it has to be raised – and this is a short-term measure – and the drains on the small streets also should be looked into, because these houses are a few feet away from the sea. Pending the relocation of these families – all these families are hoping to be relocated, because they fear that this will recur again – even by way of compulsory acquisition...

Mr Speaker: How many questions is the hon. Member asking at the same time?

Mr Ganoo: There is so much to say, Mr Speaker, Sir! Pending the relocation of these families by way of compulsory acquisition of land, if need be, can the hon. Prime Minister ask Government authorities to urgently, in the short-term, see to it that infrastructural works be done, especially *rehausser le mur de rétention*?

The Prime Minister: Mr Speaker, Sir, I must point out three things. First of all, a retention wall was started long time back - I don’t know whether the hon. Member was Minister at that time – but only one-third of it was constructed. I cannot see the reason why the wall was not fully constructed. Secondly, of course, we will try to help these people. I must point out that they were squatting. But that is not the main problem. The main problem is the human problem that we have to look at now. Thirdly, I am told that there were similar waves in 1987 and 1994, which caused damaged, and water had gone into peoples’ homes. But, for some reason, nobody was then talking about doing anything.

Mr Speaker: Time is over now! May I inform the hon. Member that he can raise the matter at adjournment time if he wishes to continue with the subject. As regards questions addressed to hon. Ministers, the Table has been advised that Parliamentary Questions Nos. B/434, B/438, B/441, B/442, B/447, B/477 and B/483 have been removed.