



SEVENTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

(UNREVISED)

FIRST SESSION

TUESDAY 16 NOVEMBER 2021

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Hon. Louis Steven Obeegadoo	Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism
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Dr. the Hon. Mohammad Anwar Husnoo	Vice-Prime Minister, Minister of Local Government and Disaster Risk Management
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	Minister of Commerce and Consumer Protection
Dr. the Hon. Kailesh Kumar Singh Jagutpal	Minister of Health and Wellness
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Hon. Mrs Kalpana Devi Koonjoo-Shah	Minister of Gender Equality and Family Welfare
Hon. Avinash Teeluck	Minister of Arts and Cultural Heritage
Hon. Teeruthraj Hurdoyal	Minister of Public Service, Administrative and Institutional Reforms

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MAURITIUS

Seventh National Assembly

FIRST SESSION

Debate No. 32 of 2021

Sitting of Tuesday 16 November 2021

The Assembly met in the Assembly House, Port Louis, at 11.30 a.m.

The National Anthem was played

(The Deputy Speaker in the Chair)

PAPERS LAID

The Prime Minister: Mr Deputy Speaker, Sir, the Papers have been laid on the Table.

A. Prime Minister's Office

Ministry of Defence, Home Affairs and External Communications

Ministry for Rodrigues, Outer Islands and Territorial Integrity

Certificate of Urgency in respect of the following Bills (In Original):

- (i) The Criminal Code (Amendment) Bill (No XVI of 2021);
- (ii) The Mauritius Recreation Council Bill (No XVII OF 2021)

B. Ministry of Social Integration, Social Security and National Solidarity

- (a) The National Pensions (Amendment of Schedules) (No. 6) Regulations 2021. (Government Notice No. 266 of 2021)
- (b) The National Pensions (Amendment of Schedules) (No. 7) Regulations 2021. (Government Notice No. 267 of 2021)
- (c) The National Pensions (Amendment of Schedules) (No. 8) Regulations 2021. (Government Notice No. 268 of 2021)
- (d) The National Pensions (Collection of Contributions) (Amendment) Regulations 2021. (Government Notice No. 269 of 2021)
- (e) The National Pensions (Collection of Contributions) (Amendment) (No. 2) Regulations 2021. (Government Notice No. 270 of 2021)
- (f) The National Pensions (Collection of Contributions) (Amendment) (No. 3) Regulations 2021. (Government Notice No. 271 of 2021)
- (g) The National Pensions (Pension Points) (Amendment) Regulations 2021. (Government Notice No. 272 of 2021)
- (h) The National Pensions (Pension Points) (Amendment No.2) Regulations 2021. (Government Notice No. 273 of 2021)
- (i) The National Pensions (Pension Points) (Amendment No.3) Regulations 2021. (Government Notice No. 274 of 2021)

C. Ministry of National Infrastructure and Community Development

The Annual Report of the Road Development Authority for the period July 2019 to June 2020.

D. Ministry of Labour, Human Resource Development and Training Ministry of Commerce and Consumer Protection

- (a) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No. 30) Regulations 2021. (Government Notice No. 275 of 2021)

(b)The Rodrigues Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No. 31) Regulations 2021. (Government Notice No. 276 of 2021)

E. Ministry of Health and Wellness

The Consolidated COVID-19 (Amendment No. 3) Regulations 2021. (Government Notice No. 277 of 2021)

ORAL ANSWERS TO QUESTIONS**ENT HOSPITAL - INTUBATED PATIENTS, OCT 2021 - DEATHS - COVID-19
POSITIVE TESTS & REMDESIVIR STOCK AS AT 16 NOV 2021**

The Leader of the Opposition (Mr X. L. Duval) (*by Private Notice*) asked the Minister of Health and Wellness whether, in regard to the COVID-19 pandemic, he will state the –

- (a) number of patients intubated on medical ventilators at the ENT Hospital in October 2021, indicating the number thereof having –
 - (i) been discharged alive;
 - (ii) been transferred to another health institution, and
 - (iii) passed away.
- (b) number of positive tested persons having passed away over the period 08 to 14 November 2021, indicating the number whose death has been attributed to COVID-19 and the number having passed away at home;
- (c) number of persons having been positive tested through Polymerase Chain Reaction tests and Rapid Antigen Tests respectively over the period 08 to 14 November 2021, and
- (d) stock of Remdesivir vials held by his Ministry as at today.

Dr. Jagutpal: Mr Deputy Speaker, Sir, allow me, in the first instance, to convey my deepest sympathy to the bereaved families, including those of the two health frontliners. I also wish to extend my support to persons who have been victim of this pandemic.

Mr Deputy Speaker, Sir, as the House is aware, in accordance to our Preparedness Plan for COVID-19, the new ENT Hospital was converted into a dedicated treatment centre for COVID-19 patients. The hospital has a bed capacity of 120, including a specialised ICU ward of 26 bed capacity with all necessary amenities and facilities.

Mr Deputy Speaker, Sir, with regard to part (a) of the question, I am informed that the number of patients intubated on medical ventilator at ENT Hospital for the month of October 2021 was 24.

I am also informed that 171 patients were successfully provided with treatment by being placed on high flow oxygen, thereby avoiding intubation and ventilation which are the last

resorts of treatment. This enabled 91 patients to be discharged from ENT in the month of October 2021.

Mr Deputy Speaker, Sir, with regard to part (i) of the question, two patients have been extubated and fully recovered.

With regard to part (ii) of the question, I am informed that none of these patients has been transferred to another health institution.

As regards part (iii) of the question, I am also informed that 22 patients have passed away.

Mr Deputy Speaker, Sir, out of these twenty-four deceased patients, eighteen were not vaccinated, five were fully vaccinated and one has had a single dose only and twenty-two had several comorbidities. Out of the other two patients, one had a skull fracture following a road traffic accident and one had severe medical condition.

With regard to part (b) of the question, the number of COVID-19 positive patients having deceased in the period from 08 to 14 November 2021 is 99. Out of these, 62 cases have been attributed to COVID-19 and one patient died at home.

The House may wish to be informed that out of the 99 deaths, 37 deaths were not attributed to COVID-19 but to other pathologies. Out of the 37 deaths not due to COVID-19, there are six persons who passed away at home.

Mr Deputy Speaker, Sir, with regard to part (c) of the question, the number of persons having been tested through PCR tests both in the public and private testing centres stands at 19,663 for the period 08 to 14 November 2021. Of these, 1,332 were found positive through PCR tests. As regards Rapid Antigen Test for the period 08 to 14 November 2021, in our public testing centre, same stands at 28,016, out of which 10,206 were found positive.

I am informed that during the same period, that is, from 08 to 14 November 2021, 798 patients fully recovered, including 20 from ENT.

Mr Deputy Speaker, Sir, with regard to part (d) of the question, I am informed that presently my Ministry has a stock of 71 vials of Remdesivir; 10 vials are at the ENT Hospital and one at Dr. A.G. Jeetoo Hospital. A stock of 60 vials is at the Central Supply Division.

Mr Deputy Speaker, Sir, at our last Sitting, on 09 November 2021, I informed the House of the present protocol followed by my Ministry for the treatment of COVID-19 patients and the different medications being used, in accordance with international guidelines.

Mr Deputy Speaker, Sir, today, it is the third PNQ addressed to me since the resumption of Parliament on 26 October 2021.

It is indeed fitting, as it is our duty to clarify issues which are pertinent to the public. We have always adopted a transparent and well thought communication line, which has evolved throughout the various stages of the sanitary situation in Mauritius.

COVID-19 is indeed about adapting and re-adapting to a new normal and is an ever evolving situation.

Mr Deputy Speaker, Sir, however, if there is one thing that has not evolved, it is the despicable attitude of some towards this pandemic. I am today convinced that the sanitary situation is being utilised by some, who will recognise themselves, as a veil to do cheap and dangerous politics.

We are now used to such issues, but at least, out of respect to our citizens, those who recognise themselves should disclose their shameful interests. The irresponsible attitude of these persons is giving rise to an unfounded and erroneous image of the Public Health Care services in Mauritius. It is legitimate to enquire about deaths and we do sincerely understand the grief of the bereaved families.

People are passing away from COVID-19 around the world, but, in Mauritius, there is no exception and frontline workers, be it in the public or the private, are doing their utmost best to limit the number of victims. Around the world, Governments, Opposition, NGOs, civil society are backing and giving unconditional support to their frontline workers, to their doctors, to their nursing officers, to para-medical staffs, to their hospital attendants.

We should not forget that in UK, the motto is to protect the NHS, but, unfortunately, in our country, some are exploiting the situation to criticise our health structure for their own interests.

Instead of praising the resilience and dedication of our health services, of our soldiers on the front, who are continuously striving to deliver, they are being stabbed at the back by some.

Instead of encouraging our staff in their duties, these individuals are only concerned about political mileage.

Mr Deputy Speaker, Sir, those who have sadly passed away from COVID-19, those who are taking care of COVID-19 patients, do not come from only one political background. COVID-19 does not discriminate on political belonging, religion, creed or social status.

Mr Deputy Speaker, Sir, we do have the ability to limit casualties, but there is a false perception created by some, again, to give the impression that our services are overwhelmed and that the treatment proposed is not sufficient. Their focus is on deaths for the sole purpose of instilling fear and creating havoc at the expense of public health.

You will indeed never hear a single one of them speak about the patients who have recovered from the virus. We have had 17,506 recoveries in Mauritius since March 2021, of course, this would not be appreciated due to their twisted logic. By doing so, these irresponsible individuals are wrongly making the public lose faith in our health care system.

Their scandalous attitude is already discouraging certain citizens from seeking medical care, they are, in fact, the ones denying our infected patients from a chance to recover.

Mr Deputy Speaker, Sir, I am proud of my staff. I am proud that the public can rest assured of our unflinching dedication.

I seize this opportunity to reassure the House that the hon. Prime Minister chairing the High-Level Committee on COVID-19 is more than ever committed to protect the lives and health of our population. This has always been our guiding principle.

Mr Deputy Speaker, Sir, my conscience is clear for we, on this side of the House, work hard without demagogy.

Despite your questions, your weekly press conference and your radio programmes, we will continue to work, on our side, and I am ready for your next PNQ next Tuesday as well. Thank you very much.

The Deputy Speaker: Thank you very much, hon. Minister. Hon. Leader of the Opposition!

Mr X. L. Duval: Mr Deputy Speaker, Sir, this is a very serious matter. People are suffering outside. Please ask Members from the Government's side not to heckle, not to make fun. It is indecent, Mr Deputy Speaker, Sir. It is indecent of them, firstly.

Secondly, Mr Deputy Speaker, Sir, let me also...

(Interruptions)

The Deputy Speaker: Order!

Mr X. L. Duval: ... offer my very sincere condolences to all those who have suffered or are suffering and also to the deceased families. Mr Deputy Speaker, Sir, just a few minutes ago, I have severely blamed the Minister and the Ministry - only 15 minutes ago in a press conference - for his handling of the whole matter. He should, Mr Deputy Speaker, Sir, come to this House with more humility, less arrogance and stop manipulating ...

(Interruptions)

The Deputy Speaker: No! No!

Mr X. L. Duval: ... and stop misinforming the public!

(Interruptions)

The Deputy Speaker: Order! Order!

Mr X. L. Duval: Mr Deputy Speaker, Sir, I should have expected...

(Interruptions)

The Deputy Speaker: Order! Hon. Leader of the Opposition!

Mr X. L. Duval: ...someone who has so many victims on his mind to speak with more humility!

(Interruptions)

The Deputy Speaker: Order! One second, hon. Leader of the Opposition. I want it to be clear in the House again. I want questions rather than speech; I want answers rather than speech. Thank you very much. I hope you go by the Standing Orders from now onward! Everybody!

Mr X. L. Duval: This is also addressed to the Minister. You saw how he replied, Mr Deputy Speaker, Sir.

(Interruptions)

The Deputy Speaker: I am sure you saw me turning my head left. Please, your question!

Mr X. L. Duval: Now, concerning the mortality rates for intubated patients at ENT Hospital, that figure has never come out before; that 92% of the people who are intubated at ENT Hospital die. This is far, far higher than the world's average rates. Far higher! I will table studies, Mr Deputy Speaker, Sir. For instance, the USA: only 30% death rate; UK: only 45% death rate; Italy: 45%; half, Mr Deputy Speaker, Sir! So, I will ask the hon. Minister what are we doing that is wrong? Why is it that twice the percentage, twice the number of bodies are being carried away from ENT-ICU-intubated than what should be? That is my first question.

The Deputy Speaker: Thank you. Minister, please!

Dr. Jagutpal: Thank you, Mr Deputy Speaker, Sir. First, I will come back to the first part of the statement made by the hon. Leader of the Opposition. I am sure that it is not based on what I have given as answers, as replies and that he is not among some I have been referring to. Now, about those who have passed away, I have already given the figures.

Mr Deputy Speaker, Sir, if this is the case, then, the number of deaths in Mauritius compared to all those countries he has mentioned should be higher in terms of...

(Interruptions)

The Deputy Speaker: Order! Continue!

Dr Jagutpal: ... what the Leader of the Opposition...

(Interruptions)

The Deputy Speaker: Order, hon. DPM! Continue, Minister!

Dr. Jagutpal: ... wants to project during the specific period. Why should we only consider that specific period? Why don't we consider during the whole period of the pandemic? That is what I want to say. He wants to concentrate on that specific period, saying that our

Health System, the doctors working there and all the teams that have been working there are not doing their job properly.

Mr Deputy Speaker, Sir, before patients are placed on ventilators, I have already stated that these patients do not come to ENT in an emergency state. They do reach ENT in a state where tests are being carried out and there are other treatments being given to them. That is why you do not have the number of patients put on ventilators. That also has to be the question: why only that number of patients is being placed on ventilators? Our preparedness plan, we were supposed in such times to have more than 50 patients placed on ventilators. Why, so far, have we never exceeded more than 10 patients being placed on ventilators? Because patients are being followed from the beginning and the treatment is being given and it is only on the last stage that these patients are being placed on ventilators. Because appropriate treatment has been given to them, that is why we do not have that many patients. The question should have been addressed to me like that: why only lesser patients are being placed on ventilators? It is because the treatment is being given before these patients reach that stage, and that treatment being adequate. Now, obviously, when patients are being placed on ventilators, this is the last stage and that stage will have severe consequences. That is what we have seen; that is what is being transparent. So, the question should have been put: why, when today we have so many patients being tested positive, when in this country we have so many patients with comorbidities being tested positive, so many patients at this age being tested positive, why only a very small fraction of patients are being placed on ventilators?

The Deputy Speaker: Hon. Leader of the Opposition!

Mr X. L. Duval: Mr Deputy Speaker, Sir, the answer is very simple. We have the highest death rate per capita, per million, than almost any other country with that level of vaccination! And I will remind the hon. Minister that the question was put for October because we want to show the effect of the Delta variant. I thought that would have been obvious, without having to tell him.

Mr Deputy Speaker, Sir, I want to ask him: given that we have shown here figures – proven by figures – that the death rate at the ICU for intubation is more than twice other countries which do it well - I am going to ask him a very simple question -, why has he not, up to now, sought the help from a friendly country and obtained intensive care specialists from India,

from USA, from UK, from other places to help to reduce this dismal death rate in Mauritius which, as I say, per capita, is one of the highest in the world?

The Deputy Speaker: Thank you. Hon. Minister!

Dr. Jagutpal: Mr Deputy Speaker, Sir, I think I have already stated why we have a small number of patients being placed on ventilators. It is because on the pre-ventilation stage, treatment is being adequate and obviously, the last resort is whenever all fail, then patients are being placed on ventilators, meaning, from this side, that treatment being given is appropriate before these patients are being placed on ventilators. The hon. Leader of the Opposition should remind himself that, in some countries, patients are taken from their home, being intubated and ventilated at this point. We do not have these issues in Mauritius, Mr Deputy Speaker, Sir.

(Interruptions)

The Deputy Speaker: Order! Allow him to answer! You have a next question coming.

Dr. Jagutpal: In Mauritius, patients are being taken care of since the beginning. In the past, if he still remembers, all positive patients were being admitted in treatment centres and hotels for surveillance. Even today, it is one of the rare countries in the world where tests are being carried out and where patients are being followed; even if they are isolated at home, these patients are being followed and before they become critical or severely critical, these patients are already being admitted. And, obviously, if you give appropriate treatment in the initial stage, you will have a less number which will be in the severe stage and, obviously, if these patients turn up to be ventilated and intubated, the death rate will be more. But, Mr Deputy Speaker, Sir, at the same time, comparing these figures bluntly with other countries' figures, this does not justify.

Mr Deputy Speaker, Sir, about the death rate and whether the Ministry has sought any assistance from other countries, yes, the WHO is already providing technical assistance for our anaesthetists and those working in ICUs to give their assistance, and also, there is collaboration between Mauritius and Reunion Island for mutual assistance.

The Deputy Speaker: Thank you very much.

Mr X. L. Duval: Mr Deputy Speaker, Sir, I am going to show to the House the figures published by the Ministry of Health yesterday: 7 new cases admitted to ENT. Can the Minister tell us that, in fact, 7 cases only admitted to ENT because ENT was full completely? Four people

were left in a difficult situation at Rose Belle and some of them died. And also, at SSRN Hospital in the North, at least eight people yesterday were waiting to join ENT and they did not do so because ENT refused to take them. Now, do not give us wrong information because this is going to be published later on!

(Interruptions)

The Deputy Speaker: Order! We keep questions simple. You have a very good question.

(Interruptions)

Straightforward questions, straightforward answers! For you as well, a straightforward question, please! Give your answer, please. Straightforward for everybody!

Dr. Jagutpal: Mr Deputy Speaker, Sir, I have already stated that at ENT we have a bed capacity of 120 and as at yesterday, so far as I remember, there are only 51 patients over there. So, the question of patients being denied to come to ENT does not arise.

Mr X. L. Duval: I was talking about ICU! We are not talking about just any bed, for God's sake!

Mr Deputy Speaker, Sir, I am going down to come to cases of medical negligence. He said himself that he is going to refer cases of medical negligence quickly – the case of Mr Ramana and the case of Mr Lutchmun who died. Why haven't these cases yet been referred to the Standing Committee on Medical Negligence although the situation is dramatic outside, and cases, persistent reports, criticisms are being made? Of course, the people are overwhelmed; of course, they are understaffed, but that is not their fault; that is his fault. But why haven't these cases yet, as of this morning, been referred to the Standing Committee on Medical Negligence concerning Mr Lutchmun and Mr Ramana?

The Deputy Speaker: May I, first of all...

Dr. Jagutpal: Mr Deputy Speaker, Sir...

The Deputy Speaker: One second! First of all, from the question that I have in front of me, I do not see medical negligence, but I will allow the hon. Minister to answer and I expect all supplementaries that arise, arise from the question given to me, please.

If you have an answer, please!

Dr. Jagutpal: Mr Deputy Speaker, Sir, both cases have already been referred. I will advise the Leader of the Opposition to check...

(Interruptions)

The Deputy Speaker: Order!

Dr. Jagutpal: ... his sources and to officially write to us and we will give the date when the cases were referred and not to rely on unreliable sources.

Mr Deputy Speaker, Sir, again I will just state out that in the different hospitals, we do have ICU beds to cater for patients with COVID because these patients do have COVID as well as other medical conditions. So, the treatment being given in the different hospitals, be it at Dr. Jeetoo Hospital, SSRN Hospital – in fact in all the hospitals – provisions are already being made to cater for patients in ICU. I state it again clearly, in ICU, where you have all the specialities being present to look after these cases.

The Deputy Speaker: Thank you, hon. Minister. Hon. Leader of the Opposition.

Mr X. L. Duval: Mr Deputy Speaker, Sir, I maintain what I have said about ICU being full and I maintain what I have said about no case of Luchmun and Ramana referred to the Standing Committee.

Mr Deputy Speaker, Sir, I'll now come to the figures – which do not make any sense to anyone – which are published every day. I will come to these figures, Mr Deputy Speaker, Sir. Has he taken note of what Dr. Musango said in *Le Défi* recently as it is clearly showing that the Ministry is misreporting the number of positive cases? I would also on the same subject refer the hon. Minister to the WHO guidelines as far as deaths are concerned, deaths due to COVID, and it is clear there that whenever someone is COVID positive, the case should be – except in rare exceptional circumstances – declared and accounted for as a death due to COVID. Therefore, again, Mr Deputy Speaker, Sir, his own figures as to the number of positives, number of deaths are wrong and manipulated.

Dr. Jagutpal: Mr Deputy Speaker, Sir, yes, I will again maintain what I said: cases have been referred to the Medical Negligence Committee and that our ICU still has bed capacities, has places to admit patients.

Secondly, about the reporting. Mr Deputy Speaker, Sir, the reporting of the deaths is being done based upon the WHO guidelines. He can again confirm...

(Interruptions)

The Deputy Speaker: Order!

Dr. Jagutpal: He can again confirm it, and this is not in Mauritius; even all around the world, deaths due to COVID – already, we have been doing it since the beginning, there is no manipulation of figures and those whose deaths are due to COVID have been reported.

The Deputy Speaker: Thank you. Hon. Leader of the Opposition, your question!

Mr X. L. Duval: Mr Deputy Speaker, Sir, I would like to refer the hon. Minister to what Dr. Musango said in public; that, in fact, the figures are not accurate and under-reported. I would like to ask the hon. Minister now concerning a practical issue. Persons attending the COVID Testing Centres, the flu clinics, are tested positive; yet, they are allowed to return home in crowded buses. How is it that this practice is being allowed and what is he proposing to do to stop that?

The Deputy Speaker: Answer.

Dr. Jagutpal: Mr Deputy Speaker, Sir, again, I will come to what the WHO representative in Mauritius said, that the PCR tests are the gold standard confirmed test that somebody is suffering from COVID-19 and the Rapid Antigen test gives you an indication. By a PCR test, we can determine at what stage of infection this patient is, based upon some values in that PCR test. In a Rapid Antigen test, we cannot determine that value.

Mr Deputy Speaker, Sir, at the same time, for the Rapid Antigen test, being given that we are a population with more than 70% being vaccinated, obviously, there will be transmission among this population, but the severity of the illness - what we have been discussing, we have been debating - is very less. We should admit that 98% of those who have been tested by RAT are all asymptomatic; they are patients who are asymptomatic; they are patients who have no symptoms or very mild symptoms. What interest us are those patients who will develop severe symptoms, those patients who need to be followed. We have to follow them carefully, we have to follow them from the beginning they get this illness. We should not always forget about the

comorbidities; we should not also forget about the age of these patients. So, that is why the country, the policy is to give the real statistics of those who are PCR positive.

The Deputy Speaker: Thank you. Hon. Leader of the Opposition!

Mr X. L. Duval: I will table, with your permission, an article published in *Défimedia*, and this is what Dr. Musango says –

«(...) *On doit comptabiliser les tests PCR et les tests antigéniques également.*»

So, I am going to stick to this question and I am going to ask the Minister whether he reads the papers and whether he has read what Dr. Musango has said: «*On doit comptabiliser les tests PCR et les tests antigéniques également*».

Dr. Jagutpal: Mr Deputy Speaker, Sir, in the last two PNQs, I have given the number of tests, Rapid Antigen tests positive; I have given it officially. It is up to any authorities to account these tests. We will not account these tests. All the authorities - I have given it in the first PNQ; I have given the figures of the Rapid Antigen test. Last time also I have given it and today also I have given it during that period. Any authorities that wish to account it, to *comptabiliser*, they are free to do it. We do not have any problem of doing it. If in the next PNQ, you will ask me again what are the number of tests being done, I will give the numbers, and now if you wish to *comptabiliser* all the tests, it is up to you. It is up to you if you are an expert in doing statistics, you keep on doing it, but we are going to give the figures!

Mr X. L. Duval: The Minister should know that as long as he is manipulating the figures, there will be questions in this House...

The Deputy Speaker: No! No! No!

Mr X. L. Duval: ...to establish the truth!

(Interruptions)

He should know that, Mr Deputy Speaker, Sir!

(Interruptions)

The Deputy Speaker: Order!

Mr X. L. Duval: Now, Mr Deputy Speaker, Sir...

(Interruptions)

The Deputy Speaker: Order!

Mr X. L. Duval: ...time may be running out. I am asking...

(Interruptions)

The Deputy Speaker: Order!

Mr X. L. Duval: ... the hon. Minister, there are so many reports, in my Constituency, everywhere of people dying suddenly at home. He has himself given the figure, I think of seven, in October. Now the figure, no doubt, has increased substantially again the last few days. What is he going to do to stop this unfortunate happening of people dying suddenly at home of COVID obviously?

The Deputy Speaker: May I, first of all...

(Interruptions)

Order! We cannot make any allegation as to manipulation. Answer the question. After that, you have a last question as per the time. Hon. Minister!

Dr. Jagutpal: Mr Deputy Speaker, Sir, I will take back this manipulation of figures. The Ministry, I stated it in the last part of my reply, is giving all the information required and also to safeguard the public at large. But, at the same time, I also referred to those who wanted to build political mileage on this issue, and I believe that is the reason why we are insisting on the figures.

Mr Deputy Speaker, Sir, we should not forget that no one has been able, and even the Leader of the Opposition is not saying that: "yes we have been able to do the vaccination and the vaccination has really protected 95% of the population." He is not coming and telling us that: "you know, we have 24,000 disabilities in this country, out of them 12,000 are vaccinated, for 6,000, the vaccination is being carried out and 6,000 people have not been vaccinated." What is his contribution to help these people to get vaccinated? Unfortunately, he is going to talk about manipulation of figures, but regarding his contribution as somebody who is in the public domain, he has not contributed at all.

Mr Deputy Speaker, Sir, I am not talking about manipulation of figures, but I wish also to know what is his contribution. Unfortunately, his contribution is equivalent to nil.

The Deputy Speaker: No, allow me, please. We do not go as to conduct of any hon. Member in this House. This is the last question, be very short; otherwise, I am mindful to end it exactly on time.

Mr X. L. Duval: Thank you, Mr Deputy Speaker, Sir. Thank you for putting him in his place. Mr Deputy Speaker, Sir...

The Deputy Speaker: No, I am not putting anybody in his place...

Mr X. L. Duval: Mr Deputy Speaker, Sir, I am going to ask my last question.

The Deputy Speaker: No, no, no. Do not make any comments!

Mr X. L. Duval: Whatever you did, you did well.

The Deputy Speaker: Everybody has to do his job in this House.

Mr X. L. Duval: Exactly.

The Deputy Speaker: Last question, short question.

Mr X. L. Duval: Short and sharp, Mr Deputy Speaker, Sir.

The Deputy Speaker: Thank you very much.

Mr X. L. Duval: I am going to do my bit. I am going to ask, Mr Deputy Speaker, Sir, whether, since this pandemic has been going on for some time now, getting worse and worse, people are dying, all through this time, the Minister has thought of doing the decent thing and offering his resignation to the President...

(Interruptions)

...of the Republic of Mauritius; whether he has done so and whether it has been refused, and if he has not done so, whether he can do so immediately this afternoon itself?

Dr. Jagutpal: Mr Deputy Speaker, Sir, I will first come to that part of the question I did not reply, that there are many cases; and that is why when the hon. Prime Minister came back to Mauritius on Thursday last, on the same day, the High-Level Committee met. The hon. Prime Minister has taken stock of all the situations, the number of cases, deaths, and the treatment

being offered. Based on all that, the hon. Prime Minister has, with the High-Level Committee, obviously, taken the decision to put the restriction measures that have been put in place. Especially, we know the propagation of COVID-19, the way people will get infected and how we can reduce the contamination. This has been the loadable at this point in time, and we know that after doing so, we have seen the crowd during the last weekend has come down and we hopefully expect that cases correspondingly will start going down; and that will help the frontliners, the healthcare workers to be able to look after those patients, be it COVID or not COVID, to continue to work.

Now, about the question of resignation, Mr Deputy Speaker, Sir, the hon. Prime Minister has the authority, he has nominated me in this post and it is for him to decide. And whatever be his decision, his decision will be my decision. We, on this side of the House, respect our Leaders. We do not take decisions by ourselves. He is our Leader; he has given me this opportunity, which I am very much thankful to him. In these difficult times, Mr Deputy Speaker, Sir...

(Interruptions)

The Deputy Speaker: Order!

Dr. Jagutpal: ... he has been along with us, working day and night. And today...

(Interruptions)

The Deputy Speaker: Order!

Dr. Jagutpal: He cannot hear this, Mr Deputy Speaker, Sir, because he cannot be a Leader like this, unfortunately. He cannot be; that is why he cannot hear. Let the hon. Prime Minister decide about my resignation or whatever! He has given me the opportunity to be a candidate; he has given me the opportunity to work with him under this Government; this is his job and it is not the job of the Leader of the Opposition. Thank you very much, Mr Deputy Speaker, Sir.

An hon. Member: *Tap la table! Tap la table!*

(Interruptions)

The Deputy Speaker: Order!

(Interruptions)

Hon. Leader of the Opposition!

(Interruptions)

Order!

(Interruptions)

Order, hon. Members! Hon. Members!

(Interruptions)

Hon. Members!

(Interruptions)

Order!

(Interruptions)

Order!

(Interruptions)

Order, hon. Leader of the Opposition! Order, hon. Minister!

(Interruptions)

Order, hon. Leader of the Opposition! Order, hon. Patrick Assirvaden! Order, everybody! Thank you very much. It is time for serious work! Prime Minister's Question Time!

Hon. First Member for Port Louis South and Port Louis Central!

**MR K. A. - PARASTATAL BODIES & STATE-OWNED COMPANIES –
CHAIRPERSON**

(No. B/1072) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to parastatal bodies and State-owned companies, other than Airport Holdings Ltd., falling under the purview of his Office, he will, for the benefit of the House, obtain information as to if Mr K. A., is the Chairperson or member of any of the Boards thereof.

The Prime Minister: Mr Deputy Speaker, Sir, I am informed that Mr K. A. is currently the Chairperson of Airports of Mauritius Co. Ltd and of its following five subsidiaries –

- (i) Airport Terminal Operations Ltd;
- (ii) Airport of Rodrigues Ltd;
- (iii) Mauritius Duty Free Paradise Co. Ltd;
- (iv) Rodrigues Duty Free Paradise Co. Ltd, and
- (v) Pointe Coton Resort Hotel Co. Ltd.

Mr K. A. does not sit on the Board of any Parastatal Bodies falling under the aegis of the Prime Minister's Office.

The Deputy Speaker: Supplementary!

Mr Osman Mahomed: Can I ask the hon. Prime Minister whether he does not consider it an issue of governance, being given that Mr K. A. is the CEO of Airport Holdings Ltd and at the same time he is the Chairman of five entities that the hon. Prime Minister has listed himself, falling under his own holding?

The Deputy Speaker: Hon. Prime Minister!

The Prime Minister: No, there is no issue of governance, as I have been informed. I can remind the hon. Member that if there were an issue of governance, I think the Government of the Labour Party should have taken note of such an issue of governance. Because if we look at the past, there was one Mr M. I. M. H. who was the Managing Director of the State Investment Corporation Ltd, and I hope the hon. Member can recall who is the person I am talking about, and he was the Director and Chairperson of 26 companies.

(Interruptions)

The Deputy Speaker: Order!

The Prime Minister: 26!

The Deputy Speaker: You have done, hon. Prime Minister?

The Prime Minister: In fact, many more than that probably. But, then, the Labour Party did not see any issue of governance, did it?

The Deputy Speaker: Supplementary now!

Mr Osman Mahomed: I think ...

The Prime Minister: Probably, I should be asking the question and you should reply!

The Deputy Speaker: Sure.

(Interruptions)

Mr Osman Mahomed: I hope the hon. Prime Minister realises that we are not comparing apple to apple, and let me explain to him why. Here, we have the case of a holding, under which there are some 10 to 14 subsidiaries. Mr K. A. is the CEO of that holding and he is involved as Chairperson of those subsidiaries that the hon. Prime Minister has mentioned himself; he is being Chairman at policy level. The case that the hon. Prime Minister has just mentioned, I could not possibly answer because I was not a politician at that time. But what I can tell him, the little knowledge that I have of the sector, we are not comparing apple to apple because those companies - he has not given the names of the companies, but how do we know that these companies are subsidiaries of the SIC and not other companies in which SIC has invested in?

The Deputy Speaker: Hon. First Member, with all due respect, questions! I, myself, did not hear a question. Your question! Where is your question to the hon. Prime Minister?

The Prime Minister: Yes.

The Deputy Speaker: I heard a speech.

Mr Osman Mahomed: My question to the hon. Prime Minister is as follows: are we comparing apple to apple, based on the explanation that I have given?

The Deputy Speaker: Thank you very much. Hon. Prime Minister!

(Interruptions)

Order! Hon. Prime Minister, please!

The Prime Minister: Let me say, first of all, Mr Deputy Speaker, Sir, that obviously he joined politics much later on probably. But I can recall he was also part of the Government in the Labour Party; he was a Consultant or he was responsible for MID ...

(Interruptions)

The Deputy Speaker: Order!

The Prime Minister: ... something like that. And I hope he took interest in the business of the Government at that time! I hope he knew what was happening, especially with regard to SIC. But since he likes apples, let me give him another apple. If he can recall, in the case of Mr R. D. N. R. - I can mention the name if he wants - he was also Chairperson of the State Investment Corporation Ltd and Chairperson of 7 subsidiaries. Now, the hon. Member is saying that he is hoping that I shall be comparing apple with apple; it is apple with apple, because this company has got subsidiaries, and I have mentioned this in my answer. The Airports of Mauritius Co. Ltd has those subsidiaries which I have mentioned, and in the case of SIC, it is the same thing: SIC being the main company, and having a number of subsidiaries, with Mr M. H. being the CEO and also being Chairperson and Director of a number of subsidiaries.

The Deputy Speaker: Hon. Member, you have about two questions. There are other Members asking. Would you?

Mr Osman Mahomed: Can I? We are talking about a very strategic sector and the company, Airport Holdings Ltd, according to the Registrar of Companies, has been formed on 12 August 2021, which is about three months ago. Can I ask the hon. Prime Minister how does he reconcile with the fact, for such an important entity, with colossal amount of investment, with billions of rupees worth of assets, there is only one Director on the Board right now, which is Mr Dev Manraj and also one Chief Executive Officer, no other Board members right now, for the sake of governance, for the sake of good management of our strategic asset, which is the airport?

The Deputy Speaker: Answer!

The Prime Minister: Mr Deputy Speaker, Sir, I am not trying to ask you to call the hon. Member to order, but if the hon. Member looks at his question, which he has put, it says: 'whether, in regard to parastatal bodies and State-owned companies, other than Airport Holdings Ltd'. He is now putting questions on Airport Holdings Ltd. Come with a substantive question! You say 'other than'; you asked for all the other State-owned companies and then you jump to AHL!

(Interruptions)

The Deputy Speaker: Order!

The Prime Minister: I am not here to give lessons. I am not here to give lessons, but I think we should know our Standing Orders well. Although you are a young politician, and you have only recently been elected, probably, I think you have sufficient experience to know that when you ask a question, a supplementary question should relate to your main question.

The Deputy Speaker: Thank you. We all here know the Standing Orders. You have one more question.

Mr Osman Mahomed: In that case, because the hon. Prime Minister has...

The Deputy Speaker: No, don't give an explanation! Put a question, please!

Mr Osman Mahomed: Okay. Can I ask the hon. Prime Minister, being given that he has multiple directorship for Mr K. A. because he is in charge of very strategic asset, how does he reconcile with the fact, and for a good reason, that Mr K. A., as per the Registrar of Companies, is still a Board member at the CEB, which is not related at all to the core business of AHL, but, at the same time, the man needs to focus on this strategic sector? Because, like I said, there is a colossal amount of investment and also billions of rupees worth of assets.

The Deputy Speaker: I understand the question is...

The Prime Minister: The hon. Member does not understand again what I have stated earlier! He puts a question, asking me about the State-owned companies and parastatal bodies falling under the aegis of the Prime Minister's Office, and now he is asking a question about CEB! Are you aware that CEB does not fall under my portfolio? So, you address the question to the relevant Minister!

(Interruptions)

The Deputy Speaker: Order!

The Prime Minister: Mr Deputy Speaker, Sir, he is wasting the time of the House!

(Interruptions)

The Deputy Speaker: Order! Order! Order! Hon. Third Member for Port Louis South & Port Louis Central, next question, please!

POLICE OFFICERS & INFORMANTS - REWARD MONEY

(No. B/1073) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to 'Reward Money', he will, for the benefit of the House, obtain from the Acting Commissioner of Police information as to the number of times same has been granted over the past five years, indicating in each case, the –

- (a) quantum thereof disbursed;
- (b) nature of the offence in respect of which same was granted, and
- (c) rank of the officer/officers who make the final decision for disbursement.

The Prime Minister: Mr Deputy Speaker, Sir, I am informed by the Acting Commissioner of Police that the Reward Scheme for informers has been in force since long. Recourse to informers is one of the means used by the Police to combat crime. The procedures of the Reward Scheme are defined in Police Standing Order 122.

The objective of the Reward Scheme is to assist law enforcement agencies in the effective combat against crimes, drug trafficking, dismantling of drug networks and the detection of other crimes such as murder, larceny, terrorism and organised crimes as well as other serious crimes.

It is known and acknowledged worldwide that several important and high-profile crime cases have been resolved by law enforcement agencies where the information provided by tested and reliable informers has been crucial and determining.

I am also informed by the Acting Commissioner of Police that the following criteria determine the quantum of reward to be disbursed in each case –

- (a) nature and circumstances;
- (b) persons (and number of persons) arrested;
- (c) the quantity and value of drugs and exhibits secured;
- (d) risk involved, and
- (e) reliability and regularity of the informers.

I am informed by the Acting Commissioner of Police that a Reward Scheme for Police Officers was introduced in December 2001. The payment of the reward to Police Officers for the seizure of cannabis, psychotropic and other illicit substances was made at the same rate as that payable to Customs officers. The scale of reward depended on the weight and type of the drug seized. However, for Customs officers, the scheme was abolished in 2006 after the coming into effect of the Mauritius Revenue Authority Act.

Payment of reward to Police Officers was stopped as from May 2014 in respect of seizures for year 2013 onwards. In July 2015, the Police was advised to refer the matter to the Pay Research Bureau. However, the Pay Research Bureau did not address the issue in its Report of 2016. In January 2016, the then Commissioner of Police restored the payment of reward money to Police Officers with regard to uprooting and seizure of cannabis plants only. This represents an incentive and motivation for ADSU personnel and other Police Officers to venture into difficult and risk prone areas such as gorges, dense forests in search of hidden cannabis plantations which are very often surreptitiously protected by traps and other dangerous obstacles. As from September 2021, the payment of reward money to Police Officers has been extended to the detection of drug cases.

Mr Deputy Speaker, Sir, in regard to part (a) of the question, I am informed by the Acting Commissioner of Police that since July 2016, the number of times reward money has been granted as well as the quantum disbursed for each year is as follows –

- (i) 34 times for the period July 2016 to June 2017 for a total amount of Rs5,502,520;
- (ii) 35 times for the period July 2017 to June 2018 for a total amount of Rs4,217,210;
- (iii) 21 times for the period July 2018 to June 2019 for a total amount of Rs6,162,200;
- (iv) 18 times for the period July 2019 to June 2020 for a total amount of Rs5,365,847.75;
- (v) 12 times for the period July 2020 to June 2021 for a total amount of Rs1,339,340,
and
- (vi) 12 times for the period July 2021 to date, that is, till 11 November 2021 for a total amount of Rs2,835,800.

Regarding part (b) of the question, I am also informed by the Acting Commissioner of Police that reward money is disbursed in respect, *inter alia*, of drug offences, murder, and larceny cases.

Mr Deputy Speaker, Sir, as regards part (c) of the question, I am informed by the Acting Commissioner of Police that the procedures for the payment of reward money to informants and Police Officers are as follows –

- (i) Divisional Commanders and Branch Officers submit an application to the Commissioner of Police for approval and payment of reward;
- (ii) following approval by the Commissioner of Police, the application is forwarded to the Manager Financial Operations for payment;
- (iii) a payment voucher Accounts Form 232 is filled by the Manager Financial Operations and a Government cheque in the amount claimed is drawn in favour of the Divisional Commanders and Branch Officers concerned;
- (iv) the cheque is handed over to the Divisional Commanders and Branch Officers concerned for encashment and payment of rewards, and
- (v) after payment is effected by the Divisional Commanders and Branch Officers concerned, the recipients acknowledge receipt thereof.

The Commissioner of Police has the prerogative and discretion to either approve, reject, or review the amount of reward money recommended.

The Deputy Speaker: Thank you, hon. Prime Minister. Supplementary, please!

Dr. Aumeer: Thank you, hon. Prime Minister. Will the hon. Prime Minister confirm or check with the Ag. Commissioner of Police that all reward money that has been channelled as per Standing Order 122, particularly subsections (4) and (5), to the informants, have been well checked by the Police Officers and, if not, appropriate actions against those who do not adhere to such procedures are being taken such as internal departmental enquiry by the Central CID?

The Deputy Speaker: Hon. Prime Minister!

The Prime Minister: The procedure and process for payment have normally to abide by the Standing Order. This being so, if the hon. Member has a case in mind, I shall obviously

transmit it. Maybe he has in mind such a case which has not been in accordance with procedure and process of the Standing Order, but I do not have the information so far.

The Deputy Speaker: I am sure you got the message. You have two supplementary questions, unless you want to give way.

Dr. Aumeer: Thank you for the answer, but I think it has come to the limelight of public knowledge that there have been concerns with regard to serious allegations of corruption or money laundering offence, particularly in the allocation of reward money for a particular case since March 2020, and this is why is the interest of me putting the question so that we could have further enlightenment and information as to what is happening with regard to the disbursement of reward money. My question is: can the hon. Prime Minister confirm with the relevant authorities whether it is acceptable that the informant is himself a senior officer of the Police Force or even ADSU, and be entitled to the reward money?

The Deputy Speaker: Thank you. Hon. Prime Minister!

The Prime Minister: I should, first of all, be made aware of specific information. If money has to be paid to an informant, it has to be an informant, not a member of the Police Force. Whereas if there is any reward to be given to a Police Officer, as prescribed, it will, of course, be given to the Police Officer. So, I need to be made aware of any such case for me to then request the Commissioner of Police to provide me with details.

The Deputy Speaker: I am sure you understood; names to be given in private. Last question!

Dr. Aumeer: The hon. Prime Minister gave us a very detailed account of the amount disbursed from 2016 to 2021. Information that has been brought in public arena and I have gathered so far, is that in 2017 and 2018, approximately Rs3.8 m. have been disbursed to informants. Can the hon. Prime Minister seek clarification with the Ag. Commissioner of Police as to the number of secret receipts – and here I make it very clear, we are not looking for the identity of informants – as stipulated by the Standing Order 122 and subsections (4) and (5), and whether these secret receipts have been assigned and kept in custody? Thank you.

The Deputy Speaker: Hon. Prime Minister!

The Prime Minister: This is the normal procedure. They should be kept, and they should be checked by the persons in authority. But I must also say - you mentioned a particular period - that I have answered, and I have given you all the details - the scheme about reward money being paid does not date back from 2014; it dates back, as I stated in my answer, I think from 2001. And when I look at what has been disbursed in the past - let me give, for example, two cases. From January to December 2012, out of a budget of Rs4.13 m., Rs4,098,085 were disbursed to informants. From January to December 2013, out of a budget of Rs3.55 m., Rs3,544,680 – I have a list of all the information with regard to each year, how much was budgeted and how much has been disbursed also. I believe that during those years also, there was the same process and that all these receipts must have been kept for verification in order to see to it that the money has landed where it should be.

The Deputy Speaker: Thank you, hon. Prime Minister. Are you done with the answer?

The Prime Minister: Sorry?

The Deputy Speaker: The answer is over?

The Prime Minister: Yes.

The Deputy Speaker: Hon. First Member for Beau Bassin and Petite Rivière. Next question!

PRIME MINISTER'S OFFICE – SENIOR ADVISERS & ADVISERS – TERMS & CONDITIONS OF APPOINTMENT

(No. B/1074) **Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Senior Advisers and Advisers presently attached to his Office, he will give the list thereof, indicating in each case, the terms and conditions of appointment, including monthly pay packet, giving details as to the allowances and benefits drawn.

The Prime Minister: Mr Deputy Speaker, Sir, there are presently 14 Advisers at the Prime Minister's Office, namely –

- (i) Mr Ramprakash MAUNTHROOA, Special Adviser;

- (ii) Mr Mavendra SINGH, Special Adviser;
- (iii) Sir Bhinod BACHA, KT, CMG, FMIM, Senior Adviser;
- (iv) Mr Kreedeo BEEKHARRY, Senior Adviser;
- (v) Dr. Zouberr Houssein Issa JOOMAYE, Senior Adviser;
- (vi) Mrs Sarah Rawat CURRIMJEE, Senior Adviser;
- (vii) Mr Shankhnad GHURBURRUN, Senior Adviser;
- (viii) Mr Raj MEETARBHAN, Adviser;
- (ix) Ms Chiaw Pen LO SIONG SHOU, Adviser;
- (x) Mrs Daymandee RENGASAMY, Adviser on Information Matters;
- (xi) Mr Prithiviraj Singh RAMPURSAD, Adviser on Social and Cultural Matters;
- (xii) Mr Surendra TEELUCK, Adviser;
- (xiii) Mrs Nudhar Banu BUNDHOO, Adviser on Drugs and HIV/Aids, and
- (xiv) Mr Mohesh Kumar RAMNOCHANE, Adviser.

Out of the 14, the following 4 Advisers are providing their services to my Office without any remuneration –

- (i) Mr Mavendra SINGH, Special Adviser;
- (ii) Dr. Zouberr Houssein Issa JOOMAYE, Senior Adviser;
- (iii) Mr Shankhnad GHURBURRUN, Senior Adviser, and
- (iv) Mr Surendra TEELUCK, Adviser.

Mr Deputy Speaker, Sir, the terms and conditions of the Advisers are, in general, in line with the recommendations contained in the PRB Report.

Mr Deputy Speaker, Sir, a list of Advisers attached to my Office as at 21 June 2021 has already been laid in the Library of the National Assembly. I am tabling an updated list as requested by the hon. Member.

The Deputy Speaker: Thank you, hon. Prime Minister. Are you done with the answer? Your answer is over, hon. Prime Minister?

The Prime Minister: Sorry?

The Deputy Speaker: You have answered?

The Prime Minister: Yes.

The Deputy Speaker: Thank you. So, hon. First Member, supplementary!

Mr Bhagwan: I have one supplementary, Mr Deputy Speaker, Sir. Can I ask the Prime Minister whether those who are working on a free basis, voluntarily, have been given other facilities such as duty-free for purchase of car and other facilities by Government?

The Deputy Speaker: Hon. Prime Minister!

The Prime Minister: I do not think so because they are not asking for any remuneration. But, anyway, it will probably be in the document that I have already laid in the Library and the updated document today. Well, I can say no.

The Deputy Speaker: Another supplementary if you have. Anybody else has a supplementary here? Hon. Ms Tour!

Ms Tour: Thank you, Mr Deputy Speaker, Sir. Can the hon. Prime Minister enlighten the House as to whether former Prime Ministers, namely Paul Raymond Bérenger or Dr. Navinchandra Ramgoolam had any Advisers?

(Interruptions)

The Prime Minister: Well, it is good to compare!

(Interruptions)

The Deputy Speaker: Thank you. Hon. Minister, order! Let us hear!

(Interruptions)

The Prime Minister: What is the ...

(Interruptions)

What is ...

(Interruptions)

The Deputy Speaker: Let us not waste time.

(Interruptions)

Order!

(Interruptions)

Order! Let us not waste time! Let us hear the answer!

(Interruptions)

Order!

(Interruptions)

Order! Hon. Prime Minister, please!

The Prime Minister: Former Prime Minister, hon. Bérenger, had 20 Advisers.

(Interruptions)

And former Prime Minister, hon. Dr. Navinchandra Ramgoolam, had 21 Advisers. But let me add also, Mr Deputy Speaker, Sir, the hon. Member, hon. Bhagwan was not Prime Minister, he was a Minister. He had 11 Advisers! For himself, 11 Advisers!

(Interruptions)

The Deputy Speaker: Order!

(Interruptions)

Order!

(Interruptions)

Order!

(Interruptions)

Next question, hon. Second Member!

(Interruptions)

Order!

(Interruptions)

Order!

(Interruptions)

Hon. Members!

(Interruptions)

Mr Bhagwan: *Mo pa fane mwa!*

(Interruptions)

The Deputy Speaker: Hon. First Member for Beau Bassin and Petite Rivière!

(Interruptions)

Hon. Bhagwan, please!

(Interruptions)

Hon. Second Member for Port Louis South and Port Louis Maritime!

(Interruptions)

Order! I want to hear!

(Interruptions)

Hon. Bhagwan! I want to hear!

(Interruptions)

Hon. Prime Minister!

(Interruptions)

Mr Bhagwan: I was saying that I am proud.

(Interruptions)

The Deputy Speaker: This is not a moment of pride when I want to hear the hon. Prime Minister. Answer please to the next question!

The Prime Minister: I have answered, but the hon. Member should also not throw mud at Advisers. Look what has happened in the...

(Interruptions)

Mr Bhagwan: They are paid!

The Deputy Speaker: Order! Order!

The Prime Minister: They are paid yes, but look at the case of Prakash Maunthrooa!

(Interruptions)

The Deputy Speaker: Order!

The Prime Minister: If you can remember what you said, what you have been saying in this House against him!

(Interruptions)

The Deputy Speaker: Order!

The Prime Minister: Have you read the judgment?

(Interruptions)

The Deputy Speaker: Order!

The Prime Minister: I can quote part of the judgment!

(Interruptions)

The Deputy Speaker: Order! Order!

The Prime Minister: It is a shame that you have been throwing mud at him!

(Interruptions)

The Deputy Speaker: Order!

(Interruptions)

Order over there! Please!

(Interruptions)

Hon. Member!

Mr Bhagwan: *Ki to pe koze?*

(Interruptions)

The Deputy Speaker: Hon. Bhagwan!

(Interruptions)

Order! Order!

Mr Bhagwan: *Ale twa! Twa ki pou met mwa dehor?*

The Deputy Speaker: Continue hon. Bhagwan!

(Interruptions)

Continue! I want to hear you now.

(Interruptions)

Mr Bhagwan: You are not listening to what they are saying!

The Deputy Speaker: Because you should allow me to do my job. I have already...

(Interruptions)

Mr Bhagwan: You have to look on both sides!

The Deputy Speaker: I have already recognised hon. Uteem for the next question. You have the next question!

NATIONAL ASSEMBLY – *KREOL* LANGUAGE

(No. B/1075) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the proposed use of the Kreol language in the National Assembly, he will state where matters stand.

The Prime Minister: Mr Deputy Speaker, Sir, in my reply to Parliamentary Question B/210 at the Sitting of 07 July 2020, I explained the groundworks that were being undertaken for a successful introduction and use of *Kreol* language into the National Assembly.

In this respect, the different stakeholders involved have pursued their actions.

I am informed that following my reply to PQ B/210, the Creole Speaking Union has set up a broad inter-institutional research project called “*Preparasion Terin pou Introdiksyon Kreol Repiblik Moris dan Parlman*”.

In this context, the collaboration of five public tertiary education institutions, namely the University of Mauritius, the University of Technology, the Open University of Mauritius, the *Université des Mascareignes* and the Mauritius Institute of Education have been sought and obtained for the formal adhesion of their respective institutions to the project.

Consequently, a Steering Committee called '*Komite Pilotaz*' has been set up under the Chair of Professor Arnaud Carpooran, OSK, to monitor the work of the following four Sub-Committees –

(i) *Komite Terminoloji*

- The purpose of this sub-committee is to develop a parliamentary terminology in *Kreol Morisien*. This Committee is co-chaired by Dr. Beatrice Antonio Françoise and Dr. Dhrita Hassamal, both from the Mauritius Institute of Education;
- The Committee, following a collaboration with experts in Terminology from the *Bureau de la traduction* of Canada, has developed a methodology specific to the terminological aspect of the project. The stages of the ongoing work are as follows –
 - (i) identification of specific and related parliamentary terms via a monolingual text analysis software;
 - (ii) proposition of equivalent specific and related parliamentary terms in *Kreol*, and
 - (iii) a validation of the proposed specific and related parliamentary terms in Creole with language specialists and specialists of the Parliamentary sector. The objective is to have a list of terms which are specific or related to the Parliament and their equivalent in *Kreol*.
- A Facebook page has also been created to enable all citizens to bring their collaboration to the terminological aspect of the project, and
- The next step will be a validation of the parliamentary terms with language specialists as well as specialists of the Parliament sector.

(ii) *Komite Varyasion Rezistral*

- The objective of this sub-committee is to work on a parliamentary socio-situational variety for Mauritian Creole, that is, which word categories to be considered as parliamentary or not;
- This Committee is chaired by Dr. (Mrs) Yannick Bosquet, of the University of Mauritius;
- The research methodology adopted by the sub-committee is designed in three phases –
 - Phase 1: Research documentation collection and analysis of research literature on parliamentary linguistics;
 - Phase 2: Fieldwork - translation and *in-vivo* observations, and
 - Phase 3: Analysis of data and proposals.
- After one year of work, the sub-committee is now completing Phase 1 and has started Phase 2.

(iii) *Komite Formasion-Infomasion*

- The objective of this sub-committee is to ensure the dissemination of scientific information through short video clips and training of staff of the National Assembly with regard to reading and writing in *Kreol Morisien* as per official orthography;
- The Committee is chaired by Mrs Christina Chan-Meetoo, Senior Lecturer, University of Mauritius in collaboration with Mrs Sushita Neerbun from the Open University of Mauritius and Mrs Aleesha Boolaky from the University of Technology Mauritius;
- The Committee has completed the background research and methodology framework;
- A YouTube channel called "*Kreol Repiblik Moris dan Parlman*" has already been created and a recording of the webinar which provides an update on the whole project is available therein.

(iv) *Komite Informatik*

- The main purpose of this sub-committee co-chaired by Dr. Baby Gobin from the University of Mauritius and Dr. Neelam Pirbhai-Jetha from *Université des Mascareignes*, is the development of technical tools and IT equipment for –
 - a spellchecker (*correcteur d'orthographe*) for *Kreol Morisien*, and
 - a speech-to-text software in *Kreol Morisien* for transcriptions of *Kreol Morisien* oral texts to a formal written form.
- For the spellchecker, a first web-based prototype has been developed based on the *Kreol Morisien* Dictionary and worked on improving the tool is still ongoing;
- For the speech-to-text transcription tool, some approaches have been tested and a good recognition rate of 150 sentences spoken in *Kreol Morisien* has been reached;
- The next step is to create audio datasets by translating the text from Parliament in *kreol* and then recording it so that the recognition model can be built.

Mr Deputy Speaker, Sir, on the other hand, the Ministry of Education, Tertiary Education, Science and Technology has informed that the *Akademi Kreol Repiblik Moris*, set up in 2019 to follow up on the development and use of the *Kreol* language in the Republic of Mauritius has, so far –

- (i) elaborated and validated a standard orthography and grammar, and
- (ii) offered course in *Kreol* language along with curriculum materials for Teacher's Training at Diploma, B.Ed and PGCE levels.

Mr Deputy Speaker, Sir, we have covered a lot of ground, but there is still a long way to go. Works which have started need to be continued so as to ensure a successful introduction of *Kreol Morisien* into the National Assembly.

The Deputy Speaker: Thank you for your detailed answer. Hon. Members, the Table has been advised that PQ B/1078 has been withdrawn. Time is over!

An hon. Member: *Supplémentaires pena?*

(Interruptions)

The Deputy Speaker: Hon. Members, the Table has also been advised that PQ B/1112 will be replied by the hon. Ag. Minister of Environment, Solid Waste Management and Climate Change; PQ B/1117 will be replied by the hon. Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade; PQ B/1118 will be replied by Dr. the hon. Minister of Health and Wellness.

PQs B/1110, B/1111, B/1125, B/1136, B/1137 and B/1138 have been withdrawn.

Hon. First Member for Port Louis South and Port Louis Central!

RING ROAD - PHASES II & III

(No. B/1080) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central) asked the Minister of National Infrastructure and Community Development whether, in regard to the construction of phases 2 and 3 of the Ring Road, he will, for the benefit of the House, obtain from the Road Development Authority, information as to the latest alignment thereof.

Mr Hurreeram: Thank you, Mr Deputy Speaker, Sir. I wish to refer the hon. Member to the reply I made to Parliamentary Question B/1050 by hon. Aadir Ameer Meea last week itself, wherein I informed that Phases II and III of the Ring Road Project will be studied after determining the impact of ongoing road infrastructural and other national projects. Consequently, the question of latest alignment does not arise at this stage.

The Deputy Speaker: Supplementary, please!

Mr Osman Mahomed: Yes, I have read the reply to PQ B/1050 wherein it is stated that the estimated cost is Rs10 billion. But the hon. Minister last year tendered a reply in PQ B/328 of July 2020, wherein the estimated cost was Rs8.8 billion, meaning both post-COVID, within 16 months it has increased by 14%. Can I ask the hon. Minister whether this is due to a change of the alignment because 15% increase after COVID in 16 months is quite substantial?

The Deputy Speaker: Hon. Minister, please!

Mr Hurreeram: Mr Deputy Speaker, Sir, the main question refers to the latest alignment and I have already replied that the question of latest alignment does not arise; there is no latest alignment. Thank you.

The Deputy Speaker: Next supplementary, if you have!

Mr Osman Mahomed: Yes. The alignment of Phases II and III will involve passing the Ring Road on the slopes of the mountains of Port Louis, including a tunnel, and in this respect in reply to PQ B/492 of 04 July 2017, the then Minister, hon. Bodha, undertook that a study that includes geotechnical investigation would be carried out in the months to come, meaning in 2017 or 2018. Can I ask the hon. Minister whether this geotechnical investigation, which was a commitment in the House here, has been undertaken, and if so, whether we can have a copy of that geotechnical investigation?

Mr Hurreeram: Once again, Mr Deputy Speaker, Sir, I have said that Government has undertaken other projects and we want to see what the impact of the other projects are on the traffic, then we will decide to study again the Ring Road. So, so far, the question does not arise. A geotechnical test costs quite a lot of money, so, we will not spend public funds in a study that we do not know whether we are going ahead or not.

The Deputy Speaker: Last question! Your questions do take account of the answers given?

Mr Osman Mahomed: Yes, of course. I am sure the hon. Minister will realise that the alignment, which he said he will not be able to give details or whatever, has a lot of impact on the lives of people living in my constituency in the first place - I will talk about other places later - in Vallée Pitot and Tranquebar, because these people are not being regularised insofar as their leases are concerned and a lot of land is being locked to development because they are waiting for this issue to be resolved. And in the context, the Ministry of Housing and Land is also embarking on 12,000 housing units. This issue of alignment, although it is not important to him at this stage, is important to the people living there.

The Deputy Speaker: Question!

Mr Hurreeram: We are discussing with those having issues, those lands that have been land-locked for instance; we are talking to those people. We are a Government that listen to what people are saying out there and we are taking into consideration those qualms and we are acting on it. Thank you.

The Deputy Speaker: Thank you, Minister! Next question, hon. First Member!

PORT LOUIS, WARD IV - MULTI SPORTS COMPLEX

(No. B/1081) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central) asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the proposed construction of a Multi Sports Complex in Ward IV, Port Louis, he will state where matters stand.

Mr Toussaint: Mr Deputy Speaker, Sir, I wish to inform the House that the proposed project consists of the construction of a Multi Sports Complex at Port Louis and not to the proposed construction of a Multi Sports Complex in Ward IV, Port Louis, specifically.

The project has been high on the priority list of infrastructural projects of my Ministry. Funds allocated in the Estimates of my Ministry have been used for consultancy services in order to enable the kick-start of the project.

Following a bidding exercise, the contract for consultancy services for the construction of a Multi Sports Complex at Port Louis was awarded to Mega Design Ltd on 13 December 2018, and the contract agreement for the project was signed on 15 January 2019.

The inception report was submitted by the Consultant in March 2019, and the preliminary architectural drawings were submitted to this Ministry on 14 May 2019. Thereafter the drawings, architectural and structural, for clearance, for building plan committee were submitted on 26 August 2019, and clearances were sought from relevant authorities on 27 August 2019.

However, on 02 August 2021, my Ministry was informed by the Ministry of Housing and Land Use Planning that the plot of land that was earmarked for the project was being retrieved from my Ministry.

The Deputy Speaker: Supplementary, please!

Mr Osman Mahomed: Well, can I ask the hon. Minister why was that plot of land retrieved from his Ministry? The plot of land, supposedly in Ward IV, in Port Louis, that was meant to be developed under his Ministry for sports purposes, why has that plot of land being retrieved from his Ministry?

The Deputy Speaker: Answer!

Mr Toussaint: Mr Deputy Speaker, Sir, we are referring to the plot of land situated at Harris and Mayer Streets, Port Louis. I am informed that there will be a housing project. The Ministry of Housing and Land Use Planning is proposing housing projects. I do not have more information.

The Deputy Speaker: Would allow other friends to have supplementary? We have two questions to go.

Mr Osman Mahomed: One more.

The Deputy Speaker: So, we will have one more outside, and then I will give you the last one. Hon. Reza Uteem, please!

Mr Uteem: The Minister mentioned that all the drawings, everything was ready by August 2019 and it is only in August 2021 that the Ministry of Housing has decided to retrieve the land. So, why is it that nothing was done between August 2019 to August 2021?

The Deputy Speaker: Hon. Minister!

Mr Toussaint: Yes, Mr Deputy Speaker, Sir, in the meantime, we were looking for different clearances and this takes a lot of time.

The Deputy Speaker: I think I can allow one more supplementary. I will call upon hon. Dr. Aumeer and then give you the last one.

(Interruptions)

I'll give you the last one. Hon. Dr. Aumeer, supplementary!

Dr. Aumeer: Thank you. Can the hon. Minister inform the House that since there has been retrieval of land by the Ministry of Housing and Land Use Planning, in the meantime, whether due diligence has been conducted in the region of Port Louis to earmark a particular plot of land for the benefit and welfare of the citizens of Port Louis?

Mr Toussaint: Absolutely, hon. Member, my Ministry is in contact with the Ministry of Housing and Land Use Planning so that we can find a convenient plot of land to carry on the project in the region of Port Louis.

The Deputy Speaker: Thank you. Last supplementary, hon. Osman Mahomed!

Mr Osman Mahomed: I think there is a confusion as regards the plot of land. I will submit the plans that maybe the Minister can bring to his office for clarification. There is no land available for the development of a sports complex at Corner Harris & Mayer Street because there is already a football ground there. The only plot of land that is available in Ward IV, State land at this moment in time, is Corner Raoul Rivet Street and *impasse* Raoul Rivet. So, I will tender this to the House so that he can look at it and maybe later come back with a reply because there is no land available there safe for a strip of green space.

The Deputy Speaker: Table? I think you do not even want an answer, you just want him to see.

Mr Osman Mahomed: No.

The Deputy Speaker: Answers!

Mr Toussaint: What information I have, Mr Deputy Speaker, Sir, formal information - it states that the plot of land is situated at Corner Harris & Mayer Street in Port Louis. However, I will look into the document that has been handed by the hon. Member.

The Deputy Speaker: Thank you. The House has been advised that the following PQs have been withdrawn: B/1130, B/1131, B/1132 and B/1133. Hon. First Member for Port Louis South and Port Louis Central, next question!

PORT LOUIS, WARD IV - 12,000 RESIDENTIAL UNITS – CONSTRUCTION

(No. B/1082) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central) asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to the project for the construction of 12,000 housing units island-wide by the New Social Living Development Ltd., he will for the benefit of the House, obtain information as to how the inhabitants of Ward IV, Vallée Pitot, Tranquebar and Plaine Verte, in Port Louis, will be included therein in view of the scarcity of land in these localities.

The Deputy Prime Minister: Mr Deputy Speaker, Sir, allow me to seize this opportunity to reassure the House and, of course, the hon. gentleman that this unprecedented mega project has been conceived to respond effectively and as far as possible equitably to housing demands across the whole island of Mauritius.

As Members of the House are well aware and as explained over and over again by the Prime Minister, the Minister of Finance, Economic Planning and Development and myself, the 12,000 new residential units will be built on a constituency basis with 600 units reserved for inhabitants of each constituency of the island of Mauritius. Identification of suitable, buildable sites over the whole island has been, Mr Deputy Speaker, Sir, a complex and time-consuming exercise.

Unfortunately, in some constituencies, including constituencies referred to in the question of the hon. Member, it has not been possible to secure adequate land for this project. Government is addressing this issue by identifying sites closest to those constituencies and the new residential units will be reserved for inhabitants of the said constituencies.

I am informed that the regions referred to in the question may concern Constituency Nos. 1, 2 and 3. In that regard and as things presently stand, the NSLD proposes to proceed as follows

—

- for Constituency No. 1 - new housing sites at Pointe aux Sables and Coromandel;
- for Constituency No. 2 - new housing sites at Bell Village, Raoul Rivet Street, Vallée Pitot and Arsenal, and
- for Constituency No. 3 - new housing sites at Arsenal and Riche Terre.

This Government, Mr Deputy Speaker, Sir, is committed to ensuring that the right to a decent housing for each citizen of Mauritius, irrespective of the region or the constituency where he resides, is not only recognized as a theoretical principle but is translated into practice.

Thank you, Mr Deputy Speaker, Sir.

The Deputy Speaker: Supplementary, please!

Mr Osman Mahomed: Thank you. I welcome the sites of Bell Village and Arsenal but I would like to ask the hon. Minister about the one at Raoul Rivet, which was once earmarked and I am convinced about it based on the plans that I have just submitted, was reserved for a sports complex. So, we are doing a housing project which is good, in lieu of a sports complex which is really needed in the region. Can I ask the hon. Minister to kindly have consultations with the people there? Because I have met them over the weekend, I somehow felt based on answers

tendered by the Minister of Youth Empowerment, Sports and Recreation before during the Committee of Supply, that this land has been withdrawn. Can consultations be engaged with the people of Ward IV to see whether this is what they really need, because Bell Village is quite okay if people of Ward IV and Tranquebar, Vallée Pitot and Plaine Verte can have housing units there?

The Deputy Prime Minister: Mr Deputy Speaker, Sir, I have explained that this has been a long process and we need to move forward. We have considered all the different possibilities and I have listed the sites where we are going forward with the construction of social housing. Of course, with my colleague Minister of Youth Empowerment, Sports and Recreation and in Government, we discussed the priorities for the different constituencies and if the hon. gentleman has any suggestions as to other sites that are available, which we have not seen despite all the work done over these years, then he is most welcome to submit to us his suggestions.

The Deputy Speaker: I will allow hon. Armance!

Mr Armance: Thank you, Mr Deputy Speaker, Sir. In his answer, the Minister mentioned Constituency No. 1, that land has been identified at Pointe aux Sables. Can we have more details? Do you have the exact location of where land has been identified in Pointe aux Sables? You also mentioned Coromandel in Constituency No. 1. So, Coromandel is not in Constituency No. 1. You mentioned Bell Village in Constituency No. 2. Bell Village is in Constituency No. 1. So, can I have the details on those two places, for Pointe aux Sables and Bell Village?

The Deputy Prime Minister: Yes. It would be premature at this point in time to identify precisely in the House the location and the extent of each plot of land because that is liable to be altered; both the sites and the extent of land. There is a long process. Consultants have been appointed. There will be soil test, there will be design and as a function of all of these elements, the location and the sites will be finalised.

As we know, the process is that Government will use State land, wherever State land is available. Government will use land belonging to parastatals or State-owned companies, wherever and whenever possible and then, Government will consider acquiring private land where there is no other alternative. This process is ongoing. I have also explained that there are a

number of constituencies where we have not been able, so far, as things stand, to find an extent of land adequate for the construction of 600 housing units and we do not want to construct all 600 housing units on one and the same plot of land for obvious reasons.

So, for instance, Constituency No.1, we have in mind land at Pointe aux Sables and in the coming weeks, I hope to be able to provide to the hon. gentleman, more precise information once the land will have been identified, acquired, transferred to the NSLD for construction purposes.

And then, since there is no sufficient land within the constituency, Bell Village is a very small plot, Coromandel where there is State land has been identified and housing units built at Coromandel on the land identified will be reserved for inhabitants of Constituency No. 1.

Now, the same applies for Constituency No. 2. We have a small plot at Bell Village, Raoul Rivet and Vallée Pitot, identified. The suitability of the land remains to be confirmed. At this point in time, it appears to be doable but we are looking at high-rise social housing, a new concept. And on top of those small plots there is an extent of land identified in Arsenal which has been deemed appropriate and which will be reserved, once the units are built, for inhabitants of Constituency No. 2. And likewise, for Constituency No. 3, the Members in the House that represent that constituency are well aware that land is indeed very, very, very limited. In the past, different projects –I remember attempts to identify land to build secondary schools, 20 years ago, and we could not find any.

So, again, we are looking at acquiring land in the two places mentioned, that is, Arsenal and Riche Terre, and there again the units will be reserved for inhabitants of Constituency No.3.

The Deputy Speaker: I will accommodate one last, short supplementary question because it is your Constituency. Hon. Uteem!

Mr Uteem: Thank you, Mr Deputy Speaker, Sir. In the light of the answer given by hon. Minister Hurreeram with respect to the Ring Road, now that the Government is no longer sure whether to go ahead with the Ring Road or not, would the Ministry of Housing reconsider - there is a lot of land in Constituency No.2 that has been undeveloped because they were going to be used for the Ring Road Project - using these plots of land now to develop housing estates?

The Deputy Speaker: Thank you for your question.

The Deputy Prime Minister: Mr Deputy Speaker, Sir, let me assure the House that over more than a year we have been looking for land that is not only visible to the naked eye, but that would be appropriate for construction of social housing. We do not want to build houses on land that later on will be at risk of flooding putting at risk the lives of the persons who will live there. So be it in the region of Vallée Pitot, of Montagne des Signaux or in Pailles, where we did indeed, as the hon. gentleman think, we could at least obtain some land that would be appropriate for building purposes. In fact, the hon. gentleman himself discussed with me, suggested plots of land and we have checked, we have given anxious consideration to all these possibilities. Unfortunately, and I repeat, unfortunately, we cannot find an adequate extent of land in all three constituencies, one, two, and three to build, *in situ*, within the constituency.

The Deputy Speaker: Thank you. At this stage, we shall suspend for one and a half hours.

At 1.09 p.m., the Sitting was suspended.

On resuming at 2.44 p.m. with the Deputy Speaker in the Chair.

The Deputy Speaker: Thank you very much, hon. Members. Please be seated!

Hon. First Member for Mahebourg and Plaine Magnien!

COVID-19 PANDEMIC - DELTA VARIANT - CHILDREN - HOSPITALISATION

(No. B/1083) Mr D. Ramful (First Member for Mahebourg & Plaine Magnien) asked the Minister of Health and Wellness whether, in regard to the COVID-19 pandemic, he will state the number of children infected therewith, indicating –

- (a) the number thereof hospitalised following same, on a monthly basis, since the outbreak thereof in Mauritius, and
- (b) if there has been a spike in infections of children since the advent of the Delta variant.

Dr. Jagutpal: Mr Deputy Speaker, Sir, since the resurgence of the COVID-19 cases in Mauritius in March 2021, I have been informed that some 831 children between ages 5 to 12 years have been tested positive as at date. Prior to August 2021, all positive patients were being

admitted at the New ENT Hospital and thereafter, COVID-19 wards have been set up since August, this year, in all regional hospitals.

In reply to part (a) of the question, I am informed that 74 COVID-19 positive children were admitted in our public hospitals as follows –

- 21 at SSRN Hospital;
- 19 at Bruno Cheong Hospital;
- 19 at Dr. A.G. Jeetoo Hospital;
- 4 at Victoria Hospital, and
- 11 at Jawaharlal Nehru Hospital.

Mr Deputy Speaker, Sir, with your kind permission, I will be tabling the monthly figures in respect of the COVID-19 positive children who were admitted in each of our public hospitals.

Mr Deputy Speaker, Sir, in reply to part (b) of the question, the number of children tested positive has shown a corresponding increase compared to adult population tested positive, but the number of children admitted in the regional hospitals does not indicate any spike.

The Deputy Speaker: Are you done, hon. Minister?

Dr. Jagutpal: Yes, done.

The Deputy Speaker: Supplementary please!

Mr Ramful: Thank you, hon. Minister. Can we know whether there has been any study conducted at the level of the Ministry to confirm if children have actually been the silent spreader of the virus in the community?

Dr. Jagutpal: Mr Deputy Speaker, Sir, so far, we have been relying a lot on international studies and there have been no such studies so far having indicated us that children being asymptomatic and then they are transmitting the virus among children. So far, that study – not in Mauritius – has not been conducted. Neither so far to my knowledge, there have been no international scientific studies on such aspects.

The Deputy Speaker: Thank you. Supplementary!

Mr Ramful: Can the hon. Minister confirm that, as per the figures that he has given to us, there are - I believe - a number of children who are self-isolating because they are being tested positive? Can we know if the Domiciliary Monitoring Unit (DMU) is composed of any Paediatrician to deal with those children?

Dr. Jagutpal: Mr Deputy Speaker, Sir, the DMU team comprise of MHOs, that is, General Practitioners (GPs) but they work under the advice of the Paediatrician. For example, if a DMU Doctor attended a patient, a child, at his place and he has some issues, he will call that Doctor, the Paediatrician who is on call on that day to ask for any advice, and in case this patient needs to be transferred, to be admitted, the advice will be sought from the Paediatrician.

The Deputy Speaker: Thank you, further supplementary?

Mr Ramful: The Minister will agree with me that normally a Paediatrician on call is responsible to treat all the children being infected with different types of diseases. Would it not be appropriate to have one Paediatrician who works in that Unit and responsible for patients, children who have been tested positive?

The Deputy Speaker: Yes, Minister!

Dr. Jagutpal: Mr Deputy Speaker, Sir, if the number of children tested positive, being asymptomatic where these children are isolated at home and if need be to have a Paediatrician attached to the DMU team and to even attend those who are self-isolating, obviously, the Ministry will look forward into that direction.

The Deputy Speaker: I have two more questions for you.

(Interruptions)

Then, the hon. Member, please.

Mr Quirin: Merci, M. le président. L'honorable ministre est-il en mesure de nous dire combien d'enfants et d'adolescents sont décédés, infectés par la COVID-19 depuis le début de la pandémie ?

The Deputy Speaker: Minister, please!

Dr. Jagutpal: Mr Deputy Speaker, Sir, I do not have the figures, but, as far as I know, there are at least two children who have passed away with conditions of COVID. If I am not

mistaken, there is one child who has passed away with the diagnosis of COVID and that is what I replied last time in the PQ addressed to me, why there was that issue of two medical certificates.

The Deputy Speaker: Hon. Member, your last question!

Mr Ramful: Clearly from the figures that have been provided by the hon. Minister, we can see that there was a rise in the number of children that were infected. Can I know from the hon. Minister whether during the High-Level Committee of 08 November, chaired by the Deputy Prime Minister, did he advise the Committee, in particular the Deputy Prime Minister that it was advisable to close the schools? Whether this was discussed and whether any decision was taken, if not, why not?

The Deputy Speaker: Minister, please!

Dr. Jagutpal: Mr Deputy Speaker, Sir, the High-Level Committee on a daily basis takes note of all the information pertaining to COVID-19 obviously. So, all the information was submitted and at the same time the Ministry, together with the technicians who were working on what are the different possibilities and what are the decisions to be taken, and obviously, the Prime Minister has reached Mauritius on 11 and the decisions were taken on 11.

The Deputy Speaker: I think your question is done.

Mr Ramful: Any decision?

The Deputy Speaker: No, no, no. Do not pursue further when we are done. Next time, surely, you can come with another question. The Table is advised that the following PQ has been withdrawn: PQ B/1122. Yes, First Member for Mahebourg & Plaine Magnien, next question!

Mr Ramful: B/1084!

COVID-19 PANDEMIC – DELTA VARIANT – PREPAREDNESS PLAN

(No. B/1084) Mr D. Ramful (First Member for Mahebourg & Plaine Magnien) asked the Minister of Health and Wellness whether, in regard to the COVID-19 pandemic, he will give details of the preparedness plan to combat the intensity of the Delta variant, indicating the –

- (a) bed capacity in the COVID-19 wards and Intensive Care Units, respectively, and
- (b) available stock of

- (i) medical oxygen;
- (ii) recommended medicines, and
- (iii) ventilators and other medical equipment required for adequate administration of treatment therefor.

Dr. Jagutpal: Mr Deputy Speaker, Sir, I wish to inform the House that my Ministry has prepared an updated version of the National Response and Contingency Plan for COVID-19 whilst taking into consideration the Delta variant, the opening of borders, the number of persons vaccinated and unvaccinated and those persons with comorbidities. The plan ensures the availability of consumables, standard treatment processes, High Care Units and Intensive Care Units while ensuring care for other pathologies and also procedures at entry points of the country.

Mr Deputy Speaker, Sir, with regard to the bed capacity in the COVID-19 Wards and Intensive Care Units, I am informed that the bed capacity of the COVID-19 Wards is 580 and bed occupancy is around 70%. The bed capacity in the COVID-19 Wards is as follows –

- i. 88 at Dr. A. G. Jeetoo Hospital;
- ii. 124 at Jawaharlal Nehru Hospital;
- iii. 119 at Bruno Cheong Hospital;
- iv. 119 at SSRN Hospital, and
- v. 130 at Victoria Hospital

In the event that more beds are required, the other wards of the regional hospitals and district hospitals would be converted into COVID-19 Wards.

Furthermore, I wish to inform the House that, based on the Preparedness Plan, the bed capacity in the Intensive Care Unit and High Dependency Unit of the ENT Hospital would, in the first instance, be used for COVID-19 patients and is as follows –

- 31 at the ICU and 63 at the HDU of ENT Hospital.

In the second phase, the ICU beds at the ENT Hospital, Jeetoo Hospital and Victoria Hospital would be used and they are as follows –

- 31 at the ICU of ENT Hospital;
- 8 at the ICU of Dr. A. G. Jeetoo Hospital;
- 10 at the ICU of Victoria Hospital, and
- 63 at the HDU of ENT Hospital.

In the third phase, the Intensive Care Unit beds at Jawaharlall Nehru Hospital, Bruno Cheong Hospital and SSRN Hospitals and the High Dependency Unit beds at the ENT Hospital would be converted for patients and they are as follows –

- 6 at the ICU of Jawaharlall Nehru Hospital;
- 6 at the ICU of Bruno Cheong Hospital;
- 10 at the ICU of SSRN Hospital, and
- 63 at the HDU of ENT Hospital.

Mr Deputy Speaker, Sir, furthermore, I wish to inform the House that the ventilators at the ENT Hospital, Dr. A.G. Jeetoo and Victoria Hospitals would be used for COVID-19 patients at first and they are as follows –

- 31 at ENT Hospital
- 8 at Dr. A.G Jeetoo Hospital
- 10 at Victoria Hospital

The total number of ventilators at the ENT Hospital, Dr. A.G. Jeetoo Hospital and Victoria Hospital is 49.

In the second instance, the ventilators in the Intensive Care Units of Jawaharlall Nehru Hospital, Bruno Cheong Hospital and SSRN Hospital would be used to cater for COVID-19 patients and they are as follows –

- i. 6 at Jawaharlall Nehru Hospital;
- ii. 6 at Bruno Cheong Hospital, and
- iii. 10 at SSRN Hospital.

In the second instance, a total of 71 ventilators from the five regional hospitals and the ENT Hospital would be available for COVID-19 patients.

Mr Deputy Speaker, Sir, I am also informed that the daily cubic capacity of medical oxygen is as follows –

- i. 24,000 cu at Dr. A.G. Jeetoo Hospital;
- ii. 22,227 cu at Jawaharlall Nehru Hospital;
- iii. 30,000 cu at Bruno Cheong Hospital;
- iv. 40,470 cu at SSRN Hospital, and
- v. 30,039 cu at Victoria Hospital.

My Ministry has a contract with a supplier and these cylinders are replenished on a daily basis.

At ENT Hospital, there is –

- (i) an Oxygen generator producing 280 litres per minute, and
- (ii) a tank of 20 tons of liquefied oxygen to cater for 100 patients on an oxygen debit of 15 to 20 litres per minute for 5 days. Furthermore, it provides a purity of oxygen at 99.5% constantly and it can be replenished every 6-10 days.

Mr Deputy Speaker, Sir, I am further informed that the available stock of recommended medicines used for the treatment of COVID-19 are –

- (a) 28,526 units of Dexamethasone;
- (b) 3,560 units of Meropenem injections 1g;
- (c) 1,810 units of Meropenem injections 500mg;
- (d) 19,040 Colistin Methane Sulphomethate units;
- (e) 247,320 Ceftriaxone Vial Injections;
- (f) Heparin is available;
- (g) Low Molecular Weight heparin also;
- (h) Vancomycin;

- (i) 58,000 Tamiflu capsules, and
- (j) 200 boxes of Fabiflu 400mg which have been distributed to all regional hospitals.

Mr Deputy Speaker, Sir, with regard to the ventilators and other medical equipment required for adequate administration of treatment for COVID-19 patients, I wish to inform the House that there is a total of 111 functional ventilators at all the hospitals.

The Deputy Speaker: Thank you very much, hon. Minister! Very detailed and precise answer! Supplementary!

Mr Ramful: The Minister would agree with me that preparedness plan would also include having an adequate and effective manpower at the COVID wards. Now, has the hon. Minister been apprised of what was said this morning by the President and members of the Nurses Union, when they even conceded that due to a shortage of nurses in the COVID wards, they said that the treatment that is being given to the COVID patients *laisse à désirer*; this is what they said? Is the Minister aware of this? And will the Minister also consider, given the fact that our staffs are under a lot of pressure, burnout, will he consider getting staffs from Polytechnics, there are qualified nurses from Polytechnics as well as from other foreign countries, India or Reunion Island, to come and help our brothers and sisters in the hospitals?

The Deputy Speaker: Thank you. Hon. Minister!

Dr. Jagutpal: Mr Deputy Speaker, Sir, I have not listened to the Union about what they have said, but at least I can inform the House that on a daily basis the absentees of the staff - there are many absentees of the staff - we have to look at the picture. It is not only just looking at the number of staffs present. The number of absentees, the number of staffs on vacation leave, and the number of staffs on other leaves. That created the artificial shortage of staff. If we will consider all, I hope that the unions or whoever being the *porte-parole* of the Union, he should have given you the whole picture and saying that: 'yes, if today, we have a shortage of staff, but this is also - we have to account how many absentees we have daily.' And somewhere, nursing staffs, there is also that bank nurses, that is, you can do extra duties. You have to get all those information. But nevertheless, the Ministry has already initiated procedures for recruitment of foreign staffs through the Ministry of Labour.

The Deputy Speaker: We have gone to about 9 minutes on this question; one last question that you will have.

Mr Ramful: How many are you recruiting?

(Interruptions)

The Deputy Speaker: I know ...

Mr Ramful: Mr Deputy Speaker, Sir, the Minister has given a long answer, and it is an important question.

The Deputy Speaker: No, this is what I said!

(Interruptions)

Order! Order, please!

(Interruptions)

Order! I am happy that you are gently telling me. All I am saying is - if you allow me to continue - if you manage to go for a short question, I will be able to allow you two. But if you have got a long question - because I have appointed a certain amount of time to each question. Go on!

Mr Ramful: The hon. Minister will also agree that good management of patients also includes having experts in the COVID wards and ICUs. Now, can I know how many intensivists do we have in our ICUs? Is it true that anaesthetists are being called upon to do the work of those intensivists when they are not the experts?

Dr. Jagutpal: Mr Deputy Speaker, Sir, I will request the hon. Member to come with a substantive question. I will give all those information. His question was on bed capacity, medical, I have given all the information. Now, for the personnel, I have been able to answer those which I can, but at the same time, if he will come with a substantive question, I will give all the details.

The Deputy Speaker: I will give one more. Your friend behind is asking for question; unfortunately, only one.

Mr Ramful: During the PNQ, the hon. Minister mentioned about high flow oxygen therapy which is being administered to patients. Am I right to say, and whether the hon. Minister

will confirm, that the supply of this therapy in the COVID wards and ICUs have been disrupted because the bidder who was selected to provide for the high flow oxygen has not been able to meet the demands?

The Deputy Speaker: Hon. Minister, please!

Dr. Jagutpal: Mr Deputy Speaker, Sir, I have given all the relevant information on the oxygen supply and at no point in time oxygen supply at ENT Hospital or in any other hospital has been disrupted. In fact, what we have done is, we have increased the capacity of oxygen supply through the different procedures that are involved. And now, we can increase the capacity. That is why I have given the information that we can cater for 100 patients on oxygen on a high demand calling the 15 to 20 litres at one go; we can do that.

The Deputy Speaker: Thank you!

Hon. First Member for Mahebourg and Plaine Magnien, next question!

HARRY LATOUR STADIUM, MAHEBOURG - RENOVATION PROJECT - SUBCONTRACTORS & COSTS

(No. B/1085) Mr D. Ramful (First Member for Mahebourg & Plaine Magnien) asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the renovation project of the Harry Latour Stadium, at Mahebourg, he will state where matters stand as to the implementation thereof, indicating the –

- (a) names of the subcontractors, if any, and
- (b) costs overruns, if any.

Mr Toussaint: Mr Deputy Speaker, Sir, the Harry Latour Stadium, named after the former Secretary General of the Mauritius Sports Association, was inaugurated on 21 December 1989.

Mr Deputy Speaker, Sir, the renovation works at Harry Latour Stadium were carried out in two phases. With regard to phase 1 of the project, a bidding exercise was carried out by my Ministry. Phase 1 consisted of the following works –

- (i) construction of boundary wall and ancillary works - completion date on 05 October 2026;

- (ii) upgrading works, supply and laying of tiles, painting works, supply and laying of interlocking paving bricks - completion date 12 June 2017;
- (iii) replacement of luminaries - completion date 03 February 2020.

As regards phase 2, the project is being implemented under the Framework Agreement 2018-2019, of the Ministry of National Infrastructure and Community Development.

The contract for phase 2 was awarded by the Ministry of National Infrastructure and Community Development to the Contractor Nova Glass Water Proofing Private Co. Ltd.

The components of the works and progress achieved are as follows –

- (i) repair of broken slabs for drains – 80%;
- (ii) boundary wall of stadium and gates – 55%;
- (iii) repair of fencing of football ground and other ancillary works – 95%;
- (v) renovation of cloakroom, office, toilets, store, cabinets – 40%;
- (vi) Metal shed and shelter – 10%

As at to date, there are no cost overrun in the project.

The Deputy Speaker: Thank you. Supplementary, please!

Mr Ramful: I hope the Minister realises that this Harry Latour Stadium has remained closed for a while now. In his last PQ of 24 November 2020, from the Third Member of Mahebourg and Plaine Magnien, hon. Doolub, the hon. Minister stated that the works - that is, the second phase - were to be completed last December, that is, 2020. We are approaching December 2021, one year. Can we know why the works have not been completed yet?

The Deputy Speaker: Hon. Minister, please!

Mr Toussaint: Évidemment, M. le président, nous sommes passés par plusieurs épreuves, notamment le *lockdown*, le problème pour avoir des matériaux, le problème pour avoir des travailleurs. Donc, tout ça à contribuer au fait que les travaux ont eu du retard.

The Deputy Speaker: Further supplementary!

Mr Ramful: *M. le ministre, vous avez répondu à une question en date du 24 novembre 2020 pour dire que les travaux devraient être terminés un mois après. We are one year now and we were not in lockdown. Can we know why? What are the reasons?*

Mr Toussaint: M. le président, je viens de le dire. Effectivement, j'avais répondu à une question de mon collègue, l'honorable Doolub, le 25 novembre 2020, pas le 24. Les travaux devraient certainement être terminés mais qu'est-ce qui s'est passé ? En février et en mars, il y a eu tout le souci de *lockdown* et comme je l'ai dit, les contracteurs ont eu des difficultés à avoir les différents matériaux et voilà !

The Deputy Speaker: Last supplementary!

Mr Ramful: Can we know if there have been any claims for liquidated damage due to the delay from the contractor?

Mr Toussaint: Of course, Mr Deputy Speaker, Sir. Liquidated damages are being applied while processing payments *au fur et à mesure. A chaque fois que nous procédons aux différents paiements*, we apply for liquidated damages.

Mr Ramful: One last question.

The Deputy Speaker: I have already said that was the last one. Next question, hon. Member!

WAKASHIO SHIPWRECK & OIL SPILL - INSURANCE PAYMENT

(No. B/1086) **Mr D. Ramful (First Member for Mahebourg & Plaine Magnien)** asked the Minister of Blue Economy, Marine Resources, Fisheries and Shipping whether, in regard to the Wakashio shipwreck and oil spill, he will state the quantum of insurance money claimed and received as at to date, giving a breakdown of the quantum thereof distributed to the victims thereof.

Mr Maudhoo: Mr Deputy Speaker, Sir, I have to state that the Republic of Mauritius has been, unfortunately, the innocent victim of the grounding of Wakashio which resulted in the unprecedented oil spill in the history of our country.

Among others, one of the major challenges is to ensure that the damage to public and private interests as a result of the oil spill is as fully compensated as per the existing law.

As the House may recall, an e-platform had been put in place at the Shipping Division of my Ministry since 14 August 2020 in view of facilitating the submission of claims by any person and entity who suffered a loss or damage as a consequence of the grounding of MV Wakashio and ensuing oil pollution. I have to point out that the burden for each and every private claimant is to submit sufficient documentary evidence attesting of their loss or damage suffered. My Ministry is only acting as a facilitator for transmitting the said claims to the insurers.

As at 11 November, 2021, 4,646 claims have been received from individuals, companies and organisations through the e-platform amounting to about Rs2 billion. Same have been compiled and transmitted to the insurer of MV Wakashio.

Mr Deputy Speaker, Sir, the Government is very much conscious that one of the categories of persons severely impacted by the grounding of MV Wakashio and the ensuing oil pollution is the fishing community in the affected area. In view of providing immediate financial relief to the fishermen and fishmongers, the Government came forward and took the initiative to pay a solidarity grant to every registered fisherman, fishmonger and even to applicant fishermen in the affected region. Hence, in the aftermath of this catastrophe, the Government immediately approved and paid a monthly solidarity grant of Rs10,200 to approximately 1,000 registered fishers, applicant fishers and fishmongers of the affected area for the period August 2020 until March 2021, that is, until both in-lagoon and off-lagoon fishing activities started. This means that each fisher, applicant fisher and fishmonger has already received the total sum of Rs81,600. Thus, the total amount paid to these affected persons is Rs83 m.

Mr Deputy Speaker, Sir, fishermen and fishmongers earn more when engaging in fishing and related activities and must be adequately and fairly compensated for their loss of earnings by the tortfeasor, that is, the owners, insurers of Wakashio.

The insurers have demanded that the fishers and fishmongers adduce evidence of their economic loss, deliberately putting aside the fact that these persons operate on an artisanal basis, with very little records of proof kept of the incomes and expenditure. Had the fishers been left to fend for themselves individually, many of them would have been unable to draw up their individual claim due to lack of records.

Therefore, based on official catch data gathered from Fisheries Posts of my Ministry from the affected area, my Ministry has submitted a claim for additional compensation on behalf of

fishers and fishmongers to the tune of Rs134,616 per fishermen and Rs140,160 per fishmonger for their loss of revenue from fishing activities in those affected areas. This means that the monthly earnings of a fisher has been estimated to Rs27,027 and Rs27,720 for a fishmonger.

While it is to be recalled that the process of examining claims is a lengthy one, it is to be nevertheless noted that the Japan P and I Club has been too demanding by asking to be provided with so many information, systematically questioning the way artisanal fishing is conducted in Mauritius and comparing it to Japan.

As at today's date, the claims for compensation to the affected fishing community are still lying with the Japan P and I Club despite the numerous attempts of the Office of my Ministry and of myself personally to attend to the queries of the insurers and provide justification for the payment of compensation. The reluctance of the insurers to pay the amount claimed to this segment of the community, whose economic loss cannot be questioned, is beyond normal understanding.

Mr Deputy Speaker, Sir, regarding individual claims, out of 4,686 claims since January 2021, only 436 individual claimants have been paid compensation by the insurer for a total amount of Rs8,643,950 as at date. These individual claims were up to a limit of USD1,000.

I have to admit that the Japan P and I Club is proceeding very slowly and my Ministry has raised this matter with their representative on numerous occasions. The slow rate of payment is deplored and is simply unacceptable.

The claim for reimbursement of Government expenses to the tune of Rs357 m.; these represent expenses incurred by different Ministries, inclusive of solidarity grants to fishers, fishmongers, pleasure craft operators, skippers and taxi operators.

Mr Deputy Speaker, Sir, I am tabling a copy of the expenses incurred by the Government so far.

Despite the fact that the Government has already disbursed the above amount, Japan P and I Club has reimbursed only an amount of Rs60 m. today, representing a mere 17% of the total sum due.

Furthermore, I have also been informed that the Police has directly received an amount of nearly Rs57 m. paid by SMIT Salvage for helicopter service and the extra duty of the Police Helicopter Squadron Officers for the removal of bunker oil and others.

Mr Deputy Speaker, Sir, considering the immense scale of economic, social and ecological damage caused by the oil spill, the Government, through the Ministry of Environment, Solid Waste Management and Climate Change has embarked on an invitation for proposals through open international bidding for consultancy services for environment and socio-economic impact assessment of damages caused by MV Wakashio oil spill. The objective is to support the long-term recovery and restoration of the environment and the livelihoods of the local affected community.

Mr Deputy Speaker, Sir, appropriate strategies are being examined and explored in order to place the affected public and private interest in Mauritius in position of legal strength. And, also, I am informed that Mauritius is party to the International Convention on the Limitation of Liability for Maritime Claims of 1976 and the International Convention on Civil Liability for Bunker Oil Pollution Damage 2001, but the fact remains that the maritime casualty occurred within our territorial waters and the Republic of Mauritius being a Sovereign State, the law of the land prevails.

I am informed about that section 195 of the Merchant Shipping Act clearly stipulates that there is no limit on the liability of the ship owner in the event of oil pollution damage. In any case, Mr Deputy Speaker, Sir, the Attorney General's Office is looking into all the legal aspects, and is being requested also for this lengthy negotiation process with the P&I, Japan.

The Deputy Speaker: Thank you. Supplementary!

Mr Ramful: It has been more than one year since the Wakashio incident and from the answer given by the hon. Minister, he stated that, out of a claim of approximately Rs2 billion from the victims of the Wakashio incident, only Rs83 m. have been paid, so far. Now, is the hon. Minister aware that not later than yesterday, the insurance company has lodged a case before the Supreme Court, asking for the Supreme Court to rule on limitation of the liability to the tune of Rs800 m. only? Is the Minister aware of this?

Mr Maudhoo: Mr Deputy Speaker, Sir, as I have just said, the legal aspect is being taken care by the Attorney General's Office.

The Deputy Speaker: Any further supplementary?

Mr Ramful: You are not aware as the Minister responsible for this?

The Deputy Speaker: No, no, no!

Mr Ramful: Anyway! In a PQ dated 13 July 2021, the hon. Minister stated that over and above the sum of Rs10,200 paid to fishers and fishmongers, he has made an additional claim – he just stated – of *R 134,000 pour les fishers* et *R 140,000 pour les fishmongers*. Now, this has been promised a long time back. Can we know when this money is going to be paid?

Mr Maudhoo: As I just said, Mr Deputy Speaker, Sir,...

Mr Ramful: Are we going to wait for the litigation to be over?

The Deputy Speaker: One question! One question!

Mr Maudhoo: Mr Deputy Speaker, Sir, as you know, this is an insurance issue. In fact, we have had several meetings. The Legal Adviser of MV Wakashio was in Mauritius and they have also been meeting at the Attorney General's Office. They are resisting, as I explained in my answer. So, we are still negotiating with them and, obviously, if negotiations fail we are looking for legal avenues through the Attorney General's Office, of course.

The Deputy Speaker: Anybody else has a supplementary? Next question, hon. Second Member for Port Louis North & Montagne Longue!

2021-2022 BUDGET SPEECH – OFFSHORE WIND FARMS - IMPLEMENTATION

(No. B/1087) **Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue)** asked the Minister of Energy and Public Utilities whether, in regard to the proposed implementation of offshore wind farms, as announced in the annex to the 2021-2022 Budget Speech, he will state where matters stand.

The Minister of Industrial Development, SMEs and Cooperatives (Mr S. Bholah): Mr Deputy Speaker, Sir, the Budget Speech 2021-2022 has announced an acceleration of the targets for renewable energy in the electricity sector from 40% to 60% by Horizon 2030, together with the elimination of coal for electricity production by the same time frame.

Currently, ground mounted solar and onshore wind farm deployments mainly populate the renewable energy electricity generation in Mauritius together with biomass and hydropower. In accordance with a current RE Roadmap and in order to meet the new enhanced renewable energy targets, a diversification of the Renewable Energy Technologies is called for.

Mr Deputy Speaker, Sir, with a view to reducing importation of fossil fuel and lowering carbon emissions and in line with the budget measure to establish the green energy industry as a pillar for the economy, a series of measures have been announced in the fields of energy efficiency and renewable energy in the last Budget. One of them is the conduct of a detailed feasibility study on the implementation of offshore wind farms. This will be a new renewable energy technology in the Mauritian landscape and is particularly relevant for the small size countries with scarcity of land with considerable water bodies and surrounded by the ocean.

I have been informed by the Mauritius Renewable Energy Agency (MARENA) that an Expression of Interest for consultancy services for a feasibility study of Ocean Renewable Energy Technologies in the Republic of Mauritius was launched on 12 August 2021. The scope of the consultancy will cover offshore wind with energy converters and tidal energy technology. As at closing date of the EOI on 08 October 2021, 4 consultancy firms had submitted their proposals. Presently, these are under evaluation at the level of the MARENA.

The Deputy Speaker: Thank you. Supplementary, please!

Mrs Luchmun Roy: Thank you, hon. Minister. Can the hon. Minister inform the House when the contract would be awarded?

Mr Bholah: As from the information that I possess, the expected date for award by MARENA for the feasibility study is by the end of this month, that is, November 2021.

The Deputy Speaker: Further supplementary? Next question, hon. Second Member for Port Louis & Montagne Longue!

2021-2022 BUDGET SPEECH – COOPERATIVES – RE-ENGINEERING

(No. B/1088) Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue) asked the Minister of Industrial Development, SMEs and Cooperatives whether, in regard to the proposed re-engineering of the cooperatives, as announced in the 2021-2022 Budget Speech, he will state where matters stand.

Mr Bholah: Mr Deputy Speaker, Sir, I must, at the outset, inform the House that the re-engineering of the Cooperative Sector is a result of my Ministry's request with the Office of the Public Sector Governance (OPSG) to dwell on the following aspects –

- (i) the transformation of the existing regional cooperative centres into one-stop shop in different regions of the country;
- (ii) to review the scope of the Cooperative Development Unit and the Cooperative Audit Unit of the Cooperatives Division;
- (iii) to consider the possibility for the setting up of new Units at the Cooperatives Division and to enforce the Cooperative Act 2016, and
- (iv) to assess the effectiveness of the Cooperatives Division e-registration project.

After extensive consultations, the OPSG made a series of recommendations to be implemented in the short-term, medium-term and the long-term. These consisted, *inter alia*, of –

- regrouping the existing 12 regional cooperative centres into 5 One-Stop Shop centres under the appellation of Cooperative Business Centres;
- creation of a database of cooperatives;
- setting up of a Cooperative Enforcement Unit;
- revival of inactive cooperative societies;
- web-based registration of societies and reporting system;
- web-based linkage between Ministry and all Cooperative Business Centres, and
- setting up of an Observatory for cooperatives.

In August this year, the recommendations contained in the report were approved by Government and a Committee of Officials have been monitoring the implementation. One of the first actions taken by my Ministry was a public relations exercise with all the Cooperative Federations operating in Mauritius to ensure that they own the changes proposed by the Office of the Public Sector Governance. I must stress that the ideas were well received by the Federations. The next step was a consultation with the officers of my Ministry and the trade unions. Once again, the proposed and agreed changes were most welcome.

On 19 October this year, a workshop was organised with the participation of Cooperative Federations, officers and their Union in order to identify any bottleneck in the implementation of the recommendations and find solution thereto. I was relieved to know that no major hurdles were identified.

Mr Deputy Speaker, Sir, concerning the setting up of the Cooperative Business Centres, after due consideration, the Strategic Zonal Locations of the 5 Cooperative Business Centres have been identified as follows –

- Zone 1 – Rivière du Rempart;
- Zone 2 – Port Louis;
- Zone 3 – Saint Pierre;
- Zone 4 – Henrietta, and
- Zone 5 – Rose Belle.

The regrouping of cooperative societies into five zones has already been worked out and the staffing is being reviewed. My Ministry is presently following up on infrastructural and renovation works related to the buildings identified to house the Cooperative Business Centres.

The building at Henrietta which is vested in my Ministry requires some upgrading and the relevant works order has already been issued by the Ministry of National Infrastructure and Community Development. I am thankful to the Ministry of Local Government and Disaster Risk Management as well as the District Council of Moka for having agreed to put at the disposal of my Ministry a building at St Pierre to house the Zone 3 Cooperative Business Centre. As far as Rivière du Rempart and Rose Belle Cooperative Business Centres are concerned, they are almost ready.

Mr Deputy Speaker, Sir, lastly the Cooperative Business Centre in Port Louis is housed at the Cooperative Division of my Ministry. The required logistics are being purchased to empower the five Cooperative Business Centres to operate in optimal conditions. It is expected that as soon as the upgrading and partitioning works are completed at Henrietta and St Pierre, all the five Cooperative Business Centres will be operational. I rely on the support of the technical section of the National Infrastructure Division and the Electrical Services Division for an early

completion of the infrastructural and electrical work so that all the Cooperative Business Centres become operational as early as possible.

The Deputy Speaker: Are you done, Minister? Supplementary, please!

Mrs Luchmun Roy: Thank you, hon. Minister. In your answer you mentioned about the reduction of Regional Cooperative Centres, also that the transformation of these Regional Cooperative Centres into Cooperative Business Centres from 12 to 5. Is it not detrimental to the good operation of cooperative societies?

The Deputy Speaker: Hon. Minister, please.

Mr Bholah: At its peak, the cooperative movement comprises of some 4,000 individual cooperative societies. The member base was almost illiterate and at that time – I am talking about decades ago – the facilities that we have today with regard to communication or telecommunication were not there. This is why the presence of the officers of the Ministry was much needed. Today, things have changed, we have the member base who uses computer today, today we have less than 900 active cooperative societies. It has gone down drastically and also there is use of computer as I said with internet, Wi-Fi and all that. So, the presence of officers is less required and therefore we believe as it has been recommended that five Cooperative Business Centres can handle the works of the 900 or so cooperative societies.

The Deputy Speaker: Further supplementary, please.

Mrs Luchmun Roy: One last supplementary. The hon. Minister mentioned also about reengineering the cooperative societies where my question comes is – like don't you think that this reengineering exercise might result into a reduction of staff of the Ministry?

Mr Bholah: No, this was the question because when I had the meeting with the employees' representatives and the Employees' Union, I gave the assurance to them that none of them will lose their job and there is no plan for reduction of staff in the future.

The Deputy Speaker: Any further supplementary? The Table has been advised that the following PQs have been withdrawn: PQ B/1119 and PQ B/1121. There are a couple of Members who are constantly keeping their masks below their nose, next time I will call out their name. Hon. Second Member for Port Louis North and Montagne Longue.

Mrs Luchmun Roy: B/1089.

YOUTH CENTRES – TRANSFORMATION – YOUTH HUBS

(No. B/1089) Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue) asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the proposed transformation of youth centres into modern youth hubs at the cost of 165 million, as announced in the 2021-2022 Budget Speech, he will state where matters stand.

Mr Toussaint: Mr Deputy Speaker, Sir,...

(Interruptions)

The Deputy Speaker: That is why I said a couple. Next time, I will call out their names. Continue with the answer, he will realise in a little bit. Answer.

Mr Toussaint: Mr Deputy Speaker, Sir, the first youth centre that was built on the present model was inaugurated on 22 February 1989 at Souillac. Over the years, youth centres have been playing a major role in the social, physical and psychological development of our youngsters. However, after more than three decades, this Government recognises that there is a need to revamp our present structure in order to stay relevant to today's generation. For this reason, as announced in the Budget Speech 2021-2022, an amount of Rs165 m. will be made available over three consecutive financial years to transform existing youth centres into modern and vibrant youth hubs that would be at the heart of the community. The hubs will deliver appropriate and relevant programmes and activities to our youngsters to further empower and enhance their lives. Given the budget allocation of Rs55 m. in this financial year, eight youth centres have been earmarked for revamping.

Right at the outset, the National Youth Council sought to identify what are those features or areas of our youth centres that need to be revamped. Four areas were identified, namely –

- (i) infrastructure and facilities;
- (ii) operation;
- (iii) human resource matters, and
- (iv) programmes and activities.

Furthermore, the National Youth Council (NYC) conducted a nationwide survey from July to August 2021 to have the views of the population on our youth centres and the way they

presently operate. Thus, more than 9,000 people were surveyed; in short, these surveys demonstrated what we had been suspecting. Our youngsters want better equipped centres and new activities. They also want the youth centres to be revamped aesthetically and that the way they operate and hours of operation to be reviewed.

To that end, on 08 October 2021, the National Youth Council launched a bidding exercise to appoint a consultancy firm individual to revamp and uplift the eight youth centres. To better cope with the workload, in light of the enlarged mandate of the National Youth Council, the staffing is being strengthened.

More importantly, the National Youth Council has adopted a demand driven model and is presently analysing the suggestions made by the youngsters of our republic to come up with new programmes and activities that would appeal to them.

The Deputy Speaker: Further supplementaries, please.

Mrs Luchmun Roy: Yes, thank you, Mr Deputy Speaker, Sir. The hon. Minister mentioned about eight centres which are being revamped. Can we have more details about those centres?

Mr Toussaint: Yes, Mr Deputy Speaker, Sir, for this Financial Year 2021-2022, the eight youth centres are –

- (i) Docker's Village Youth Centre;
- (ii) Floreal Youth Centre;
- (iii) Goodlands Youth Centre;
- (iv) Helvetia Youth Centre;
- (v) La Cure Youth Centre;
- (vi) Mahebourg Youth Centre;
- (vii) Montagne Blanche Youth Centre, and
- (viii) Souillac Youth Centre.

The Deputy Speaker: Thank you. Further supplementary, please.

Mrs Luchmun Roy: Thank you, hon. Minister. During your answer, you mentioned about 9,000 people being surveyed and following that you will be appointing a consultancy firm to go through that survey. Can we have more details about this survey and also the scope of work of the consultancy service? Thank you.

Mr Toussaint: Yes, Mr Deputy Speaker, Sir, in fact, I have said that –

- (i) there are surveys that have been made, and
- (ii) we have launched a bidding exercise to appoint a consultancy firm to design the new youth centre, the new youth hub.

As for the survey, according to information that I have, from 01 July to 11 July this year, we had an online survey where around 1,000 people participated in this online survey.

From 07 to 08 August this year, there was a survey that has been done in different shopping malls around the country, and around 3,405 youngsters were contacted. Finally, we had also a survey in the catchment area of those 8 youth centres that I have mentioned, and here, we contacted around 4,000 plus persons living in the vicinity of these 8 youth centres.

The Deputy Speaker: Hon. Dhunoo!

Mr Dhunoo: Thank you, Mr Deputy Speaker, Sir. Can the hon. Minister inform the House if his Ministry is considering implementing additional youth hubs in Constituency No. 17 – Curepipe and Midlands, if yes, where?

Mr Toussaint: Actually, Mr Deputy Speaker, Sir, we have a youth centre at Cité Malherbes. And this youth centre, of course, will form part of the revamping process in the financial years to come. But for the moment, in Constituency No. 17, *nous ne sommes pas en train d'envisager de créer d'autres* youth centres.

The Deputy Speaker: Thank you! Hon. Fourth Member for Port Louis Maritime and Port Louis East!

SSRN HOSPITAL - CT SCAN EQUIPMENT

(No. B/1090) **Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East)** asked the Minister of Health and Wellness whether, in regard to the CT Scan equipment at

the Sir Seewoosagur Ramgoolam National Hospital, he will state if same is in good working order and, if not, indicate –

- (a) since when and if remedial measures have been undertaken, and
- (b) the alternative arrangements made for CT scans to be performed as and when required, indicating the cost thereof.

Dr. Jagutpal: Mr Deputy Speaker, Sir, I am informed that the CT Scanner at SSRN Hospital is in good working order as at date.

Mr Juman: Can the hon. Minister inform the House whether the CT Scan was not operational till Friday last?

Dr. Jagutpal: Mr Deputy Speaker, Sir, the question is whether it is in good working order.

The Deputy Speaker: Order!

Dr. Jagutpal: So, it is in good working order. Now, during which period this apparatus was not in working order, if the hon. Member could have specified it in the question, I would have definitely given for which period he is mentioning.

The Deputy Speaker: Next supplementary, please!

Mr Juman: Thank you, hon. Minister. I am happy that it has been repaired. PQ B/1091.

The Deputy Speaker: No, no, do you have supplementary? Hon. Dr. Farhad Aumeer has a supplementary, we will take that one.

Dr. Aumeer: Thank you. I appreciate that the hon. Minister is having up-to-date information with regard to CT scanning at SSRN Hospital. Surely, he must be aware that the equipment do get faulty and there has been a period of time, very recently, where the CT Scan at SSRN was not working. I just want to ask the hon. Minister, considering that SSRN and Flacq Hospitals look after more than one third of the population of the country, will it not be a good idea to consider having a mobile CT Scan in an attempt to compensate breakdown which is something that can happen? It is nobody's fault, but these things can happen and you can compensate it to avoid a backlog, and also be at the service of emergency patients when the need

arises, keeping in mind that the new Flacq Hospital, radiological updated high-tech service will only be available in two years' time. Thank you.

The Deputy Speaker: Thank you. Hon. Minister!

Dr. Jagutpal: Thank you, hon. Member. In fact, this is the idea why we have installed a second CT Scan at Victoria Hospital. And having a mobile CT Scan, what would be the cost incurred and the facilities that would have been provided compared to a CT Scan at a major hospital, is more beneficial, especially for the patients.

The Deputy Speaker: Thank you. Next question, hon. fourth Member for Port Louis Maritime and Port Louis East.

SAMU SERVICE – AMBULANCES, STAFF & RESOURCES

(No. B/1091) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East) asked the Minister of Health and Wellness whether, in regard to the SAMU service, he will state –

- (a) the number of ambulances available in the fleet thereof, indicating the number thereof which are operational and remedial measures taken regarding the ones which are not operational;
- (b) the number of staff members posted thereat, and
- (c) if consideration will be given for additional resources to be committed thereto amid the COVID-19 pandemic.

Dr. Jagutpal: Mr Deputy Speaker, Sir, I wish to inform the House that there are presently 17 ambulances in the SAMU fleet. Ten ambulances are in operation in our five regional hospitals, that is, two ambulances in each regional hospital. Five ambulances are kept as spares, that is, one spare ambulance for each regional hospital. The other two SAMU Ambulances are under repairs.

Mr Deputy Speaker, Sir, I am informed that the SAMU Cadre comprises a total of 142 staff which comprises the following –

- 1 Director;
- 4 Senior Emergency Physicians;

- 5 Emergency Physicians;
- 25 Medical and Health Officers who are currently Trainees
- 5 Charge Nurses;
- 60 SAMU Nursing Officers;
- 20 SAMU Drivers, and
- 22 *Permanencier* Cadre.

Mr Deputy Speaker, Sir, with regard to part (c) of the question, I wish to inform the House the Rapid Response Team and the Domiciliary Monitoring Unit have been put in place as additional resources in the fight against the COVID-19 pandemic.

Since the beginning, the Rapid Response Team of my Ministry has been at the forefront on a daily basis to attend to patients tested COVID-19 positive. Previously, the Rapid Response Teams were involved in the transfer of such patients to COVID-19 Treatment Centres. While with the establishment of self-isolation protocols, the RRTs are, now, required to attend to patients in need of urgent medical attention.

As regards the DMU, my Ministry has already enlisted the services of 39 Medical Officers for the Domiciliary Monitoring Unit (DMU), on a 4-month contract basis, as at date. The Medical Practitioners of the DMU are required to effect domiciliary visits on patients tested COVID-19 positive in self-isolation.

Mr Deputy Speaker, Sir, I am further informed that following a request from the Ag. Director, SAMU Services, arrangement is also being made for the posting of two Medical Health Officers who hold Specialist Qualifications in Emergency Medicine under the SAMU Services to further consolidate the team amidst the COVID-19 pandemic.

The Deputy Speaker: Thank you. Supplementary, please!

Mr Juman: Thank you, hon. Minister. In view of the prevailing pandemic situation, will your Ministry consider the possibility of procuring some more SAMU equipped ambulances?

The Deputy Speaker: Hon. Minister, please!

Dr. Jagutpal: Mr Deputy Speaker, Sir, this is being taken under the team in the Ministry, but at the same time we have to look at the Audit Report. Because having more ambulances at a time when it may be needed for some period of time, and then at a later stage these ambulances

will not be used, we will have to report to the Audit. But now, let the technicians work out whether more ambulances are required or more equipment are required for the SAMU services, and then the Ministry will embark in procuring these ambulances.

The Deputy Speaker: Hon. Member!

Mr Juman: From what I heard, hon. Minister, the SAMU services, two equipped vehicles at five different Regional Hospitals are not working 24/7. Can you extend the services to 24/7 for both equipped SAMU ambulances?

Dr. Jagutpal: Mr Deputy Speaker, Sir, in fact, we had a meeting with the Director of the SAMU services and he, himself, at one point in time, said that it is not appropriate at this moment to extend the services. But the Ministry will facilitate, especially wherever there is a demand at night where we have to transfer patients, these ambulances will be required. Of course, the Ministry has already given approval at any point in time where services have to be extended; the Director of SAMU can go ahead with this proposal.

The Deputy Speaker: Last question, I will give it to hon. Quirin!

Mr Quirin: Merci, M. le président. Face aux critiques répétées contre le SAMU, surtout en ce qui concerne les retards des ambulances sur les lieux sollicités, l'honorable ministre n'envisage-t-il pas une décentralisation plus importante de ce service afin de répondre plus efficacement à la demande de la population ?

The Deputy Speaker: Hon. Minister!

Dr. Jagutpal: Mr Deputy Speaker, Sir, in a recent PNQ I have already replied, especially on the SAMU services. Now, on what basis are we going to decentralise services especially when we know the SAMU services transport patients from one point to hospitals where you give all the critical care and all that, whether it is appropriate now to have more SAMU facilities attached to the hospitals. So far, the SAMU services have not come up, even at night, at times we do not need SAMU services. But obviously, if during the daytime more SAMU services will be required as per the recommendation of the Director of the SAMU services, obviously, the Ministry will facilitate these services. But now, at the same time, SAMU services will not be able to be present at all times in all the places. We have to understand that. Whatever I am giving to you, it is from the SAMU services themselves. We are ready to increase the number of

ambulances, to increase the number of staff, but the demand should be there and then that can be done.

The Deputy Speaker: Hon. Fourth Member, next question, please!

VETERINARY COUNCIL - BOARD - COMPOSITION

(No. B/1092) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East) asked the Attorney-General, Minister of Agro-Industry and Food Security whether, in regard to the Veterinary Council, he will, for the benefit of the House, obtain therefrom, information as to when elections were last held thereat, indicating when the Board thereof was constituted, giving the list of the Board members thereof.

Mr Gobin: Mr Deputy Speaker, Sir, the new Veterinary Council Act was proclaimed on 29 January of this year.

Under the new Act, the initial members of the Council for the transitional period were nominated and the nominations were gazetted on 06 February of this year. The Council immediately started its procedures for elections. Elections were initially scheduled for 13 March, but in view of the then prevailing COVID situation, the elections were postponed. Elections were finally held on 12 June 2021, and 7 Veterinary Surgeons were elected.

With regard to when the Board thereof was constituted, I have not yet constituted the Board, Mr Deputy Speaker, Sir.

The Deputy Speaker: Supplementary!

Mr Juman: Thank you. Can the hon. Minister tell us why this Act, which he himself presented in this House last year, is being violated, since under paragraph 5(3) of the Schedule relating to election, it clearly stipulates that the Minister shall within 21 days of the receipt of the results of the election, cause the composition of the Council to be published and gazetted?

The Deputy Speaker: Minister, please!

Mr Gobin: Yes, the hon. Member is correct. There is in the Schedule to the Act the said provision. We stand guided however that it is not fatal if the Council is constituted even after the delay. Why is this so? A similar situation arose with respect to the Medical Council in the past and the matter even went to Court and there was a judgement pronouncement of the Supreme

Court that it is not fatal if a Council is constituted beyond the delay prescribed. Over there, it was not the constitution of a Council but a legal question of a similar nature.

Secondly, the issue which arises is what happens in the meantime. So, the initial members of the Council can still continue to operate and it does not vitiate in any way decisions taken by the Council. I assure the hon. Member and the House that I am having consultations with relevant stakeholders and the new Council will be reconstituted in a very, very near future. In fact, if the hon. Member has proposals, I will welcome them.

The Deputy Speaker: Supplementary! Anybody else?

Mr Juman: If the hon. Minister said that he will constitute the Board soon, so it is okay. Thank you.

The Deputy Speaker: You do not have supplementary then? Thank you. So, it is hon. Third Member for Port Louis South & Port Louis Central!

COVID-19 PATIENTS - MEDICAL OXYGEN

(No. B/1093) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central) asked the Minister of Health and Wellness whether, in regard to medical oxygen, he will state –

- (a) the supply thereof required for medical/surgical/cardiac and anesthetic treatment in public health institutions over the past seven months;
- (b) if elective surgical cases are being postponed amid increasing demands thereof for COVID-19 patients, and
- (c) the measures taken to sustain increasing demands thereof for COVID-19 patients, indicating if consideration is being given to increase the capacity of the Oxygen Concentrator Plant at the ENT Hospital.

Dr. Jagutpal: Mr Deputy Speaker, Sir, I am informed that the quantity of medical oxygen supplied to the public health institutions from March 2021 to date - well, I have already given the details in my PQ B/1085. I will come to the second part of the question.

With regard to part (b) of the question, I wish to inform the House that this week, a temporary measure in some hospitals has been taken to postpone the cases wherever the elective

surgical waiting list is not long and this measure will be reviewed on a weekly basis. The Consultants in Charge have been requested to attend to those emergency cases only and proper monitoring is being done to ensure that there is no list of elective surgical cases where waiting time is not beyond three months.

Mr Deputy Speaker, Sir, with regard to part (c) of the question, I wish to inform the House that ENT Hospital is already equipped with a Pressure Swing Absorption Oxygen Generator which provides oxygen on a continuous basis. This equipment has been supplying oxygen on a daily basis since the beginning of the pandemic.

With a view to increase the capacity of the Oxygen Generating Plant, my Ministry has initiated procedures for the installation of a second Oxygen Generator of a capacity of 1,000 to 1,500 litres of oxygen per minute. The New Oxygen Generator will enable the servicing and maintenance of the existing Generator and will also serve as a backup in case of any breakdown of the existing Oxygen Generator.

With regard to Oxygen Concentrators, I wish to inform the House that my Ministry has already issued a letter of award to the supplier for 15 Oxygen Concentrators with a maximum flow of 10 litres per minute.

The Deputy Speaker: Hon. Member!

Dr. Aumeer: Thank you. Has his Ministry conducted an urgent *refonte* of the increasing demand in oxygen due to the spreading number of cases of COVID-19 and an estimate added volume of oxygen that will be needed over the next six months, should the trend continue, particularly, that high flow oxygen supply and demand is now the cornerstone of the medical treatment of moderate to severely COVID-19 patients, and as the Minister said in his PQ this morning, having 20 tonnes of oxygen at ENT Hospital for 100 patients that will suffice over five days could disappear in thin air very soon if the trend continues? Thank you.

Dr. Jagutpal: Mr Deputy Speaker, Sir, in fact, the Ministry has acted upon the updated version of the Preparedness Plan, of which I have already given the details. Now, about the oxygen, it is not only at ENT Hospital that the capacity of oxygen supply is being enhanced, but it is also being conducted in all the regional hospitals, especially knowing the fact of the treatment for COVID patients of high flow of oxygen.

The Deputy Speaker: Hon. Member!

Dr. Aumeer: Thank you, hon. Minister. My question is of national interest and I beg you to be patient with me. Portable oxygen concentrators have been in high demand in many countries with large number of COVID-19 cases. I am talking about portable oxygen concentrators. Will the Minister consider the importation of these as a first-line support to individual domiciliary patients who are in need of oxygen, until and so forth, they definitely get a bed or admission in either the Intensive Care Unit or the regional hospital?

Dr. Jagutpal: Mr Deputy Speaker, Sir, in fact, yesterday we have received, as part of a donation in terms of oxygen concentrators, through WHO, the quantity of 70 oxygen concentrators for the purpose of having these concentrators to be given to patients.

Dr. Aumeer: In the event that we are faced with a very serious explosion number of cases where the demand of oxygen goes beyond our capacity to supply, has your Ministry considered importing liquefied oxygen from abroad, converting them into gas, and whether advanced pre-ordering of same has been considered?

Dr. Jagutpal: Mr Deputy Speaker, Sir, in fact, the Ministry does not order liquefied oxygen, it is through the local suppliers that the Ministry has recourse to the liquefied oxygen. That is why, in all the hospitals this arrangement is being done to increase the capacity of oxygen demand, especially in the cases of COVID patients, and especially in the preparation of the updated Preparedness Plan to manage COVID-19 patients.

The Deputy Speaker: Any further supplementary pertaining to the question? Hon. Third Member for Port Louis South & Port Louis Central! Address your question to me!

Dr. Aumeer: PQ B/1094!

UNIVERSITY OF MAURITIUS - RANKING

(No. B/1094) Dr F. Aumeer (Third Member for Port Louis South & Port Louis Central) asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to the University of Mauritius, he will, for the benefit of the House, obtain therefrom, information as to the –

- (a) current ranking thereof at international level;

- (b) reasons for the down ranking thereof to the 89th place at the level of African Universities, and
- (c) criteria used internationally to assess the standard thereof.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): Mr Deputy Speaker, Sir, ranking of universities worldwide is conducted by a number of international ranking providers. The University of Mauritius has been ranked by several such bodies and the hon. Member is referring to the uniRank, which is a ranking body featuring reviews and rankings over 13,723 officially recognised universities and colleges worldwide.

As per the uniRank list of 2021, the University of Mauritius ranks 89th in the top 200 best universities in Africa. I am informed by the University of Mauritius that the rank given by uniRank is based on website traffic flow and is not an academic ranking; it does not provide an indication of academic excellence related to teaching, learning and research at a university.

The University of Mauritius is also ranked by Webometrics Ranking of world universities whose primary objective is to promote open access of knowledge to society at large and has ranked the University of Mauritius 59th in Africa and 33rd in Sub-Saharan Africa in July 2021.

Furthermore, in the prestigious Shanghai Ranking, the University of Mauritius is ranked in the top 150 in the field of Sustainable Tourism and Hospitality.

Mr Deputy Speaker, Sir, as regards part (b) of the question, the hon. Member would wish to know that one of the commonly used metrics for ranking purposes is the international reach of a University. This metric gauges the degree of mobility towards the University by both incoming international students and faculty. I am informed by the University of Mauritius that the change in ranking of the University on the uniRank from the 85th position in 2020 to the 89th position in 2021 is due to the following reasons –

- restrictions in mobility of international students given that Mauritius is found in a geographically remote from the mainland country and owing to the worldwide disruptions caused by the COVID-19 pandemic, and
- also the low Internet traffic flow, that is, a general decrease in browsing on the University's website by prospective students.

Mr Deputy Speaker, Sir, as for part (c) of the question, it is to be noted that ranking is based on a set of criteria which includes *inter alia* –

- research, quality and output;
- graduate employability;
- knowledge transfer;
- international outlook;
- quality education, and
- teaching and learning standards.

I am informed that existence of an Apex High Education Regulatory Body in the country to charter, license or accredit a higher education institution is also taken into consideration.

The Deputy Speaker: Supplementary, please!

Dr. Aumeer: Thank you, hon. Minister. Truly as you said the uniRanking is based on a web traffic accreditation. Will the Minister - I am sure she is aware, of the Scimago Institutions Ranking which like a composite indicator of research, innovation outputs and social impact, the University of Mauritius has again there gone down from 58% in 2016 to 93 in 2020 in Africa - give us some explanation as reasons thereby?

Mrs Dookun-Luchoomun: I have just mentioned, Mr Deputy Speaker, Sir, that the ranking is based on a number of attributes and in any particular ranking system, there are certain attributes that are given more weightage than others. So, if we look at the Scimago Institutions Rankings, its classification of academic and research-related institutions ranked by composite indicator that combines three sets of indicators based on research performance in relation to outputs and societal impact measured by the web visibility. So, Mr Deputy Speaker, Sir, there are a number of factors that influence the ranking given to a particular institution.

Dr. Aumeer: Thank you. Hon. Minister various concerns since the publication of such report and I know that ranking comes from a lot of different institutions, there has been raised bid by students, academicians and non-academicians, staff at the University of Mauritius. Can the hon. Minister inform the House whether her Ministry had discussions with the vice-chancellor in view of improving our ranking, be it academic, be it web-based traffic, be it

exposure to the public, be it research work, in an attempt to improve the self-confidence of those working at the University and you surely know that any student, at any University, take it as a pride of the ranking of the University he or she is attending? Thank you.

Mrs Dookun-Luchoomun: Mr Deputy Speaker, Sir, indeed the University of Mauritius has engaged in a series of actions to ensure that the research output increases and this in view of pulling up its rank on the world ranking systems. However, we have also laid a lot of emphasis on quality and research work. You will note, Mr Deputy Speaker, Sir, that the Higher Education Commission has come up with more than 17 schemes for research to encourage institutions to go for research and on top of that the setting up of the Quality Assurance Authority based on criteria that are worldwide and accepted worldwide has been set up to ensure that the quality of delivery at the level of the public universities is enhanced.

Mr Deputy Speaker, Sir, there is also the Kigali Initiative, which is one where institutions in the region in Africa are trying their utmost to get into at least the 200 best universities of the world. So, all this is being kept in mind and actions are being taken at the level of the universities to ensure that the ranking is upgraded.

The Deputy Speaker: Next question, hon. Member!

VENTILATORS & CARDIAC MONITORS – PROCUREMENT – TENDER EXERCISE

(No. B/1095) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central) asked the Minister of Health and Wellness whether, in regard to the recent procurement of 10 ventilators and 25 cardiac monitors, he will state –

- (a) if the tender exercise therefor is completed and, if so, indicate the names of the bidders and of the successful bidder/s;
- (b) the make, country of origin and cost of each ventilator and cardiac monitor, respectively, and
- (c) the expected delivery date thereof.

Dr. Jagutpal: Mr Deputy Speaker, Sir, I am informed that bids were invited for the procurement of 10 ventilators and 25 cardiac monitors through open national bidding on 01 October 2021, with closing date for submission of bids to my Ministry set for 27 October 2021.

I am further informed that the bids are currently being assessed. This exercise is expected to be completed by end of this week and award of contract will be made thereafter.

The Deputy Speaker: Supplementary!

Dr. Aumeer: Thank you. With regard to the tender for procurement of ventilators, particularly, also considering the cardiac monitors, will the Minister reassure, not only the House but the public in general, that the specifications of the ventilators, whether these were prepared by the same team who did the famous Pack & Blister specification and if there has been any due diligence of the KYC of the supplier for both these two sets of instruments this time?

The Deputy Speaker: Hon. Minister.

Dr. Jagutpal: Mr Deputy Speaker, Sir, well, I do not have all those information but I can give whatever information I do have about the specification; who signed it? This information is not given to me. But I have the specification and I can submit it to the House, what the specifications are. I think in the open bid, the specification is already published and who were the people who have been involved into the specification; unfortunately, I do not have the names. That is all I can say because procurement, as I said, it is not the business of the Minister to interfere into procurement.

The Deputy Speaker: Supplementary, if you have. One more..

Dr. Aumeer: With regard to criticism that has been levelled from the latest audit report with regard to the Ministry of Health, has your Ministry ensured that proper maintenance contract has been signed with the suppliers as well as having local engineer back up to avoid undue delays and repairs when it comes to the service of the patient in a hospital? Thank you.

The Deputy Speaker: Hon. Minister.

Dr. Jagutpal: I believe that you are saying about the equipment, the servicing and all the maintenance contract. Yes, this is being taken into consideration because the audit report has already mentioned that all equipment, whatever we purchase, should have a maintenance contract and especially for the continuous servicing of all in the contract. And this should have been mentioned during the procurement exercise as well.

The Deputy Speaker: Thank you. Hon. First Member for GRNW & Port Louis West!

**PARIS AGREEMENT OBLIGATION - COP26 SUMMIT – TECHNICAL &
FINANCIAL SUPPORT**

(No. B/1096) Mr F. David (First Member for GRNW & Port Louis West) asked the Minister of Environment, Solid Waste Management and Climate Change whether, in regard to the Updated Nationally Determined Contributions submitted by the Republic of Mauritius in 2021 as an obligation to the Paris Agreement under the United Nations Framework Convention on Climate Change and the related discussions held at the COP26 Summit in Glasgow, he will state, the –

- (a) agreed technical and financial support to be received by Mauritius from International bodies and foreign countries, and
- (b) projects on which money will be invested as –
 - (i) mitigation, and
 - (ii) adaptation measures.

The Minister of Youth Empowerment, Sports and Recreation (Mr S. Toussaint): Mr Deputy Speaker, Sir, with your permission, I will reply to this PQ.

The Deputy Speaker: Yes, please go on.

Mr Toussaint: Mr Deputy Speaker, Sir, in regard to the Updated Nationally Determined Contributions submitted by the Republic of Mauritius in 2021, the total financial needs for the implementation of the mitigation and adaptation measures thereof are estimated at USD6.5 billion, of which, USD4.5 billion is for adaptation and USD2 billion is for mitigation for the period 2021-2030.

The share for the unconditional and conditional contributions are USD2.3 billion from Government and private sectors contribution and USD4.2 billion expected from international sources and donor agencies, respectively.

It is to be noted that despite the fact that Mauritius emits only 0.01 per cent of global greenhouse gases, there has been an increase in its expenditure on environment and climate change from 2 per cent of the Gross Domestic Product five years ago to around 5 per cent in the

current financial year. This serves the basis of the unconditional commitment for the 2021 updated Nationally Determined Contribution.

Mr Deputy Speaker, Sir, at the 26th session of the Conference of Parties to the United Nations Framework Convention on Climate Change (COP26) and at the third session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (CMA), finance for, *inter alia*, supporting countries in implementing of the Nationally Determined Contribution was among one of the most important item on the agenda.

All vulnerable countries, from the least developed countries, Small Island Developing States, Africa and G77 and China, have pressed on the Developed Country Parties to enhance their level of contributions to the financial mechanism and to keep up with the 2009 pledge of USD100 billion per year. However, the COP26 noted with deep regret that the goal to mobilise jointly this pledge by 2020 in the context of meaningful mitigation actions and transparency on implementation has not yet been met. The COP urged Developed Country Parties to fully deliver on the USD100 billion goal urgently and through to 2025 to support developing countries. The COP will continue to work on this to ensure that fund flows to developing countries and Small Islands Developing States.

Developed Country Parties were also requested to at least double their collective provision of climate finance for adaptation to Developing Country Parties from 2019 levels by 2025, in the context of achieving a balance between mitigation and adaptation in the provision of scaled-up financial resources. Providers of financial support were also encouraged to consider vulnerabilities of countries and same be reflected in the provision and mobilisation of concessional financial resources and also simplify access to finance.

Mr Deputy Speaker, Sir, at the World Leaders Summit and all the other Ministerial level as well as Presidency meetings and side events, the Mauritian delegation emphasised on the vulnerability of the Republic of Mauritius and urgent need for support. Thus, it was highlighted that the funding mechanism under the convention be made more efficient and effective for timely implementation of the Nationally Determined Contribution. Emphasis has also been laid on the urgency for supporting an enhanced mitigation and adaptation as well as strengthening of resilience to keep up with the 1.5 degrees Celsius target alive and avoid the catastrophic effects of climate change in Small Island Developing States such as Mauritius.

Under the Coalition for Disaster Resilient Infrastructure, which is a global partnership platform to assist states improve disaster resilience of their infrastructure, Mauritius has joined the Infrastructure for Resilient Island States (IRIS) programme – SIDS specific initiative, launched at the Summit on 02 November 2021 by His Excellency Shri Narendra Modi, Prime Minister of India and attended by the Mauritian delegation. Mauritius will benefit in terms of satellite imagery and capacity building, amongst others, and a Memorandum of Understanding will be signed shortly.

The Mauritian delegation also participated in some 12 level events organised by friendly countries namely India, France, the United States of America, European Union as well as Intergovernmental Organisations such as United Nations Development Programme, World Health Organisation, United Nations Educational, Scientific and Cultural Organisation as well as funding organisations namely Commonwealth Climate Finance Access Hub. It has been gathered that there are different potential sources of funding and technical assistance which could be explored under new and forthcoming initiatives namely the Nationally Determined Contribution partnerships under the United Nations Framework Convention on Climate Change, the Climate Promise Initiative “pledge and impacts” under the United Nations Development Programme, the Local 2030 Network – Island Net Zero” under United States Ocean Islands partnerships and upscaling of *Facilité 2050* under Adapt’Action 2. Accordingly, Government would further discuss with these bodies as well as explore with other funding agencies and bilateral donors for avenues of opportunity to implement measures identified in the updated Nationally Determined Contribution.

Mr Deputy Speaker, Sir, with regard to part (b) of the question, since June 2018, Government has invested around Rs6.6 billion into the National Environment and Climate Change Fund for the implementation of adaptation and mitigation measures, in respect of the following programmes –

- (i) rehabilitation, protection and management of beaches, lagoons and coral reefs;
- (ii) flood management;
- (iii) clean-up Mauritius and embellishment;
- (iv) solid waste management;

- (v) landslide management;
- (vi) disaster risk reduction and management, and
- (vii) green economy.

An Action Plan is currently under finalisation at the level of the Ministry for the implementation of the updated Nationally Determined Contribution. The proposed Action Plan will act as the guiding document to implement sectorial mitigation and adaptation actions by concerned Ministries and organisations and to report progress thereon as part of the Measurement, Reporting and Verification (MRV) Framework to the Ministry. Funding earmarked as well as support secured as at date will be geared towards enhancing the adaptation measures in respect of mainly coastal rehabilitation works, the Mauritius Resilience Strategy, the National Disaster Risk Reduction and Management Policy, Strategic Framework and Action Plan (2020-2030), the Land Drainage Master Plan, the Master Plan for Water Resources in the Republic of Mauritius, mangrove propagation, Climate Smart Agriculture and restoration of marine ecosystem.

With regard to mitigation, these are mainly –

- (i) development of a low carbon strategy under the Nationally Appropriate Mitigation Actions for the Republic of Mauritius;
- (ii) accelerating transformational shift to a low carbon economy;
- (iii) commissioning of an additional 22 MW battery energy storage system by CEB;
- (iv) capacity building initiative for transparency projects;
- (v) adoption of a 10-year electric vehicle integration roadmap for Mauritius;
- (vi) setting up of a 40 MW wind farm and a 2 MW Floating Solar PV at Tamarind Falls;
- (vii) implementation of the CEB Renewable Energy Scheme for charging of electric vehicles and the CEB Renewable Energy Scheme for public enterprise, and
- (viii) implementation of a proposed National Biomass Framework, which is being prepared by the Mauritius Cane Industry Authority.

Mr Deputy Speaker, Sir, the *Agence Française de Développement* has earmarked some 1 million Euro as technical and financial assistance to build resilience of the coastal zone against storm surges through the *Bureau de recherches géologiques et minières* (BRGM). To this effect, agreements between Government and AFD are being finalised.

Additionally, some 1.1 million Euro under the *Facilité 2050* has been secured for the development of a long-term strategy in four sectors, namely: agriculture and tourism for adaptation as well as energy and transport for mitigation, including capacity building of key stakeholders.

Furthermore, funds have been provided in the respective budgets of various Ministries for the key adaptation and mitigation sectors. In the 2021-2022 Budget, provisions have been made for the following –

- (i) remove the 5% excise duty on electric vans up to 180 kW used for the transport of goods;
- (ii) allow owners to install a Photovoltaic system not exceeding 10 kW to charge their vehicles and export any surplus to the grid in order to further promote demands for electric vehicles;
- (iii) phased out subsidies and incentives for the importation of diesel buses;
- (iv) increase the subsidy for the purchase of electric buses from Rs1 m. to Rs1.2 m. for 9-metre buses, and from Rs1.3 m. to Rs1.5 m. for buses above 9 metres;
- (v) provide lease to operators acquiring electric buses under the Transformation Fund;
- (vi) purchase 25 electric buses for the National Transport Corporation to renew its fleet;
- (vii) enable households to purchase solar kits for domestic use; the DBM will provide a concessionary loan up to 2% up to an amount of Rs100,000, and
- (viii) support the development of this industry, the CEB's *Centre de Formation et de Perfectionnement Professionnel* will become an accredited centre to provide training in the fields of Renewable Energy and Energy Efficiency.

Technical assistance from the European Union has also been secured for the conduct of an institutional gaps and needs assessment for implementing the Climate Change Act 2020.

Furthermore, in order to build capacity of key Ministries in the writing up of project concepts, notes for bankable projects and ease access to grant funds from multilateral funding agencies, namely, Green Climate Fund, Government has, in October in 2021, agreed to sign an agreement with the British High Commission for a project amounting to some Rs760,000.

A National Climate Change Advisor has also been hired under the Commonwealth Climate Finance Access Hub to assist in the capacity building project. Thank you.

The Deputy Speaker: Thank you. Hon. Member, you will appreciate, this was a long question and we had a long answer. You have supplementary; I will allow you! It is all answered! Thank you very much. So, First Member for Grand River North West, you can have the next question.

FISHERS – LUMP SUM

(No. B/1097) Mr F. David (First Member for GRNW & Port Louis West) asked the Minister of Blue Economy, Marine Resources, Fisheries and Shipping whether, in regard to the lump sum of Rs52,500 to be granted to each fisher aged 65 and above, he will state –

- (a) the parameters considered for the calculation of the said quantum, and
- (b) if consideration will be given for a review of the said quantum and, if so, when and, if not, why not.

Mr Maudhoo: Mr Deputy Speaker, Sir, I have to inform the House that my Ministry sought financial clearance from the Ministry of Finance, Economic Planning and Development for the issue of 500 new fisher cards to enable younger fishers to join off-lagoon fishing.

The Ministry of Finance, Economic Planning and Development raised no financial objection to issuing 500 new fisher cards subject to –

- (a) the cards issued being valid up to fishers reaching 65 years old, that is, the retirement age as per Workers' Rights Act, and

- (b) the Ministry coming up with a revised policy regarding the registered artisanal fishers, and taking appropriate actions in respect of fishers who are medically unfit to work at sea and those who are aged 65 years and above.

Mr Deputy Speaker, Sir, at its meeting of 22 January 2021, Cabinet agreed to the setting up of a Technical Committee comprising representatives from the Ministry of Finance, Economic Planning and Development, the Ministry of Social Integration, Social Security and National Solidarity, the Attorney General's Office, and my Ministry to look into the proposals.

The Technical Committee met on 22 and 29 January 2021, 24 February 2021 and 24 May 2021, and the financial implications of the following scenarios were discussed and subsequently analysed at the Ministry of Finance, Economic Planning and Development –

- (a) continuing the payment of bad weather allowance to all registered fishers, including those aged 65 years and above, that is, leaving the situation as is;
- (b) the Ministry coming up with a new set up condition for the proposed 500 new fisher cards being valid up to the age of 65, and
- (c) payment of a one-off compensation of Rs52,500 to fishers aged 65 and above to surrender their respective fisher cards as is being paid to individual net fishers for surrendering their lagoon nets.

The Technical Committee recommended the payment of a one-off compensation of Rs52,500 to around 500 fishers aged 65 and above, as well as those found to be medically unfit to surrender their respective fisher cards.

The option for returning the card is voluntary. Any fisher aged 65 or above, if he wishes to continue fishing, will continue to benefit the bad weather allowance among many other benefits such as Fishermen Welfare Fund benefits, safety kits, icebox, raincoats, lifejackets, etc.

Mr Deputy Speaker, Sir, additionally, the registered artisanal fishers retiring on grounds of age limit and medical conditions have been given the opportunity to transfer their fisher cards and other fishing assets to their next of kin, subject to the eligibility criteria for registration being satisfied.

As regard part (b) of the question, I wish to inform the House that the quantum of Rs52,500 as compensation is an approved budgetary measure.

Despite the COVID-19, our Government in recognition of the contribution of the fishers community to the economy, especially that our fishers have the most hazardous job, allocated this quantum.

Mr Deputy Speaker, Sir, I wish to add that in Mauritius, artisanal fishery is the only self-employed sector that derives bad weather allowance. With the coming of this Government, starting from Rs275 per day in the year 2015, it has now reached Rs475 per day, an increase of Rs200.

With regard to the Rs52,500, again, I have to stress, it is the only self-employed sector where the Government is providing a voluntary lump sum.

M. le président, là, je dois dire que quelques jours de cela certains membres de l'opposition faisant parti du Parti Travailleiste, du MMM, du PMSD étaient présents devant mon ministère pour manifester contre le montant alloué aux pêcheurs de plus de 65 ans.

M. le président, quelle démagogie de la part de ces honorables membres de l'opposition. Je me demande ce qu'ils ont fait quand ils étaient au pouvoir.

(Interruptions)

La vérité blesse ! Quand ils étaient au pouvoir, M. le président, je me demande s'ils savaient de l'existence de la communauté des pêcheurs à Maurice.

(Interruptions)

It is evident that things like retirement, lump sum were their least concern.

(Interruptions)

The Deputy Speaker: Order!

Mr Maudhoo: And surprisingly, ...

(Interruptions)

...when today the Government has increased the Bad Weather Allowance to Rs475, offered a lump sum of Rs52,500 and over and above writing off of DBM loans in the interest of many fishers, instead of thanking the Government, they have got the guts to criticise and claim to be better. *Pe vann rev avek peser!*

(Interruptions)

The Deputy Speaker: Are you done, Minister?

Mr Maudhoo: Mr Deputy Speaker, Sir, let me assure the House and our fishers' community that this Government, under the visionary leadership of our hon. Prime Minister, all our efforts...

(Interruptions)

Mr Mohamed: *Twa to pena zefor...*

(Interruptions)

The Deputy Speaker: Order!

Mr Maudhoo: *Mo montre twa la!*

(Interruptions)

The Deputy Speaker: Order!

Mr Maudhoo: All our efforts are geared towards leaving no stone unturned...

(Interruptions)

The Deputy Speaker: Hon. Minister! Hon. Shakeel Mohamed, this is not tolerated in the House while I chair!

Mr Mohamed: Which part?

The Deputy Speaker: *Montre mwa or montre anybody.*

Mr Mohamed: Thank you.

The Deputy Speaker: Thank you very much. It is not tolerated in the House, hon. Minister and hon. Member!

(Interruptions)

Mr Mohamed: I just ...

The Deputy Speaker: I need deco; do not argue!

Mr Mohamed: I am not arguing.

(Interruptions)

The Deputy Speaker: Order! We are about to end question time. I want to listen to answers and hopefully give the hon. young Member a last chance for supplementary. I am sure you want it. Please!

Mr Maudhoo: M. le président, dans le rang de l'opposition, il y a un ancien Premier ministre ! Il y a des anciens ministres ! Absolument rien n'a été fait pour la communauté des pêcheurs ! Maintenant quand le MSM est au pouvoir, nous sommes en train d'améliorer la vie des pêcheurs qui ont travaillé et qui ont risqué leur vie pour apporter de la nourriture dans nos assiettes, et le gouvernement a augmenté l'allocation du mauvais temps, et est venu avec une allocation de R 52,500 en vue de reconnaître leur contribution valable pour le pays, là aussi *l'opposizion dire narien na pa bon mem !*

(Interruptions)

The Deputy Speaker: Order!

Mr Maudhoo: Je laisse les membres du public et surtout la communauté des pêcheurs de tirer leurs propres conclusions !

(Interruptions)

The Deputy Speaker: Order! Done, Minister? Hon. Member!

(Interruptions)

Mr David: Merci, M. le président...

(Interruptions)

The Deputy Speaker: Order!

An hon. Member: *Fini noyer.*

Mr David : Je note dans la réponse du ministre que la manifestation au pied de son bureau, le 05 novembre, a visiblement suscité certaines émotions chez lui et je peux le comprendre. Effectivement, comme le ministre l'a souligné, nous étions quatre députés de l'opposition, les honorables Navarre-Marie, Nagalingum et Richard Duval et moi-même, nous

avons apporté ce jour-là notre soutien à la communauté de pêcheurs. Je tiens à clarifier notre position.

An hon. Member : *Poz question !*

Mr David : Nous sommes favorables à un plan de retraite pour les pêcheurs mais nous désapprouvons le montant forfaitaire de R 52,500, soit l'équivalent de cinq mois de salaire minimum. Puis-je demander au ministre d'éclairer la Chambre sur la raison pour laquelle il est en train volontairement de créer deux catégories de pêcheurs à l'île Maurice dans leur départ à la retraite, à savoir les pêcheurs à la senne qui reçoivent R 105,000 et les pêcheurs au casier ou à la ligne à qui l'on propose deux fois moins. Pourquoi deux poids et deux mesures?

The Deputy Speaker: I think this question is better than any disorderly conduct in this House. Please!

Mr Maudhoo: M. le président, concernant les pêcheurs à la senne, ce n'est pas seulement l'âge de la retraite, c'est la vision du gouvernement de faire cesser la pêche à la senne dans nos lagons. Alors c'est ça qui a été proposé aux pêcheurs à la senne. Ce n'est pas l'âge de la retraite. Ce n'est pas deux poids deux mesures, deux différentes catégories.

The Deputy Speaker: Thank you very much. Question time is over!

MOTION

SUSPENSION OF S.O. 10(2)

The Prime Minister: Mr Deputy Speaker, Sir, I beg to move that all the business on today's Order Paper be exempted from the provisions of paragraph (2) of Standing Order 10.

The Deputy Prime Minister seconded.

Question put and agreed to.

The Deputy Speaker: Hon. Prime Minister!

STATEMENTS BY MINISTERS

ALBION - THEFTS & CRIMES

The Prime Minister: Mr Deputy Speaker, Sir, I have 3 Statements to make following matters raised on Adjournment at the Sitting of the National Assembly on Tuesday 26 October 2021.

The first Statement relates to a matter raised by hon. Second Member for Beau Bassin and Petite Rivière regarding the increasing rate of thefts and other crimes in the region of Albion.

Mr Deputy Speaker, Sir, I am informed by the Acting Commissioner of Police that the crime rate has indeed slightly increased over the years, partly due to the increase in the number of inhabitants of the region of Albion. On average, the number of cases excluding contraventions, reported at Albion Police Station on a yearly basis, is 160. The common offences noted are larceny, breaking in dwellings and simple assaults. The number of drug cases detected in the region is on average 9 per year.

However, as the House is aware, my Government is sparing no effort to fight against all types of crime, especially drug related ones. Forty-five intelligence video surveillance cameras and two intelligence traffic surveillance cameras have been installed in the region under the Safe City project. The daily activities thereat are being monitored via those cameras at the Albion Police Station, Sub-Command Centre at Western Divisional Headquarters and the Police Main Command Control Centre at Ebène.

Additionally, the Crime Prevention Unit has set up three Neighbourhood Watch Schemes in the region and the Albion Police regularly conducts Community Policing Fora together with the Crime Prevention Unit to sensitise the inhabitants on crime prevention measures. Three Neighbourhood officers are also posted at the Station. These officers are responsible for identifying and solving local policing problems and reassuring victims of crime in the region. They work in collaboration with local community representatives, NGOs and other stakeholders.

I am further informed by the Acting Commissioner of Police that for the period 2017 to date, 69 sensitisation campaigns and 146 Community Fora have been organised in the region of Albion. As a result, out of 466 policing problems raised, 433 have already been resolved.

The Mauritius Police Force is continuously working in partnership with private security companies, bus companies, local authorities, NGOs and volunteers for the enhancement of

security in the region of Albion. Waste lands are regularly cleared and dark spots are fitted with street lightings.

Mr Deputy Speaker, Sir, I am also informed by the Acting Commissioner of Police that the Albion Police Station is operational since Thursday 13 April 1989, operating in an area of approximately 7.9 square kilometres including the regions of Belle Vue Phare, Black River and La Mecque. There are ten *morcellements* therein with an approximate population of 7,900 inhabitants. There are currently 29 Police Officers of different ranks posted at the Albion Police Station. There are three Police Stations, namely Petite Rivière, Beau Bassin, and Bambous Police Stations on the outskirts of the Albion Station Area.

The Albion Police is also supported by the Emergency Response Unit, Divisional Supporting Unit, *Police du Transport*, Divisional CID and ADSU in the day-to-day policing of the station area, wherein frequent foot and mobile patrols are conducted. Also, the SMF carries out regular targeted crackdown operations and vehicle checks in the region.

I am further informed by the Acting Commissioner of Police that the Albion Police Station will be provided with additional personnel, as the Mauritius Police Force is currently undertaking reorganisation and redistribution of personnel in a progressive manner. Moreover, the new recruits who are presently undergoing basic training at the different training establishments will be posted to several Police Stations, including the Albion Police Station, by mid-December 2021.

The re-setting up of a CID Office at Albion Police Station, as was the case in 2003, is not warranted for the time being. The sub-office of local CID was merged with the CID of Petite Rivière, which is attending to cases in the region of Albion as well.

**THE HON. THIRD MEMBER FOR BEAU BASSIN & PETITE RIVIÈRE - MATTER
RAISED ON ADJOURNMENT**

Mr Deputy Speaker, Sir, my second Statement is in regard to another issue of Law and Order raised by the hon. Third Member for Beau Bassin and Petite Rivière. The hon. Member has not, as at to date, communicated to me, as I invited him to do, precise details on what he stated, on Adjournment at the same Sitting of Tuesday 26 October 2021, as regards threats to the safety and security of inhabitants of Beau Bassin, particularly of women, caused by beggars,

apparently under the influence of drugs, and often of young age, near supermarkets, ATMs, the Sacré-Coeur Church, and food courts.

Notwithstanding this absence of communication of specifics to me by the hon. Member, I have already briefed the Acting Commissioner of Police on the matter raised by him for Police enquiry and action as appropriate.

And I am informed by the Acting Commissioner of Police that crackdown operations have been carried out in the region of Beau-Bassin, and the Police have established four cases of “begging in public places” and “idle and disorderly persons”. Foot and mobile patrols by local Police, Emergency Response Unit, Divisional CID, and Divisional Supporting Unit are being carried out day and night for preserving law and order, preventing and detecting offences, and reassuring the inhabitants.

Neighbourhood Officers are conducting victims support, and Field Intelligence Officers are gathering intelligence on illegal and anti-social activities. Targeted operations are being carried out accordingly and the Police is working in partnership with Community Representatives, Private Security Guards, and NGOs in a bid to keeping the region safe for its inhabitants.

**THE HON. FIRST MEMBER FOR LA CAVERNE & PHOENIX - MATTER RAISED
ON ADJOURNMENT**

Mr Deputy Speaker, Sir, my third Statement relates to yet another issue of law and order in the region of Bonne Terre, Solférino No.1, No. 2, No. 3, and Paillot, raised by the hon. First Member for La Caverne and Phoenix, who mentioned reported cases of thefts, and even of larceny with breaking, involving many youngsters presumably under the influence of alcohol or drugs. The hon. Member has communicated some information to me following my request to him to do so, and I have already asked the Acting Commissioner of Police to enquire into the situation mentioned by the hon. Member and to report.

I am informed by the Acting Commissioner of Police that since January 2021, thirty four cases of larceny had been reported to Sodnac and Vacoas Police Stations. Out of these cases, seven were detected and enquiry into the remaining cases is ongoing.

The Police have taken remedial actions to deal with such problems, some of which are as follows -

- (i) the movements of suspicious persons loitering in the above region are being closely monitored by Safe City Cameras;
- (ii) the inhabitants are being sensitised on crime prevention measures by Neighbourhood Officers assisted by personnel of the Crime Prevention Unit;
- (iii) the Crime Prevention Unit is working in collaboration with the Small Planters Association to raise awareness among planters and residents on measures to prevent them from being victimised. 6,400 persons have been sensitised from January to 15 November 2021;
- (iv) regular targeted joint crackdown operations are being carried out by regular Police, Divisional CID and ADSU;
- (v) Police presence and visibility have been increased in the region mentioned through covert and undercover foot and mobile patrols, and
- (vi) licensed premises are being frequently checked by Police. From January to 15 November 2021, thirty four have been checked.

Mr Deputy Speaker, Sir, the Acting Commissioner of Police has also submitted a report on a case of larceny with offensive weapons which occurred on Monday 25 October 2021 in a Pharmacy in Bonne Terre. The CCTV in the said Pharmacy and the Safe City Cameras have significantly contributed in the arrest of three suspects on Sunday 31 October 2021 at 02.00 hours. Police enquiry is still ongoing.

Thank you, Mr Deputy Speaker, Sir.

The Deputy Speaker: Thank you, hon. Prime Minister. Hon. Deputy Prime Minister!

NATIONAL ASSEMBLY SITTING - TUESDAY 09 NOVEMBER 2021 - PQ B/1009

The Deputy Prime Minister: Mr Deputy Speaker, Sir, further to supplementary questions to PQ B/1009 from the hon. First Member for Port Louis South and Port Louis Central (Mr Osman Mahomed) at the sitting of the National Assembly on Tuesday 09 November 2021, I wish to make the following statement -

I have been informed by the NHDC Ltd that the Project Manager of the NHDC's Design and Implementation Unit, Mr Hemaduth Jhugroo, irrespective of his name, does not hold any family ties with the former Minister of Housing & Land Use Planning.

I am further informed that Mr Hemaduth Jhugroo, satisfied the criteria that were laid down in the internal advertisement for the post of Project Manager of the said Unit and was appointed, on that basis, as Ag. Project Manager with effect from April 2019. In fact, he holds a Bachelor's degree in Civil Engineering with Honours and a Master's degree in Project Management. He is also a member of the Project Management Institute.

I am also informed that Mr. Hemaduth Jhugroo obtained his registration in July 2020 as Civil Engineer with the Council of Registered Professional Engineers. Mr G. Cooposamy, for his part, was awarded a contract as a Structural/Civil Engineering Expert in October 2020 to assist the Design and Implementation Unit with regard to civil and structural designs and to offer training to Trainee Engineers and Technicians and not to qualified Engineers.

According to information provided by the NHDC Ltd, I am informed that for the 2 projects, namely La Valette Project and the Saudi Development Fund Project, the NHDC Ltd has had to have recourse to the services of an external Architectural firm as the required expertise was not available internally.

In regard to the issue of credit cards, I am further informed that the NHDC decided, for ease of doing business, to have credit cards issued to its managerial cadre, which is common practice in today's business environment.

Mr Deputy Speaker, Sir, I understand that the NHDC, like other companies in Mauritius, has to comply with principles of good governance and is subject to both internal control and to the scrutiny of external auditors.

I thank you, Mr Deputy Speaker, Sir.

The Deputy Speaker: Thank you, hon. Deputy Prime Minister.

MOTION - S.O. 63

CRIMINAL CODE (AMENDMENT) BILL (NO. XIII OF 2020) - WITHDRAWAL

The Prime Minister: Mr Deputy Speaker, Sir, pursuant to Standing Order 63 of the Standing Orders and rules of the National Assembly, I move that the Criminal Code (Amendment) Bill (No. XIII of 2020) be withdrawn.

The Deputy Prime Minister seconded.

The Prime Minister: Mr Deputy Speaker, Sir, as the House is aware, the Criminal Code (Amendment) Bill (No. XIII of 2020) was introduced in the National Assembly on Friday 28 August 2020. After the introduction of the Bill, there have been developments relating to the Chagos Archipelago. These developments include the judgement of the Special Chamber of the International Tribunal for the Law of the Sea of 28 January 2021 which fully endorsed the determinations made by the International Court of Justice in its advisory opinion of 25 January 2021 and confirmed the undisputed sovereignty of Mauritius over the Chagos Archipelago.

Moreover, the aspects of the Bill that did not involve any act on the part of the foreign State and that could potentially adversely impact on arguably genuine exercise of freedom of expression are being no longer proceeded with. In view of these developments, the Bill has been reviewed and as this exercise entails significant amendments to the Bill, compliance with the provisions of Standing Order 58(3)(a) of the Standing Orders require that instead of bringing such amendments at Committee Stage of the Criminal Code (Amendment) Bill (No. XIII of 2020), the more appropriate course of action is to incorporate the proposed amendments in a revised version of the Criminal Code (Amendment) Bill which is on the Order Paper for today's Sitting and which will be debated at a later Sitting.

I, therefore, move that the Criminal Code (Amendment) Bill (No. XIII of 2020) be withdrawn.

Question put and agreed to.

PUBLIC BILLS

First Reading

On motion made and seconded, the following Bills were read a first time –

- (a) The Criminal Code (Amendment) Bill (No. XVI of 2021)
- (b) The Mauritius Recreation Council Bill (No. XVII of 2021)

(4.50 p.m.)

Second Reading

THE CYBERSECURITY & CYBERCRIME BILL

(No. XV of 2021)

Order read for resuming adjourned debate on the Cybersecurity & Cybercrime Bill (No. XV of 2021).

Question again proposed.

The Minister of Gender Equality and Family Welfare (Mrs K. Koonjoo-Shah): Mr Deputy Speaker, Sir, thank you for allowing me to bring my contribution to the debates on the Cybersecurity and Cybercrime Bill. Mr Deputy Speaker, Sir, this Government is coming with this Bill at a very apt moment, a moment where as a response to COVID-19, many enterprises have intensified the digitalisation of their services and are adopting a flexible approach to work remotely. Cybersecurity, therefore, will be a fundamental and a critical success factor in this new normal. Government is encouraging work from home whenever possible. In the new normal of COVID-19, many children have increased access to social media and are undertaking interactive school lessons.

Mr Deputy Speaker, Sir, I have listened very attentively to the concerns raised by hon. Uteem last Tuesday. He stated that the Government is allergic to criticism. In fact, the opposite is true. Mr Deputy Speaker, Sir, allow me to kindly remind this House that for the Children Act and other relevant legislations, we obtained some very valid inputs from both sides of the House and some came from the hon. Uteem himself, and we did bring a number of amendments to those legislations. This is proof, Mr Deputy Speaker, Sir, that Government is very open to constructive criticism, and I am fairly certain that improvements, where necessary, will be brought onboard.

Mr Deputy Speaker, Sir, on another note, hon. Uteem, during his intervention, went on to allege that the Children's Act and the other two legislations that come with it have not yet been proclaimed for, and I quote –

“(...) reason only known to the Minister.”

Mr Deputy Speaker, Sir, that is not very elegant from the hon. Member to say this. It is very incorrect; it is unfounded, and I have answered many PQs to that effect, the last one, the latest one being PQ B/929 which was brought to the House by hon. Uteem himself.

Mr Deputy Speaker, Sir, coming back to the Bill being debated, this Bill has a tremendous role to play in my Ministry. Earlier this year, in the midst of the resurgence of the pandemic, our island was in a state of shock when the viral spread of indecent photos and videos of our young girls and women were being displayed on social media against payment. The hon. Members on the other side of the House, their immediate reaction was involving blames on the Government and they were very busy propagating the argument that the Government is doing nothing to stop cybercrimes, to stop cyber harassment and, in particular, the phenomenon of revenge pornography.

Now that this Government is introducing the Cybersecurity and the Cybercrime Bill to curtail the insecurity and the crimes online, the hon. Members of the Opposition are now shifting their laments on the issue of human rights and freedom of expression.

Mr Deputy Speaker, Sir, dogmatism does not and will not pay because the very essence of this Bill is to bring more online security and to bring more protection from cybercrimes for all our citizens and all our businesses, and it also seeks to address the existing gaps with respect to the Budapest Convention on Cybercrime.

Mr Deputy Speaker, Sir, the Bill, in part III, at Clauses 16 to 19, makes provision for offences of misuse of fake profile, of cyberbullying, cyber extortion, revenge pornography. Mr Deputy Speaker, Sir, how many times have we heard cases of cyberbullying? So many people have been affected, especially our women, children; some have even gone to the extent of losing their lives due to cyberbullying. How many times I will witness belittling remarks against our women, our elders, or against people with disabilities in this country? And this Government, Mr Deputy Speaker, Sir, cannot stay indifferent to all these cases.

The surge in e-crimes is very alarming for Mauritius and is mostly related to the creation and use of fake accounts, Mr Deputy Speaker, Sir. A very simple question: why should and why do people feel the need to create a fake account? The intention is never a good one. Let us take it very hypothetically, Mr Deputy Speaker, Sir. What if somebody creates a fake account and insinuates on the social media that – let us take it a Member of this august Assembly - through

the creation of a fake profile, somebody is insinuating that a Member sitting in this august Assembly is involved into drug dealing, into I don't know, arms trafficking, weapons dealing, and this fake account and this allegation becomes viral.

Mr Deputy Speaker, Sir, what I am trying to say is that the reason for creating a fake account definitely amounts to having a harmful intention in most cases, and that kind of behaviour is definitely not what I would qualify as desirable. And the essence of this Bill, Mr Deputy Speaker, Sir, is to provide safety of our citizens in the cyberspace and to protect our citizens. There are absolutely no motives for denial of freedom of expression for anybody.

Mr Deputy Speaker, Sir, as the Minister of Gender Equality and Family Welfare, I wholeheartedly welcome the provisions in this Bill and stress on the need to better protect our children, our girls, and women who are, unfortunately, too often victims of malicious attacks. Cybercrimes, in themselves, are not necessarily gender oriented. However, the internet, over the years, has become a place where cyber violence and online abuse is increasingly targeting women and girls. This Bill will protect everyone, including our children and our youngsters from cyber threats and that is why a wide definition of "harm" is included in order to capture more offences in this respect. The aim is to defend and protect every child, every old person, every individual, and every business in our country.

Mr Deputy Speaker, Sir, Mauritius is a sovereign democratic State. It is of utmost importance that people should be able to walk, to meet, to talk, to chat, to comment, to express their views freely. It is totally healthy that we have debates, just like the ones that we are having today in this august Assembly. This Government listens to the people's point of view, listens to constructive debates, be it here, be it on the radios, be it on social media or any other platform, and this is how it is, and how it should always be because we are a Government that is driven by one key principle and that is the interest of our population.

But, Mr Deputy Speaker, Sir, let that be clear that this Government, under the leadership of hon. Pravind Kumar Jugnauth, has not and never will tolerate that a few people through the use of social media, like cowards hiding behind the screens, abuse this freedom, abuse the system. Even going on to try to destabilise and sometimes going to the alarming extent of toying with our social fabric, the precious harmony of our beautiful nation, through their irresponsible actions online.

Mr Deputy Speaker, Sir, how many times have we seen inaccurate comments and inaccurate information, being circulated just to mislead the people of this country, sometimes with very specific intentions and motives to cause harm. Some of these actions may and could have led to very dire consequences. Responsible citizens should without fear be able to report any infringement. The Police should be able to carry out their investigations effectively, and the Judiciary should, in all impartiality, be able to judge the matter.

M. le président, qui dans ce pays ou dans cette auguste Assemblée n'a pas été témoins des dérapages dangereux sur les réseaux sociaux, et plus alarmant encore, quand ces personnes publient en temps réel des commentaires que l'on peut qualifier d'irresponsable ? Nous en arrivons même à nous demander comment ces gens peuvent aller si loin en utilisant des propos aussi dégoûtants, aussi haineux, des commentaires qui peuvent à tout moment enflammer notre petit paradis.

Mr Deputy Speaker, Sir, I agree we all have the rights, we have constitutional rights. I agree that democracy must and should prevail. Sure, we can criticise. And we can and should any patriot tolerate abusive use of social media, which as a matter of fact is becoming more and more frequent. Such anti-patriotic actions should not be tolerated. One must remember that with rights come duties and responsibilities. This Bill, Mr Deputy Speaker, Sir, is in no way attempting to thwart our basic fundamental rights such as our freedom of expression. In fact, the Cybersecurity and Cybercrime Bill is going to better protect and promote the rights of everyone, especially those who are more vulnerable to malicious attacks.

Mr Deputy Speaker, Sir, we should ask ourselves where is the limit of *liberté d'expression*. We all know, actually in Mauritius there is, very often, no respect on social media. Today, we have certain groups of people who speak of, and I quote –

“revolution is the only solution.”

Such pyromaniacs, Mr Deputy Speaker, Sir, cannot be allowed to ignite social unrest in our peaceful nation through their irresponsible actions.

And therefore, Mr Deputy Speaker, Sir, to all those who, indeed, have concerns about clause 29 of the Bill, which deals with the real-time data collection, clause 30 with regards to interception of those data, and even with regards to collection, the Cybersecurity and Cybercrime Bill

contains a safeguard mechanism. The procedure warrants that such requests may only be exceeded by an application to a judge in Chamber. Members of the legal profession will agree with me that such an order in the past has been made very judiciously. Judges upon receiving an application will examine, look at the basis and the reasons for such an application, and then in their wisdom decide whether or not to issue such an order.

Mr Deputy Speaker, Sir, the Members from a legal background in this House will agree with me that a judge in Chamber will not entertain imprecise, frivolous or vague applications. The guarantee, in fact, is the judge in Chamber because there exists the doctrine of separation of powers, which is embedded in the Constitution of Mauritius.

Mr Deputy Speaker, Sir, to conclude, the Cybersecurity and Cybercrime Bill is a proactive Government's response to a more secure place in cyberspace for all citizens. The Cybersecurity and Cybercrime Bill provides a robust framework to build on and is yet another proof that the Government cares for its citizens, especially those who can only get tracked in the tentacles of cyber criminals and fraudsters.

The different provisions of the Cybersecurity and Cybercrime Bill, Mr Deputy Speaker, Sir, are also congruent to the mission of my Ministry, which is to protect our women and children against cybercrime and abuse, and to safeguard their rights. Therefore, putting aside all attempts at scoring political brownie points, I would urge the House to join us unanimously into getting this Bill through, and allow me, Mr Deputy Speaker, Sir to commend the work done by my colleague, hon. Deepak Balgobin for bringing this very important piece of legislation to the House, and I thank you all for your attention, Mr Deputy Speaker, Sir.

The Deputy Speaker: Thank you very much. I'll suspend for 30 minutes.

At 5.04 p.m., the Sitting was suspended.

On resuming at 5.47 p.m. with the Deputy Speaker in the Chair.

The Deputy Speaker: Thank you, hon. Members. Please be seated! I will call upon hon. Bodha for his debate!

Mr N. Bodha (Second Member for Vacoas & Floréal): Thank you, Mr Deputy Speaker, Sir, for giving me the opportunity to say a few words on this extremely important Bill.

First of all, I would like to say that I appreciated the tone of the Minister who spoke before me. I do not agree with many of her arguments and she also made a call for constructive criticisms which I will try to rise up to as far as the challenge is concerned.

Mr Deputy Speaker, Sir, let us start with some statistics and I have taken those statistics from Hootsuite, which is the recommended data analytics as regards internet users. We have about –

- 850,000 Facebook subscribers in Mauritius;
- We have about 2 million mobile subscribers;
- We have 350,000 LinkedIn subscribers;
- 320 Instagram accounts, and
- around 40,000 Twitter accounts, including corporate subscribers.

Now, it means that every day, we are having millions of messages in Mauritius, outside Mauritius and we know how today, we are doing a number of things on a daily basis. It has changed our way of life; the way we connect, the way we communicate. So the question is, whether law enforcement should curtail our freedom by making everyday things a crime because it will have an impact on all of us; those who process data or use a computer, individuals, parents, journalists, organisations, banks and many others. And if we are to see the way this Bill has been drafted, many of us will probably commit many offences daily.

I totally agree, Mr Deputy Speaker, Sir, that the world has changed and that we need a Cyberspace Authority to regulate criminal activities relating to offences like cyber terrorism, hacking. There are a number of crimes which are being committed using the internet which have to be addressed and we have to address them. We should be able to have the Cyberspace Authority to be able to do so. But then, at what expense do we relate this necessity to have an authority to supervise the cyberspace, the way we use it and the fundamental rights of the individual? This is the balancing exercise and the law should provide for this balancing exercise.

Mr Deputy Speaker, Sir, I have gone to see the Convention on the European treaty and the Budapest Convention and it is true that we have given the guidelines to draft the law and in the Preamble, what is said?

“Mindful of the need to ensure a proper balance between the interests of law enforcement and respect for fundamental human rights (...).”

As enshrined in a number of international conventions. And it raises two issues, the issue of clarity and the issue of proportionality.

In fact, in Article 13, we are given the guidelines for sanctions and measures and it is said

–

“Each Party shall adopt such legislative and other measures as may be necessary to ensure that the criminal offences established in accordance with Articles 2 through 11 are punishable by effective, proportionate and dissuasive sanctions, which include deprivation of liberty.”

I have listened to my colleague, hon. Uteem, and he raised this two key issues about the clarity and proportionality and I come back again to this Convention in Article 15, it is said that –

“Each Party shall ensure that the establishment, implementation and application of the powers and procedures provided for in this Section are subject to conditions and safeguards provided for under its domestic law, which shall provide for the adequate protection of human rights and liberties, (...) and which shall incorporate the principle of proportionality.”

Mr Deputy Speaker, Sir, I have laid the background, the framework.

Now, hon. Uteem mentioned this, about the clarity and there is one thing I do not understand is that we have the Convention, we have the Preamble, we have the broad guidelines and then we have this extremely important judgment, which was mentioned by my colleague, hon. Uteem, the ICT v.s Seegum in the Supreme Court case, where it was shown that the whole issue of constitutionality arises when the law has to be clear. Why? Because as implied in Section 10(4) of the Constitution, in criminal matters, any law must be formulated with sufficient clarity and precision to enable a person to regulate his conduct. And, the Supreme Court noted that the Section 10(4) of the Constitution has to be interpreted as impliedly providing for the requirement that in criminal matters, any law must be formulated with sufficient precision to enable the citizen to regulate his conduct.

And I come now to the definition of harm in the Bill and it is such a wide definition. I do not understand why the drafters being aware of the Preamble of the Budapest Convention, being aware of the Articles of the Convention, being aware of this judgment and the challenge to the

Constitutional provisions, they still came up with a definition of harm which includes, I am going to read it, it has been read –

“harm” includes physical, sexual, psychological, emotional or moral abuse, injury, neglect, ill-treatment, degradation, discrimination, exploitation or impairment of health or development;”

Who is going to interpret each of these terms? This is going to be done in the Courts. So, how can the citizen know exactly what the offence is and whether he should abide by the law or not? He should understand the offence. So, this very issue of clarity is extremely important and I am going to ask whether the Bill will stand this test of constitutionality on this issue of clarity and this issue of legality and to the fact that the citizen today, because as I mentioned, we are using the networks, we are using the different IT platforms on a daily basis, every hour in our profession, in our life and we should know exactly what are the offenses we will commit. In fact, *on a dit que c’était un fourre-tout, moi je dis que c’est un filet qui comprend à la fois les délits les plus dangereux et les délits les plus mineurs*. And when you take this with the sentencing, the proportionality, – this also was raised by my colleague – the Bill provides for sentencing, for example, in the case of unauthorised access to computer data, on conviction a person will be liable to a fine not exceeding Rs1 m. and to penal servitude for a term not exceeding 10 years. And in other cases where you have the offences, for example, a fake profile. We know that fake profiles do raise an issue. There are problems linked with it, but then, any person who individually or with other persons make use of a fake profile to cause harm – and harm is defined as I mentioned it earlier – shall commit an offence and shall on conviction be liable to a fine not exceeding Rs1 m. and to penal servitude for a term not exceeding 20 years. So, this is an abusive clause and I do not think that it would stand the challenge to constitutionality.

Mr Deputy Speaker, Sir, let us take a fake profile, a young person, in the emotional engagement with others, sending messages which are interpreted as causing harm, – with the definition of harm – issues of ill-treatment and emotional abuse and we have a harsh sentence which is possible for 20 years of penal servitude. What is the impact? Now, we know how this issue of provisional charge has been used in the past and being used now; how with a legal provision as this one and *l’épée de Damoclès* of a provisional charge, how this can be used to silence people.

Mr Deputy Speaker, Sir, imagine we know the harm is done, once the provisional charge is there, you have the arrest, you have the bailout, then you have the issue of the Certificate of Character and we can destroy the future, the character, the reputation of a young person and of the family, and also his career. So, I think that the drafting, the way this has been done, taking into account the preamble, taking into account the guidelines which have been given by the Convention, I think that we should have had very clear offenses – in fact, this has been the debate everywhere. And I explain again, you have this judgement of the Supreme Court and yet we are doing the worse. We had annoyance in the past and it was interpreted by the Courts, and today, we are having *un grand filet de délits graves*. The citizen wants to understand and wants to understand what is happening in his life, Mr Deputy Speaker, Sir.

Now, it is clear that we are working on addressing the issue to challenge the constitutionality of this legislation on two counts, that is, the clarity of it and the proportionality. And it is clear that we need a law which will fight hackers, which will fight fraudulent people, terrorist financing, but we cannot have a law to fight young people who use the Internet on a daily basis. I would like to make a proposal. There was a case of a Bill in the past, The Sexual Offences Bill, where at one point in time the debates were suspended and a Select Committee of the House was set up with Members from both sides of the House to review the clauses, to see what are the proposals from each side of the House, more consultations and to come up with a legislation which will, in fact, be able to bring a consensus in the House and outside the House, because the liberties that we enjoy offline should be also enjoyed online, Mr Deputy Speaker, Sir. So, that is my first proposal, that we have a Select Committee of the House because we all agree that we need a supervisory authority; we all agree that we need to fight serious crimes but, we, on this side of the House, we really agree that fundamental rights of the citizen should not be subject to such harsh sentences and I would say, such a mix of offences *dans un filet, comme je l'ai dit tout à l'heure*.

Mr Deputy Speaker, Sir, there is one thing I also wanted to mention, is that the National Cyber Security Committee is being proposed here, but it is an administrative committee. And when we see the people who are going to be nominated by the Prime Minister, by the Minister of IT, they are people in fact who are going to do an administrative job or, the priority, Mr Deputy Speaker, Sir, were not administratively regulating the sector. We need a supervisory authority, and that supervisory authority can only be a dedicated supervisory authority with experts from

both the Private and the Public sector, and somebody from the Judiciary as custodial. This is the model in countries like South Korea and in countries like Malaysia.

So, I am proposing that instead of having this National Cyber Security Committee, we have a Cyber Security Supervisory Authority with experts from both the Public and the Private sector to be able to see to it that we have the supervision of the sector. And I think that this Authority will be able to regulate the sector.

So, I made a few proposals, Mr Deputy Speaker, Sir. I think that there are a number of legal provisions here which are important for the country, but we need to see the fundamental rights of our people the more because it comes with the right to expression, right to criticism and when we see what is happening in the country, it is high time that we have the checks and balances so that we cannot have a law which will be an abusive political instrument. This is why I am proposing that we have a Select Committee of the House and we can sit together.

The hon. Minister who spoke before for me asked for constructive criticism, I am proposing one so that we can sit together and see to it that we have the best law for the country and for our people.

Thank you, Mr Deputy Speaker, Sir.

The Deputy Speaker: Thank you. Hon. Minister Teeluck!

The Minister of Arts and Cultural Heritage (Mr A. Teeluck): Thank you, Mr Deputy Speaker, Sir.

Mr Deputy Speaker, Sir, I hope I am not being too optimistic in assuming that we are all here unanimous that we need an updated and a revised legislation when it comes to cyber security and cybercrime.

The existing 2003 legislation has served its purpose over the years but since the cyberspace has exponentially evolved, technologies accessibility and the potential of a cyber-universe today exceed the parameters of the present law. Therefore, we need a new law to match the new forms of cyber security issues and most importantly, the new forms of cybercrime, all those new forms of criminal offences associated with the use of cyber technologies.

It has been mentioned by previous orators that certain offences already provided for in the existing legislation have been maintained and included in the Bill and further other offences

which have manifested over the recent years have been catered therein. These offences, as recommended by the Budapest Convention, offences which go beyond the mere misuse of a computer or other devices for hacking or electronic fraud or other similar activities but crimes which run down to the core of our societal behaviours. Crimes as serious and dangerous as misusing the cyberspace to cause harm to our children, to our families.

Mr Deputy Speaker, Sir, let me take as reference the offence of revenge pornography. Hon. Mrs Koonjoo-Shah referred to it in her speech. What we have seen in Rodrigues recently is *non seulement un acte déplorable, ignoble*, but it gives us the shivers. Revenge pornography as provided in the Bill, an offence certainly committed virtually, but the consequences are real and not virtual.

M. le président, les conséquences sont bien réelles and the harm caused is very real as well and this Rodrigues case is only one of the many incidents being reported or witnessed over the recent years, *et les victimes*, Mr Deputy Speaker, Sir, *ce sont nos enfants*, our kids who are and remain vulnerable to such disgusting and filthy acts.

Cyber extortion, Mr Deputy Speaker, Sir, a very common occurrence, an offence being committed with such ease, today businesses around the world are being hit by different types of cyber extortion and cyber threats like data ransom attacks, denial of service or cyber blackmail. And let me take as an example cyber blackmail. This form of extortion occurs when cybercriminals breach a private network, steal valuable data and hold information hostage.

In 2017, hackers shared unreleased episodes of the Netflix series ‘Orange is the New Black’, when the streaming company did not pay the blackmailer. That same year, a cyber-extortionist threatened to release unaired episodes of ‘Game of Thrones’ if HBO did not pay 5.5 m. USD in Bitcoin.

Hon. Members argued that as opposed to the penalty imposed in the case of extortion as per the penal code, the penalty prescribed in this Bill for cyber extortion is disproportionate but this is not correct. Not only the offence is different, but the act itself is different. We are here dealing with an offence involving the use of internet and this is what makes all the difference. We are talking about a very distinct, a very different type of offence, not comparable to the offence of extortion as we traditionally know it as set out in the *code pénal*. Cyber extortion

requires very strict and very severe penalty given its magnitude and the impact of this type of crime. Therefore, the issue of proportionality does not even arise.

Mr Deputy Speaker, Sir, before talking about the other sections of the Bill I would like to refer to Section 21 of the Bill ‘Infringement of copyright and related rights’. As opposed to what has been said by hon. Uteem, this section does not preclude anyone or our kids from downloading videos or songs or stream live matches. This section is qualified, it is very specific, it deals with use, publish or distribution of another person's work for commercial purpose or downloading of video, music files for gain or against remuneration, of posting of copyrighted works such as writing for gain or against remuneration again.

This is exactly what copyright is all about, isn't it? Protecting the work of an artist, protecting the right of an owner of a work. So, someone writes a song or sings a song, his creation, his property and you come and download it and start selling that song for your own benefit. So, that is normal! Well, this is called stealing; you cannot be exploiting the works of others. This is illegal and this provision reinforces the right of an owner over his work and it is as simple as that.

Mr Deputy Speaker, Sir, so much has been said about Sections 16, 23 and others – *surtout* outside the House – debates rotating around freedom of expression, Mr Deputy Speaker, Sir, none of us here were always Members of Parliament. Certainly many of us will not eternally remain Members of Parliament but whether Members of this House or not, whether we are involved in politics or not, we will remain at all times citizens of this Republic with rights, with fundamental rights which are firmly enshrined in our Constitution. Many a time have these rights been upheld in our Court of Law, many a time have our Courts reaffirmed and reiterated the essence of these rights and the fundamental need to protect them and it is not because I am a Member of a Party or that I sit as a Member of the Government that I will, in any manner, in whatever form, renounce or put at stake, not even an ounce, my rights as a citizen or the rights of any citizen of this country. We are a democracy, the same democracy, which *selon ses principes a voulu que nous soyons investis de nos fonctions de parlementaires. Nous sommes au contraire là pour défendre ces droits*, not to put at risk those rights.

Today, the internet has become an important aspect of every day; everybody's daily life from basic communication to online shopping, it has taken over the world. This modern society,

this interconnected world, this virtual era has brought so many good things. It has brought convenience in our life, it has brought innovative business practices, it has changed our habits, our behaviours, our way of life. Good things have happened, Mr Deputy Speaker, Sir, but with it has come lesser good things and before going any further, let me put it very straight. We are not against criticism or expression of any form of opinion, we are open to it and it is an essential part of democracy but, Mr Deputy Speaker, Sir, the issue is not about the liberty of expression, *la liberté d'expression*. The issue, Mr Deputy Speaker, Sir, is about what is being expressed in the name of liberty. Protecting our rights is also protecting ourselves, referring to the people of this country from an abusive use of the right to express our opinions. We need to protect ourselves from those who abuse *de ce droit. Ce droit sacro-saint qui est la liberté d'expression*. Who in this House has not been subjected to hate speeches or hate comments on social media, whether you are in the Opposition or in the Government? Hon. Bodha just intervened before me. Have you not, hon. Bodha, been subjected to hate comments or speeches when you do your live, your Saturday Press conferences? You know what I am talking about. We all know what I am talking about, particularly from fake profiles. You as well, hon. Ameer Meea, particularly from fake profiles.

Fake profiles, Mr Deputy Speaker, Sir, the very term 'fake profiles' means *faux*, false. We do not even need to debate about the provisions dealing with fake profile. Why would anyone go and create a fake profile, if not with an ill intent? Why conceal your real identity behind a false profile, if not to cause harm? We see it, we see it every day, these brave, these courageous people who very often choose to shield themselves behind fake profiles to defame, to attack, to insult, to make personal remarks or comments on physique. We are public figures, we will be and we are subjected to criticism. *D'ailleurs, on nous le dit: 'Bizin ena lapo crocodile'* But what about those crocodiles, Mr Deputy Speaker, Sir, who, hiding behind false identity, come and hurl mud at all of us, who under the garb of fake profiles, manipulate videos and images to defame, some for fun, but others for more obscure reasons? Hon. Bodha, do you endorse that under the garb of fake profiles, under the garb of expressing one's opinion, someone manipulate information or make unfounded allegations or personal attacks on your integrity or attacks on your family? Well, as far as I am concerned, I do not endorse such practice, certainly not in the name of *la liberté d'expression*, because *insulté* is not exercising *la liberté d'expression*. Making false allegations is not exercising the freedom to express oneself.

And let us forget about hon. Members. *La portée de ce* Bill goes beyond us. Under the garb of *la liberté d'expression*, should we endorse comments or posts of those unscrupulous cowards *où sous le couvert de* fake profiles instil fear and communal hatred *dans la population* ? We have seen it. We see it so many times, people hiding behind fake profiles in the comfort of their houses, posting vile comments, which could have had the effect of putting the whole country to fire. We all remember the case of Auquib where hon. Abbas Mamode acted promptly to help diffuse the situation. We all remember that incident and so many others, or during the first COVID outbreak or subsequent, how misleading comments, fake news posted almost had the consequences of creating social unrest in the country. How unfounded news, rumours have the capacity of having serious and dangerous consequences. We know how sensitive our country is and we have to be prudent in our acts and doings. We have nurtured respect and tolerance over years. Though from so many different origins, we have always lived as one and we are proud of this unity. Should we put this unity at risk *au profit de* some *pyromanes* who shamelessly abuse of this freedom of expression with the ill intent or simply by being reckless may cause our houses or the country to burn? A spark is very often, Mr Deputy Speaker, Sir, enough to set the country ablaze. And as much as we need to protect the right to freedom of expression, we need to protect our country from the dangers of these sparks.

There is also another comment about people who administer their accounts. It was high time to burden account holders with the responsibility to monitor comments on their accounts and posts. Why should account holders be bailed out of responsibility? Let me take the example of *la Press*. All Press today have online page or accounts. And most of the articles which are published find their way on social media, find their way online. And these online articles or live streaming obviously give way to comments, opening a floodgate, Mr Deputy Speaker, Sir, and everyone will agree to that, to abuses, *zoure*, personal comments, insults, attacks, cheap, unfounded allegations, just to name a few. Again, let us forget about us, but the same treatment is reserved for any other person being subject to an article or a live streaming video, and whether the reporting is correct or not. The mere fact of posting something online or making a video brings you to the ground, unarmed and vulnerable to cyber-attacks. It is high time that each and everyone shoulders their responsibility and bear the consequence of their act. The account holder must have the legal responsibility of monitoring and streaming their comments. Where comments exceed the borders of freedom of expression and dive into defamation and insults.

Mr Deputy Speaker, Sir, we need to act and we need to legislate, and we need certainly to sanction all those who believe that hiding behind a screen gives them the liberty to misuse this fundamental right, which so rightly qualifies us as a democracy. This is not about annoyance. This is not about causing discomfort to someone's *sensibilité*. It is not about comments or nagging because someone sent a comment that Liverpool won over Manchester. It is not even about that. It is about protecting the very essence of our nationhood. This is actually protecting our *droits, le droit de nos enfants à cette liberté d'expression*, and this Bill will help consolidate and reiterate the rights and principles attached to our freedom of expression.

Mr Deputy Speaker, Sir, let us not forget the very wise words of the former Judge Domah, and I quote –

“The sea that floats the ship is also the sea that sinks the ship. The air that lifts the airplane is the very air that crashes it. The freedom of speech that saves our democracy is also the freedom that destroys it. Use it responsibly.”

Finally, Mr Deputy Speaker, Sir, I would like to commend hon. Balgobin for coming to the House with this Bill. And with these words, Mr Deputy Speaker, Sir, I express my full support in favour of the Cybersecurity and Cybercrime Bill.

Thank you.

The Deputy Speaker: Thank you very much. Hon. Shakeel Mohamed!

(6.25 p.m.)

Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East): Thank you. Mr Deputy Speaker, Sir. I will dive right in this piece of legislation, with your permission. I will address you, Mr Deputy Speaker, Sir, and the House on specific clauses of this particular Bill. I will address the House on clause 8. I will also address the House on clause 16 and on clause 23.

I will start with clause 23 because this is precisely what the hon. Minister preceding me spoke of a few seconds ago.

I agree with the hon. Minister who presented this legislation that at least seven of the offences that existed in the previous Bill of 2003, in the Act of 2003, are reproduced to a certain extent in this piece of legislation that is being proposed, but it is updated in order to conform

with the Budapest Convention. This is as far as I will agree with him. Let me forthwith explain why and where I disagree with him.

The legislation that this Bill seeks to repeal did not contain any section pertaining to the failure to moderate undesirable content. What people would like to understand today is what exactly are we all harping all about? Why are we not agreeable with one another? I think it is necessary, therefore, to try to be very practical in our approach. Let us try to understand what clause 23 means. Clause 23, in very layman's language, means as follows. I, for instance, understand it to mean the following: the hon. Minister has an online account; the hon. Minister has a Facebook page which he very regularly updates, and I have seen it; he smiles very often in his photographs and he looks good in his photographs. I see some of the posts, how he has posted...

The Deputy Speaker: Look at me! Look at me!

Mr Mohamed: I mean he has got a nice smile and I can look at him as well, but, obviously, I am addressing you!

The Deputy Speaker: I would rather that you look at me now!

Mr Mohamed: Do not worry about it, he does not fear me! And when he posts on his page and whenever he puts photographs on his page, whenever he puts photographs of going, for example, to celebrate recently the centenary of certain citizen; I have seen it because we are friends and so it comes on my page. So, do not fear that I say we are friends; your friends will not mind. But we are friends on Facebook.

The Deputy Speaker: Address me! No crosstalking!

Mr Mohamed: When he posted that, there were many comments that were quite rude as regards the Minister. They were rude against the Minister because they said to him, in those comments: why is it that during the COVID danger, you are out there without *distanciation sociale*, doing something like that? He puts up another post with regard to an inauguration of a road. That is his duty as Member of that constituency, but he also had good comments, but some were bad comments. That happens. But some of those comments criticised Government for their incompetence. Some of the comments criticised the fact that certain Ministers organised those events in spite of the fact that there was the COVID danger! The Minister of Social Integration,

Social Security and National Solidarity should not have organised such an event; this is what the comment was. It also said that the Minister of National Infrastructure and Community Development should not have organised inaugurations! That was the comment. They called those Ministers incompetent. Some people, therefore, would say this is a true comment, an opinion which is protected by the liberty to have one's opinion under our Constitution. But what this Government is telling us today in this legislation is that if anyone posts or comments, criticising one Minister as being incompetent or any other derogatory remarks as far as his policy decision is concerned, that comment could be qualified to be deceptive or inaccurate. In other words, they may not agree that they are incompetent. Obviously, they would not like that. They would say this is deceptive language because you are saying I am incompetent and, therefore, if my page or your page or anyone else's page bears a comment of that nature that criticises Government for what they are doing or any particular Minister, it could, therefore, tantamount to fall under section 23(3)(a), which is –

“(3) For the purpose of this section –

“undesirable content” includes any online content that –

(a) is deceptive...”

So, the comment calling hon. Balgobin incompetent would be deceptive as far as he is concerned. It could be inaccurate as far as his friends are concerned. But it could be totally inaccurate as far as others are concerned! So, what does that mean? It would mean that that person would be liable to being reported to the Police for not monitoring the comments on the online account that contains comments that are deceptive or inaccurate vis-à-vis him and it would open him to be arrested, it would open him to be liable to conviction, to a fine not exceeding Rs1 m. and to penal servitude for a term not exceeding 20 years.

All this started with a simple event organised in a constituency and someone not appreciating the competence of a Minister! That is how practical one has to be to understand how far this legislation can go to hurt. I am not saying that the intention of the Minister is to hurt. I am not saying that the hon. Minister Balgobin wants to hurt anyone. I am saying that the legislation that he is proposing has the potential of hurting. I would like to believe that he was not even aware of that possibility, because I do not want to have any *procès d'intention* against the hon. Minister. Maybe he did not realise that this could be taken as far as that! And is this

what we want in a democratic society, under the garb of supposedly protecting our children? Is this what we are going to teach our children? That you have to ensure that your Facebook account does not contain anything inaccurate; for instance, do not ever say that a company is fleecing its clients because its customer service is *lamentable* or that it is selling damaged goods to people. That would be inaccurate according to the company.

That person who posts something like that and who does not ensure that his post on his page is not monitored or deleted could be reported to the Police simply because it is a customer who is not satisfied. The Minister's intention is not that, I take it, but the possibility of it going that far is not a stretch of imagination but real.

Second issue I would like to deal with, with your permission, Mr Deputy Speaker, Sir, is the misuse of fake profiles. We have heard our friends talk of the misuse of fake profiles. I invite the hon. Minister presenting this Bill and the Prime Minister to visit the Cybercrime Division at the CID. Go to the Central CID; go down that long corridor in this old building falling into bits and pieces; walk that corridor; hear the wood creaking under your feet and walk to the last office, that is, the Cybercrime Division; open the door and see the sad conditions in which those Police Officers are made to work in! I am not saying it is the fault of this Government. I am saying this is the condition in which they are working. I am saying that since this Government is in power, it is its responsibility to look into it. Go there! Go and see what it is like. Go and see how the desks they work on are so full of paper. Go and see the type of computers they have, that belong to the last decade. Go and see the tools that they have to work, that are not even modern! You expect to have beautiful speeches about Mauritius having to be a modern State, about how you are going to comply with this convention and that convention when we are not even able to give Police Officers proper tools in order to investigate? Can you imagine? They do not even have proper computers that are quick enough in order to operate! They do not even have access to internet within that office.

I have been there, Minister! The hon. Minister should know I go there. Not only have I been there also to make complaints against some Ministers of this former Government; at the time they were not Ministers, they were simply backbenchers. You want to know how things work? It took five years for me to even harass the Police almost every other month to get an

answer as to what had happened following my complaint. Not even by the use of a fake profile! Hon. Minister Teeluck should hear that.

There are Ministers in this Government who have in the recent past made use of their own profile to defame, insult. They were reported. And harassed the Police was! Why is it that nothing is happening to that person? Why is it that when it is Members of the Opposition, they are arrested? Why is it that when it is Members who are against Government, early in the morning, the Police visits their home and arrest them? Why is it that when it comes to a Member of Government, five years on or more, nothing has happened? Answer me! My phone calls never stopped and finally, I found out that this person who is today Minister was warned by the DPP. So, yes I agree with what hon. Teeluck has said. I agree with what the hon. Minister has said that he is totally right and it is indeed a sign of hope when I hear a Minister on the other side say it and I am of the view that there are not many people like him. There are not many people like the hon. Minister Teeluck because he said it with such sincerity. I commend him. If only the sincerity that he has displayed, he could share it with some of his colleagues who have rendered themselves guilty of what he abhors.

So, why, therefore, if a fake profile is so wrong, make it legal for it to be used? Because what the hon. Minister is saying if you have a fake profile, it is fine as long as you do not misuse it. What the Minister is saying is that *il n'y a pas de problème si vous avez un faux profil. Il est tout à fait acceptable, voire légal d'utiliser ce faux profil. Mais je vous décourage* to use it in a bad way. Why so timid? Why not make it unlawful to have a fake profile?

(Interruptions)

The Deputy Speaker: Order!

Mr Mohamed: Why not make it unlawful? You have a fake profile, going on to the net, having an online account which is false in itself should be made an offence. That is how you take *le taureau par les cornes* and you ensure that there is no abuse online by any person. This is what I recommend the Minister to do.

The third thing I would like to speak of here is clause 8. Clause 8 talks about the unauthorised interception of computer service. I have done some research to understand clause 8. Clause 8 existed in the previous law and it was dealt with by Section 5 in the actual law, which

will be repealed soon. The difference between clause 8 in the Bill today and the previous law, the actual law which will be repealed soon, is that there is a waiver in there. It says that “unauthorised interception of computer service,” and interception here also includes phone tapping, that is what I am getting at. Interception includes phone tapping.

What this legislation does and repeats what was said in the 2003 law is that it shall be unlawful to tap but the difference with the actual law is what the Minister proposes, is that a person shall not be liable for unauthorised interception. A person shall not be liable for interception without authorisation if he is “acting in the performance of his lawful duties, contractual obligations or is discharging a legal obligation.” What does that mean? If someone is acting in the performance of his lawful duties, he can intercept telecommunications, data unlawfully. If he is performing his contractual obligations, he can do so unlawfully. If he is discharging a legal obligation, he can do so unlawfully! I find that quite interesting because one must not only read the Convention, one must also, Mr Deputy Speaker, Sir, read the Explanatory Report to the Convention; not only the Convention. There is an Explanatory Report to the Budapest Convention of 23 November 2001. That particular Explanatory Report talks about precisely Article 3, that is taken here in clause 8 Interception. It says here that interception includes phone tapping, intercepting data, intercepting WhatsApp, intercepting telecommunication by internet. What is interesting here is that the Explanatory Report makes it unlawful for any person to go and intercept any communication unless he has a Judge’s Order, unless it is for some criminal investigation. This is what the hon. Minister said that it is only, *s’il y a une affaire qui a été rapportée à la police, si la police doit enquêter, si une instance doit enquêter, il doit y avoir une demande devant le juge en Chambre pour obtenir la permission d’intercepter. C’est ce que le ministre a dit. Faux ! Ce que le ministre n’a pas dit, c’est ça qui est important. Ce que le ministre a refusé de dire, c’est ça qui est important. Ce que le ministre nous ne dit pas c’est que* he goes against the Convention by having added that last paragraph. When he says that he is acting in the performance of his lawful duties, contractual obligations or he is discharging any legal obligation as a waiver of liability, *cela n’existe pas dans la Convention. Cela est importé par le gouvernement du jour.*

My investigation went further. When you look at the licences given by the ICTA, let me look at one here given to Emtel and another one given to Mauritius Telecom, they are the same - internet service licence. They are given under certain conditions and all those licences, I invite

the members of the public to go on the ICTA webpage and look up all the licences that have been issued, and look at clause 27.1 of those licences. Clause 27.1 reads –

“The Authority reserves the right to exercise such monitoring of the Services, (...), as may be required for national security.”

Up to now, *je n'ai pas un problème moi* ; national security, you need to monitor, fair enough! But what is shocking in the licence is that the title is exceptional monitoring for State security but here it says “in the public interest.” Therefore, it is contractually lawful for the ICTA to reserve the right to exercise monitoring of the services as may be required for national security or in the public interest. And –

“The licensee shall in such a case make available to the Authority (...) all monitoring facilities at its own cost.”

So, in the licences, the Government and not only this Government, I say it again, Governments who have given those licences that are exactly the same as this one, even the previous regime have facilitated the monitoring of telecommunications, data and internet for the purposes of not only national security but also public interest. That is not defined. Public interest, for hon. Jugnauth, could be a different thing as opposed to hon. Ramgoolam. So, therefore, it is my contention in conclusion that this last paragraph added by the Minister goes against the Convention and opens the door to legitimise phone tapping and communication interception and it creates a waiver of liability; creating a situation where today you can intercept, you can monitor, you can go behind the back of the Judge in Chambers because for Judge in Chambers, it talks about criminal issues, investigations. Here, it talks of the licence - public interest; a simple phone call from *le nommé politique du Premier ministre du jour*, the licence obliges the service provider to give monitoring. So, what I say is the following: this Government and any Government cannot and should not *berner la population*, to make the population believe that it is only when you go to Judge in Chambers that you intercept and monitor communications. Communications are intercepted and monitored contractually as we speak in public interest, whatever that means, and this is something that must be something of the past. It is not an excuse to come and say it was the case like that when you were in Government; it is not an excuse to come and say, when you were in Government, it existed; that would be an excuse *du faible*. Either you are better or you are the same, because right now, you are verging on worse.

Those are my comments. Thank you.

The Deputy Speaker: Thank you very much. I will suspend for 10 minutes, I will be right back.

At 6.46 p.m., the Sitting was suspended.

On resuming at 6.59 p.m. with the Deputy Speaker in the Chair.

The Deputy Speaker: Thank you very much. Please be seated! Hon. Minister Hurreeram!

The Minister of National Infrastructure and Community Development (Mr M. Hurreeram): Mr Deputy Speaker, Sir, before I contribute to this debate, I would like to offer my thoughts and sympathy to all those who have been and who are still victims of cyberbullying and cybercrimes. Some of them, unfortunately took their own lives while the aggressors got away unpunished.

Mr Deputy Speaker, Sir, I will not waste the time of the House rebutting comments hollow and got nothing to do with Bill. That reminds me what once the DPM said in this House: “full of sound and fury signifying nothing.” Surely, some journalists who listen are still scratching their heads wondering what they are going to report. I would also like to congratulate my friend and colleague, hon. Minister Balgobin and his team, of course, who did a marvellous job by presenting this Bill that this country so needed. During his speech, he has extensively explained the Bill to the House and to the Nation. Even my good friend, the brilliant lawyer Reza Uteem, found that the Bill was a good one. But, of course, fair game, he had to do some politics and he ended into defending fake profiles, we understand. *A écouter l’honorable Bodha, on a l’impression qu’il souhaite deux lois; une pour les adultes et une moins sévère pour les jeunes. Un délit demeure un délit, M. le président !*

Mr Deputy Speaker, Sir, we now live in the age of information and data is the new goal. As the use of technology becomes more and more widespread in our society, unfortunately, the crimes targeting and using computer system have also become increasingly common. Today, Mr Deputy Speaker, Sir, online crime represents such a big security issue for law enforcement in every country more than ever before. According to the Interpol, this is due to a combination of factors which includes better internet access and connectivity, the wide availability of cyber tools

and the growing cunningness of cyber criminals. These cyber criminals use the current communication technologies and platforms to all sort of disgraceful acts more often than not. They cowardly take advantage of online anonymity, fake profiles and other sophisticated tools to try to leave no online trace after committing their malicious acts.

Governments around the world acknowledge the challenge it represents to combat cybercrimes effectively. Even we, today, Mr Deputy Speaker, Sir, need to strengthen our laws, not only to protect law abiding citizens but also to ensure a safer ecosystem for businesses, individuals and most importantly our children and, I think, *c'est inconcevable ce qu'on est en train de faire aujourd'hui avec ce Bill*. It concerns, Mr Deputy Speaker, Sir, *l'écosystème*. So, resuming it to political pettiness - I do not know how to term that - is *complètement à côté de la plaque*. We are talking about something much, much, much bigger here and I will explain during my speech why and what I mean.

This Act, Mr Deputy Speaker, Sir, is the answer to these challenges. On one hand, it recognises the need to sanitise the interactions with the virtual world and it also provides the necessary tools to our law enforcement authorities to effectively bring to justice the abusers.

The objectives of this Act are very clear, Mr Deputy Speaker, Sir. First, it aims to secure and protect, secondly, to find and punish the offenders. To achieve these objectives, the Act introduces bold and concrete actions. The repeal of the Computer Misuse and Cybercrime Act by the new modern legislation will allow Mauritius to be in compliance with the Budapest Convention on cybercrime. 64 countries have ratified, my other colleagues have already spoken a lot about this and we know what the treaty's objectives are –

- (i) harmonising national laws related to cybercrime;
- (ii) supporting the investigation of these crimes, and
- (iii) increasing international cooperation in the fight against cybercrime.

This new Act, Mr Deputy Speaker, Sir, addresses each one of those objectives in detail and does much more. Mauritius acceded to the treaty in 2014, but our laws were never adapted to be fully aligned. You will agree, Mr Deputy Speaker, Sir, the changes were long overdue and we have seen and read that many of those who were against this Act only provided limited comments against it. They failed badly to understand that this Act is very much about cyber security, it is about tackling cybercrime. It seems to me that there is no Bill, no project, no

reform brought forward by this Government that the Members on the other side of the House will approve.

When we look at the provisions in this Bill, it is very clear why they are necessary. We are improving a Bill which backdates to 2003.

Yes, indeed, the MSM in alliance then with the MMM, foreseeing the potential of the IT sector. The late Sir Anerood Jugnauth was wise enough to build the Cybercity, knowing the return on investment in the years to come, and we remember all the comments that we heard at that time; *'l'éléphant blanc'*, they used to say. This is what we call vision; preparing our country for the long-term. This is exactly what we are doing now, Mr Deputy Speaker, Sir, and history will recall, one day, what was being said when this Bill was being debated. Maybe I will not be there, maybe my son, hopefully God willing, will be here to listen.

And exactly 18 years ago, now, Mr Deputy Speaker, Sir. For 18 years, this law needed adjustments and, yet, we never heard a single proposition from any Dick, Tom and Harry, be it from the Opposition. Half of them were unable to present a Bill in this august Assembly, for obvious reasons. But what about the others?

Some are now portraying themselves as futuristic, modern, eco-friendly - *papa!* -, regularly showing themselves on TikTok and what not, trying to look pretty, giving colourful speeches about the youth, technologies, environment; name it!

Those same hon. Members sat in power from 2005 to 2014. This is about the time internet gained momentum in Mauritius and every citizen who had access to the web had at least one profile on several social media outlets. Then it was MSN, Hi5, Viber, to eventually WhatsApp, Facebook, and now Instagram, Telegram and TikTok. The abuses started immediately and, yet, nothing had been done during the time to prevent such ill practices.

Insultes et attaques gratuites sont devenues monnaie courante. M. le président, à croire que nous sommes au Far West.

Unlike them, we owe it, as a responsible Government, to our people that we ensure the protection of our society against new threats.

In line with this effort, this Act provides many concrete actions. One of them, as provided in clause 3 of this proposed Bill, is the setting up of the National Cybersecurity Committee

whose role, should I say, will be critical in the years to come. The main challenging task of this Committee would be to advise the Government on the constantly evolving and dynamic nature that is cybersecurity and cybercrime.

The more we advertise Mauritius and attract talents and businesses, the more we also become exposed to international cybercrimes, to those international cybercriminals. This is why it is important that we do have measures in place to constantly monitor and protect our key infrastructures.

The initiative, as detailed in clause 4(1) (e) of this proposed Bill, pertaining to identity and secure critical information infrastructure protection framework, does just that.

Clauses 33 to 37 of the proposed Bill detail how it will ensure that we mitigate, if not eliminate, risks posed by cyber criminals to our core services such as our water supply, health services, energy distribution and connectivity. So, you see, Mr Deputy Speaker, Sir, it has got much more to do than fake profile; more than the short-sightedness of some.

Let's take a minute to think what would be the consequences if a criminal was able to penetrate our system and shut down water supplies all around the island and put down our electrical grid using a ransomware. These are far from being not just theories.

Mr Deputy Speaker, Sir, recently, an event of that magnitude hit the USA, where a big oil pipeline was rendered inoperable due to a ransomware. The result was mass panic due to shortage in fuel at gas stations in that region.

The critical information infrastructure protection framework will also help to avoid any event that could adversely affect our economy or disrupt our money market. Cyberterrorism is a real threat, and the risk of having human casualties is also very much real. We need to be prepared to counter those risks. We need to identify any vulnerability that we may have and ensure that we have the appropriate protocols to handle what would be tried against us.

The function of this new Committee being set up is detailed in clause 4 (1) (a) to (j) of this Act is the first step in that direction. I am confident that they will be able to provide us with the much required protective barrier we need.

The setting up of the CERT-MU, as per clause 38 and 39 of this proposed Bill, will be a valuable asset to coordinate cybersecurity responses and to promote cybersecurity at national level.

The Committee will be provided with the right tools and training to ensure that they are able not only to analyse external threats but also those who, unfortunately, try to harm us within our borders.

“Prevention is better than cure”, Mr Deputy Speaker, Sir. This maxim is very much applicable in the context of protecting ourselves against those lurking in the dark corners of the cyberspace.

The Committee will also have the responsibility to set out clear guidelines of businesses and individuals regarding the best practices, capacity building on prevention, detection, and mitigation of cyber risks. This adds to the effort of this Government towards Smart Nation Building.

We have heard all sorts of uninformed comments from various sections, including the press, and from Members of the other side of the House. But, Mr Deputy Speaker, Sir, they fail to understand the essence or do not wish to comprehend.

M. le président, il n’y a pas plus aveugle que celui qui ne veut pas voir. Qui cherchent-ils à protéger ?

Social media has given a new definition to freedom of speech. Now you are allowed to express whatever comes to your mind. I, myself, Mr Deputy Speaker, Sir, have been victim of abuse on regular basis on social media, as you are yourself. But would the same people have the guts to tell me those same allegations and spiteful words in the streets or in my face? The answer is no, Mr Deputy Speaker, Sir.

Quand vous lisez certains commentaires sur les publications de certains médias, M. le président, le constat est accablant. De la diffamation gratuite, non-contrôlée, des propos qui incitent à la haine raciale qui sont autorisés, des allégations sans la version d’autrui, et on ose venir dire que ce projet de loi vient mettre en danger la liberté d’expression.

Les entretiens diffusés live sur les réseaux sociaux et les vagues de commentaires qui défilent sur votre écran. Il n’existe aucun contrôle, et les faux profils s’en donnent à cœur joie.

De quelle liberté d'expression parlons-nous ? Celle où on est autorisé à dire ce que l'on veut à son prochain sans être inquiété par la justice ? Soyons sérieux !

Mr Deputy Speaker, Sir, I believe that as a modern society, we should aspire better than this. Unfortunately, the current legislation provides very little flexibility to the Police and other agencies to maintain order on the internet. This is why this Bill is important. Not to spy on the Opposition as some want to make us believe, since there is nothing to spy as you can see for yourself.

An hon. Member: *Pas mank lokipasion.*

Mr Hurreeram: Not to stop people from criticizing the Government, because criticism is good when it is constructive. And certainly not to control people's thoughts. This Bill is necessary to bring order in this chaos.

Mes honorables collègues de l'autre côté de la Chambre peuvent respirer. Quand ce projet de loi sera voté, ils pourront continuer à se donner en spectacle avec leur live, pas de soucis, sur les réseaux sociaux car ce projet de loi n'a pas pour but d'opprimer, mais plutôt de responsabiliser. C'est ça qui est important.

Through this Act, this Government is setting up the penal framework to ensure that those who commit crimes are given the proper punishment after due process through our able justice system.

Referring to clauses 26 to 32 of this proposed Bill, a significant portion of this Act relates to collecting evidence against ill-intentioned individuals before any penal action is taken. This is far from the gun slinging law that a loud minority are portraying it to be. For example, in the course of an investigation, should it be required, the Act will provide the required regulatory framework to the authorities to be able to access, search, seize and make a copy of a computer system for an investigation.

The authorities will also be able to collect traffic data from service providers in a confidential and expedited manner to ensure that identification of the criminals is done promptly with immediate remedial Actions.

And more importantly, Mr Deputy Speaker, Sir, it is mentioned at six different places in the Bill, under six different clauses, from clauses 26 to 31, that an order from a Judge in

Chambers is required for an investigative authority to act. Are we going to stoop this low and question the integrity of the judiciary in this National Assembly?

Aujourd'hui, M. le président, les plaintes pour des délits de cybercriminalité sont monnaie courante. Les autorités sont prises d'assaut tandis que le nombre de victimes augmente. Cela n'augure rien de bon si on n'agit pas maintenant.

We have all heard of the disgusting indecencies that were circulated on social and messaging platforms in a recent past. Certain individuals participated in sharing indecent pictures of Mauritian girls on popular messaging platforms. Are we supporting this? We have also heard of online prostitution setup within our shores. How are we going to fight this? Mr Deputy Speaker, Sir, we need to act and we need to act now.

The Cybercrime Unit of the Police is overwhelmed with complaints on a daily basis with regard to attacks from profiles, most of them fake. I urge the Members on the other side of the House to consider this Bill on its merits. Think about the thousands of children you are condemning by voting against this Bill and therefore exposing them to all kinds of abuse. If you have a conscience, I know most of you have, then do the right thing.

Let me help you see the bigger picture. According to the past statistics, in Mauritius, more than 35% of complaints are related to fake accounts. 35%, Mr Deputy Speaker, Sir, causing prejudice to people. 20% of the complaints were for online harassment and 21% for accounts being hacked and misused. These statistics are for a few years back. I am sure that the ones for this past year will be even more damning.

The Deputy Speaker: Hon. Minister, I am sorry to interrupt you but you should watch the time. You need to wrap up.

Mr Hurreeram: Clauses 7 to 25 of the proposed Bill, Mr Deputy Speaker, Sir, has provided for more severe punishment for individuals committing crimes such as –

- misuse of fake profiles;
- cyberbullying;
- electronic fraud,
- failure to moderate undesirable content, just to name a few.

The penalties have also been revised to ensure that those individuals will be deterred from committing such acts.

Therefore, clauses 40 to 48 of the proposed Bill offer a comprehensive approach to the issues. As a result of this act, Mr Deputy Speaker, Sir, Mauritius will be part of the global Glacy project in collaboration with Interpol.

Mr Deputy Speaker, Sir, Pravind Jugnauth is the only Prime Minister in history who was bold enough to introduce the minimum salary, the Worker's Rights Act, the free tertiary education, the only Bill on an electoral reform ever introduced in this august Assembly and the Children's Act. Now we are tackling Cybercrime and Cyber Security. This Act provides just the right framework for our protection and sets strong penal retributions for those who fail to comply.

My message to those criminals and those protecting them is simple - make no mistake, this Government means business. This madness needs to stop now.

I thank you for your attention.

The Deputy Speaker: Thank you very much. Hon. Patrick Assirvaden!

(7.22 p.m.)

Mr P. Assirvaden (Second Member for La Caverne & Phoenix): M. le président, d'abord je traiterai de quatre points, M. le président, la section 23, la section 16, la section 3 et la section 26. Mais permettez-moi avant, M. le président, de commenter l'orateur qui m'a précédé, l'honorable ministre et l'orateur, l'honorable ministre Teeluck. Les deux ministres ont axé leurs discours concernant ce *Cybersecurity and Cybercrime Bill* principalement sur le fait qu'il y a trop de critiques à l'encontre de certaines personnes, principalement du gouvernement et l'orateur qui m'a précédé s'est même permis pour dire que ce projet de loi est là pour responsabiliser la jeunesse mauricienne, responsabiliser le peuple mauricien. Comme quoi le peuple mauricien, la jeunesse mauricienne dans ce pays n'est pas suffisamment responsable ou irresponsable ! Être responsabilisé, être responsable pour ceux qui nous gouvernent aujourd'hui, c'est...

(Interruptions)

An hon. Member: *Démagogies !*

The Deputy Speaker: Order!

Mr Assirvaden: Cela fait mal ! Cela fait mal !

The Deputy Speaker: Order!

(Interruptions)

Mr Assirvaden : Cela fait mal ! Cela fait mal, M. le président ! Cela fait mal, je peux comprendre.

The Deputy Speaker: Wait ! You want to address the House, hon. Nuckcheddy?

Mr Nuckcheddy: Next Tuesday!

The Deputy Speaker: Next Tuesday. So, for the time being, listen please!

An hon.Member: De l'arrogance!

The Deputy Speaker: No! You are not the one regulating the conduct. I am doing it. I think I am doing it okay for now. Please!

Mr Assirvaden: Responsabiliser la jeunesse, M. le président, donc pour eux pas de critiques. La jeunesse mauricienne en général n'a pas d'opinions, elle n'a pas le droit de dire quoique ce soit sur le népotisme depuis bientôt 6 ans, rien sur la corruption, rien en ce qui concerne le scandale de la corruption des *ventilators* et tout. Donc, pour vous dire ce projet de loi, M. le président, je qualifierai ce projet de loi de dangereux et de malicieux. Dangereux et malicieux ! Mais il faudra retourner un peu dans le temps pour voir dans quel esprit ce projet de loi a vu le jour.

Quelques temps de cela, le *Consultative Paper* de l'*ICTA*, qui a été désavoué par la population, rejeté par les observateurs indépendants, critiqué sur le fond. Et aujourd'hui, ce gouvernement, l'honorable ministre en catimini nous emmène un projet de loi dangereux, simplement pour essayer de responsabiliser les mauriciens.

À la section 23 : *failure to moderate undesirable content*. *Failure* pour les radios, la presse en ligne, selon ce que les ministres nous ont dit jusqu'ici, les radios en ligne, la presse en ligne vont devoir censurer - les mots des orateurs, M. le président - les critiques contre le gouvernement. Les critiques contre les membres du gouvernement en se sentant *annoyed* alors que, déjà dans la loi actuelle, M. le président, il est permis pour ceux qui se sentent diffamés, qui

se sentent attaqués, il est permis déjà de poursuivre ces gens-là. L'honorable Premier ministre poursuit certaines membres de l'Opposition parce qu'il s'est senti diffamé. Donc, la loi permet déjà à ceux qui se sentent diffamés, attaqués de se défendre. Donc, nous aussi, avant 2014, on a été attaqué. Nous avons été ridiculisés nous aussi sur le net pendant la campagne électorale, mais nous avons respecté la liberté de cette jeunesse, de cette population de dire, de revendiquer.

Le terme '*harm*', l'honorable Bodha a fait référence à ce terme '*harm*'. Le ministre, celui qui m'a précédé, parle de protéger contre les *hackers*. Oui, il faut une loi pour nous protéger contre les *hackers*, M. le président. Oui, une loi spécifique ! Oui, une loi pour nous protéger ! Le ministre dit la prostitution. Oui, une loi pour nous protéger sur le net, pour protéger la jeunesse mauricienne. Mais une loi aussi large, vaste avec le terme '*harm*' qui va censurer la jeunesse mauricienne, qui va censurer ceux qui d'une façon ou d'une autre s'expriment, cette population qui a souffert depuis bientôt deux ans, cette population qui voit à travers le net tout ce qui se passe dans le pays. La seule façon pour ces jeunes de s'exprimer, de dire ce qu'ils pensent, de donner leurs opinions, de critiquer, de pointer du doigt, c'est à travers le net. Donc, aujourd'hui, sous l'emballage de protéger contre la prostitution, protéger contre les *hackers*, protéger contre le terrorisme, le gouvernement essaye de censurer cette jeunesse mauricienne et la population en générale.

La section 16 - *Misuse of fake profile*. Mon ami, l'honorable Shakeel Mohamed, a parlé des sections 8,16 et 23. Pas un mot de l'orateur qui a parlé après l'honorable Shakeel Mohamed concernant ces trois sections et surtout la section 16 - *Misuse of fake profile*. Déjà, dans nos lois, M. le président, ceux qui utilisent d'une façon outrageante les *fake profiles* sont arrêtés par la police, sont poursuivis. Nous savons très bien ce qui s'est passé avec cette dame qui a critiqué ceux qui sont autrement capables, les handicapés. Elle est où aujourd'hui la dame ? En prison ! Donc, les lois mauriciennes protègent déjà ! Et 20 ans de prison pour un *fake profile* ! Je ne reviendrai pas sur ce que l'honorable Shakeel Mohamed a décrit sur le profil du ministre. Un *fake profile* à 20 ans de prison, toute chose est relative. Celui qui fait un crime crapuleux, il est condamné à 20 à 25 ans de prison. Celui qui utilise un *fake profile* qui n'est pas au goût de certains au pouvoir, qui est à la page 16. Mais demain, si quelqu'un sur le net, un internaute sur le net, me traite de Pinocchio par exemple, il me traite de Pinocchio, donc il est...

(Interruptions)

The Deputy Speaker: Order!

(Interruptions)

Mr Assirvaden: Oui, justement ! Donc, avec cette loi où ...

(Interruptions)

The Deputy Speaker: Order!

Mr Assirvaden: Je peux continuer ?

(Interruptions)

The Deputy Speaker: Order! Thank you, continue! Look at me!

Mr Assirvaden: *Yes, I am looking at you.* Demain, quelqu'un traite un Premier ministre par intérim d'un Premier ministre *poupette*, par exemple, alors il est poursuivi ! Pour vous dire, M. le président, que l'internaute - quelqu'un m'a dit, m'a fait une réflexion, M. le président, cette loi vise aussi un internaute au nom de Paul Lismore. Paul Lismore dit ses quatre vérités sur le net à ce gouvernement. Paul Lismore, que je ne connais pas, dit ses quatre vérités et des vérités parfois blessantes à ce gouvernement, à ces personnes. C'est peut-être une des raisons pourquoi cette loi arrive. C'est simplement pour bâillonner des gens comme Paul Lismore et autres, M. le président.

M. le président, à la page 8 - *The National Cybersecurity Committee* à la section 3. J'ai écouté le ministre à la radio. Le ministre nous brosse un tableau que le *Cybersecurity and Cybercrime Bill* est fait en consultation avec la Convention de Budapest. Mais ce *National Cybersecurity Committee*, M. le président, sera constitué par qui ? Le *track record* de ce gouvernement MSM en ce qui concerne les institutions, que ce soit l'*ICAC*, que ce soit l'*Electoral Boundaries Commission*, la *BOM*, la *Financial Service Commission*, la *SBM* où des proches du pouvoir sont nommés, *Airports of Mauritius*, *Airport Holdings Ltd*. Ce matin nous avons écouté les réponses. Donc, ce *National Cybersecurity Committee*, ce sera encore une institution contrôlée par les - Qui va nommer le *Chairman* ? Le Premier ministre. Et le *Prime Minister's Office* va déléguer quelqu'un pour siéger sur ce *Board*. Je me pose la question, peut-être le ministre va nous éclairer après. Pourquoi un représentant de la Banque de Maurice, un régulateur sur une institution qui est supposée être indépendante et qui est en contradiction avec la Convention de Budapest qui ne préconise pas la nomination sur des comités de ce genre.

Dernier point que je voudrais soulever, M. le président, c'est la section 26 : *investigative authority*. La police ! CID ! L'honorable Shakeel Mohamed vient de faire référence au *Cybercrime* du CID. Cinq ans pour pouvoir identifier celui qui l'a diffamé, l'interpellé ! Cinq ans ! Quelle impartialité pour ce *investigative authority* ! La police ! Nous avons un chef du CID aujourd'hui qui est *on contract* avec une épée de Damoclès sur sa tête.

(Interruptions)

Oui, bien sûr *on contract* ! Nous avons un chef du CID aujourd'hui *who is on contract* !

The Deputy Speaker: On contract, I do not have any issue. This is a fact. 'Avec l'épée de Damoclès' is imputing some kinds of motives somewhere. I would not allow it. Continue!

Mr Assirvaden: Mais à tout moment on peut ne pas renouveler son contrat !

The Deputy Speaker: *Oui, mais de là* coming to impute, please do not go this way!

Mr Assirvaden: Okay. J'enlève Damoclès.

The Deputy Speaker: Order!

Mr Assirvaden: Vous parlez de *investigative authority*, de l'indépendance, de la crédibilité avec un Commissaire de Police qui est *on probation* ! Avec un Commissaire de Police qui est surveillé *because on probation*, à tout moment il peut être viré. Où est l'indépendance de cette institution ? Et nous savons très bien quand les enquêtes concernent les membres de l'opposition, la société civile, les syndicats ! Nous avons vu la *CID* débarquant chez les gens à quatre heures du matin, mais quand l'honorable Shakeel Mohamed fait une plainte vis-à-vis de quelqu'un, cinq ans ! Et vous parlez de crédibilité de cette *Investigative Authority* ? Vous parlez d'indépendance de cette *Investigative Authority* ?

M. le président, ce projet de loi est un projet de loi dangereux. Ici, au Parlement, ce projet de loi présenté par l'honorable ministre est fait d'une façon, avec des grands mots, des thèses pour protéger la nation mauricienne, responsabiliser encore une fois alors que c'est fait pour faire taire les critiques, les dénonciations, ceux qui, matin et soir, avec raison, dénoncent le népotisme, dénoncent la corruption, dénonce ce gouvernement.

Merci, M. le président.

The Deputy Speaker: Thank you. You finished within 15 minutes. Hon. Doolub, please.

(7.37 p.m.)

Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien): Merci, M. le président. J'ai écouté l'honorable membre qui m'a précédé et étonnamment je note un changement de position drastique car ce même membre, il n'y a pas longtemps, condamnait haut et fort et lançait même des mises en garde à ceux qui véhiculaient des *fake news* à travers les *fake profiles* sur les réseaux sociaux. Aujourd'hui alors qu'un projet de loi faisant provision pour réglementer d'utilisation des *fake profiles* s'est présenté, il s'y oppose en qualifiant ce projet de loi, entre autres, de dangereux.

Passons, M. le président, aux choses plus sérieuses. La généralisation de l'accès au cyberspace et à ses ressources à un impact considérable sur notre société. Elle a déjà profondément transformé les modes de vie individuels et collectifs dans le monde entier en offrant d'innombrables opportunités de développement économique, social et politique. Mais comme le revers d'une même médaille, les cybers menaces et des cyberattaques sont de plus en plus nombreuses et complexes, de plus en plus invasives et souvent aussi de moins en moins difficile à prévenir et à détecter. Dans notre monde numérique, axé sur l'information, au développement du *cloud computing*, de l'intelligence artificielle, du *big data*, des objets connectés, drones, informatiques, quantiques ou encore 5G, l'adoption massive du télétravail et ses nouvelles applications logicielles ont ouvert davantage de portes aux cyberattaques potentielles.

La généralisation d'internet a modifié complètement l'utilisation de l'informatique, elle permet davantage le nomadisme qui est à l'origine de nouveaux risques. En effet, la multiplication des liaisons sans fil, tels que les modems, Wi-Fi, Bluetooth, etc., amplifient la menace sur la confidentialité des données et modifient la disponibilité des services d'autant que les terminaux mobiles seront de plus en plus massivement utilisés par les nouvelles générations.

La gestion des cybers menaces est devenu un impératif stratégique, M. le président, parce que l'information est considérée comme un élément de performance. Elle représente un produit de valeur générée par le partage et l'échange. Ainsi, en fonction de sa valeur l'informatique peut devenir sensible, voire stratégique car elle représente un facteur clé qui touche l'ensemble de l'économie. Elle devient alors un patrimoine économique qui doit être protégé et sécurisé dans un contexte actuel qui complexifie sa protection.

M. le président, les enjeux sont plus importants que jamais, les évolutions technologiques récentes confèrent au système d'information un rôle d'infrastructure pour la société puisque le fonctionnement même de l'État et donc d'un pays s'avère tributaire de la disponibilité des infrastructures électroniques qui incluent l'intégrité et l'authenticité des informations comme socle pour l'ensemble des services disponibles.

Le cyber crime est plus qu'une question de fraude ou un vol ; il est le terrain de jeu de vastes réseaux de criminels, de pirates informatiques et de cyber terroristes professionnels financés par des cartels véreux opérant de n'importe où dans le monde. Beaucoup de méthodes malveillantes sont en recrudescence, notamment sur les réseaux sociaux. *Malwares* : des logiciels malveillants ; *Spywares* : des logiciels espions ; *Botnets* : ordinateurs infectés programmés à distance ; Cheval de Troie, virus. La liste est longue. Ils sont chaque jour plus efficaces et peuvent attaquer à chaque instant les systèmes d'information des entreprises et des états pour s'emparer des données personnelles, bancaires et d'informations confidentielles ayant une valeur marchande.

Le Web reste un terrain miné, les menaces se propagent via des pièces jointes et les liens d'hypertextes intégrés au corps des messages ont été les deux méthodes les plus utilisées par les pirates. Certains secteurs critiques, tels que les transports, l'énergie, la santé, la défense et la finance sont devenus de plus en plus tributaires des technologies numériques pour mener leurs activités de base. Si la numérisation offre d'énormes possibilités et apporte des solutions à bon nombre de défis auxquels nous sommes confrontés, elle expose également les entreprises, les états, l'économie et la société à de nombreux types de cyber menaces. Du simple espionnage aux détournements et à la destruction de l'information à valeur commerciale ou stratégique, en passant par les infractions liées au vol et à la manipulation de données ou encore au cyber harcèlement. Les conséquences d'une cyberattaque peuvent s'avérer désastreuses pour l'image et la réputation d'une entreprise ciblée et plus encore pour l'économie et la réputation d'un pays.

Le cyber crime a des coûts tangibles et intangibles qui comprennent des fonds volés, des systèmes endommagés, des amendes pour infraction à la réglementation, des compensations financières pour les parties touchées, la perte d'un avantage concurrentiel en raison du vol de propriété intellectuelle. La perte de clients ou de partenaires d'affaires et des dommages globaux à la réputation et à l'image d'une marque d'une organisation ou d'un pays.

Au-delà des dommages subis par les entreprises et des individus, l'étendue même des cyberattaques est telle qu'elles ont maintenant le potentiel d'entraîner des pannes massives d'infrastructure et d'avoir une incidence sur la fiabilité des systèmes financiers de tout un pays et sur la santé de l'économie.

L'île Maurice, M. le président, n'est pas immunisée contre des risques de telle nature qui même s'ils ne sont pas immédiatement perceptibles et visibles n'en sont pas moins réels. Une économie comme la nôtre est condamnée par la géographie à être davantage connectée au reste du monde via l'internet. Nous ne pouvons pas en conséquent nous passer de cadre législatif qui s'adapte en permanence pour mieux lutter de manière efficace contre le développement de la cybercriminalité, des actes de cyber malveillance, les cyberattaques et l'utilisation d'internet à des fins terroristes et de promotion de l'extrémisme violent.

Le *Cybersecurity and Cybercrime Bill* de 2021 vient à point nommé mettre à jour et étoffer le cadre juridique et réglementaire qui réprime les délits relatifs à la cybercriminalité pour protéger les personnes, les organisations et les infrastructures nationales tout en mettant en œuvre des normes et des bonnes pratiques en matière de cyber sécurité, ainsi que des processus de contrôle susceptible de réduire les risques liés à la cyber sécurité.

J'en profite, M. le président, pour féliciter l'honorable ministre pour venir de l'avant avec ce projet de loi, mais au-delà de ce cadre législatif incontournable, je reste convaincu, M. le président, que les défis que nous devons relever requièrent des réponses multiples qui doivent rassembler le gouvernement, le secteur privé et l'ensemble de la société civile afin de répondre aux enjeux de la gouvernance de la cyber sécurité. Seule une action énergique en ce sens permettra de promouvoir l'utilisation d'un cyberspace sûr, stable et ouvert. Le projet de loi que nous étudions aujourd'hui détaille d'un ensemble pragmatique d'actions visant à contribuer, à renforcer nos capacités existantes en matière de cyber sécurité et anticipe des capacités futures sur la base des besoins spécifiques de notre pays dans le cadre de l'élaboration et la mise en œuvre d'une stratégie de cyber sécurité.

Ce projet de loi, M. le président, vient concrètement consolider notre résilience en matière de cyber sécurité en renforçant l'arsenal légal nécessaire pour lutter efficacement contre le cyber crime sous toutes ses formes. Mais aucune législation dans ce secteur, aussi pertinente

qu'elle puisse être, ne sera véritablement efficace si une culture de la cyber sécurité n'est pas instaurée à l'échelle du pays.

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La cyber sécurité est plus que jamais l'affaire de chacun d'entre nous, M. le président. Elle ne doit pas être prise à la légère. La cyber sécurité doit être véhiculée et perçue comme un enjeu de premier ordre qui concerne tous les secteurs, publics et privés, si notre pays souhaite réaliser ses ambitions de devenir une cyber île interconnectée et connectée au reste du monde. Chaque salarié, chaque officier de l'État qui travaille sur un ordinateur connecté à un réseau, chaque citoyen dont le Smartphone est connecté à l'Internet doit être en mesure de mieux cerner les subtilités de la cyber sécurité. Mais aussi de mesurer les risques qui l'entourent si des normes de sécurité ne sont pas respectées.

Souvent les plus grands ennemis de la cyber sécurité ne sont pas les *hackers* mais bel et bien l'ignorance des utilisateurs qui leur offrent sans le savoir une porte d'entrée à des réseaux sensibles et protégés. En empruntant la voie de la responsabilisation de chacun, il est possible de penser que d'ici quelques années la cyber sécurité ne sera plus une source d'angoisse mais une compétence acquise de tous. Il s'agit de renforcer en amont les connaissances et les capacités en matière de cyber sécurité, de réexaminer la disponibilité, la qualité et l'adoption de programmes destinés aux différents groupes de parties prenantes, notamment le gouvernement, le secteur privé et la population dans son ensemble et de mettre en place des programmes de sensibilisation à la cyber sécurité. Les programmes éducatifs formels en matière de cyber sécurité, et en aval les solutions adaptées au télétravail sécurisant l'ensemble des terminaux basés sur l'authentification continue ou encore le *zéro trust*.

En outre, des mécanismes de signalement fonctionnant comme des canaux permettant aux utilisateurs de signaler la cybercriminalité devraient pouvoir être mis en place simultanément en tenant compte notamment du rôle des médias et des réseaux sociaux dans la formation des valeurs, des attitudes et des comportements en matière de cyber sécurité. À l'aide

de solutions transparentes et simples d'utilisation, salarié responsable doit être en mesure de mieux cerner les subtilités de la cyber sécurité mais aussi de mesurer les risques qu'il encourt si les normes ne sont pas respectées. M. le président, je le disais plus tôt, la cyber sécurité ne doit pas être prise à la légère. Nous avons aujourd'hui l'opportunité d'étoffer davantage notre législation et il faut que nous la saisissons.

La semaine dernière, M. le président, un honorable membre de l'opposition, je ne me souviens pas trop qui c'était, avait choisi de terminer son intervention en citant Winston Churchill, que je vais également citer pour conclure, *I quote –*

“The pessimist sees difficulty in every opportunity. The optimist sees opportunity in every difficulty.”

À bon entendeur, salut ! J'en ai terminé.

Merci, M. le président.

The Deputy Speaker: Thank you, hon. Member! Hon. Dhaliah, please!

(7.50 p.m.)

Mr R. Dhaliah (Second Member for Piton & Rivière du Rempart): Mr Deputy Speaker, Sir, I thank you for allowing me to take the floor to debate on this vital piece of legislation, that is, the Cybersecurity and Cybercrime Bill in this august Assembly.

Mr Deputy Speaker, Sir, in our age of digital connectivity, cities and counties across the world must meet the ever-increasing demands of citizens and businesses for efficient and effective digital government.

M. le président, avant d'entrer dans le vif du sujet, je voudrais faire part de ma déception concernant certaines réactions simplistes de certains qui ne trouvent rien de mieux que d'utiliser des « *petty arguments* » pour tenter de faire croire que le gouvernement veut instaurer une dictature à travers le *Cybersecurity and Cybercrime Bill*.

À mon humble avis, il s'agit là de personnes qui ont pour habitude d'utiliser tous les moyens, y compris les moyens technologiques et les réseaux sociaux, qui voient tout simplement leur marge de manœuvre être réduite. À ceux-là, je leur dirai tout simplement : « Si vous avez les mains propres et la conscience claire, vous n'avez rien à craindre ». Et quels sont leurs

arguments ? Ils trouvent que la liberté est menacée. De quelle liberté font-ils allusion ? Celle de pouvoir balancer toutes sortes de mensonges, de propos incendiaires et racistes, de diffamations et d'absurdités sur les plateformes technologiques ? Cette loi, M. le président, n'a rien de dangereux. Bien au contraire, elle permettra de mettre hors d'état de nuire ceux qui représentent eux-mêmes un danger pour la paix, l'harmonie et la sécurité de notre pays et de ses habitants.

Une autre réaction que nous avons entendue, ou plutôt lue, c'est que le téléchargement de musiques et de films à des fins lucratives devient illégal. Je ne ferai ici qu'une parenthèse en soulignant que les artistes Mauriciens investissent énormément pour produire des œuvres, qu'elles soient musicales ou des films. Je suis certain qu'ils seront plus que ravis de savoir que leurs œuvres sont protégées et que d'autres personnes ne se feront pas d'argent à leur détriment. Je viendrai, un peu plus tard, sur l'aspect de la responsabilité de la gestion des contenus indésirables sur les réseaux sociaux. Mais, heureusement, M. le président, nous avons d'un autre côté des personnes sensées qui reconnaissent, par exemple, que le *Cybersecurity and Cybercrime Bill* fait état d'un respect accru de la Convention de Budapest et que la section concernée du présent projet de loi garantit un équilibre entre l'aspect répressif et le respect des droits de l'homme.

Mr Deputy Speaker, Sir, with the ever-accelerating shift to digital and online services, cybersecurity is more important than ever before. Cybersecurity experts reported an 800% surge in cybercrime since the start of the pandemic, with approximately 4,000 cyberattacks occurring each and every day. No one is safe from this surge in cybercrime. Hackers today have their sights set on everything from personal work accounts to essential government infrastructure. If we are going to prosper in our more heavily digitised economy and society, then we will need the cybersecurity protections that make all of our digital interactions safe. I wish to therefore congratulate the Minister of Information Technology, Communication and Innovation for presenting this Bill.

For years, cybersecurity policy has been the unspoken elephant in this legislative Assembly but this Government, under the Prime Ministership of hon. Pravind Jugnauth, has come forward with a Cybersecurity and Cybercrime Bill.

Mr Deputy Speaker, Sir, with the COVID-19 pandemic, much of the world moved online, accelerating a digital transformation that has been underway for decades.

Today, in a spirit of protecting our population and particularly our children, Government and private sector organisations are encouraging the “work from home” system and our children are being called upon to follow their classes online. Unfortunately, nobody, neither here in Mauritius nor across the world can predict what will happen regarding the pandemic. How long will it last? Will there be more mutations and new variants? How would such situations affect social and economic activities? No-one knows.

In the face of uncertainties, what do we do? Do we stay idle and wait that things worsen before taking actions? Digitalization of services and activities is the way forward. But, together with this digitalization we should have the right parameters to avoid abuses and misuse of the informatic tool. Cybersecurity is a must.

Mr Deputy Speaker, Sir, many Governments have strengthened their strategic approach to the digital transformation prior to the COVID-19 pandemic. As detailed in the OECD Digital Economy Outlook 2020, 34 OECD countries had put in place a national digital strategy co-ordinated at the highest level of Government as at mid-2020 with an additional five OECD countries (Chile, Colombia, Japan, Italy and Turkey) reporting co-ordination at the Prime Minister level since 2016.

Mauritius cannot lag behind. As people spend more time online, whether for work, school, or social interaction, extra attention is needed to support their wellbeing. Government is seizing the opportunity to address the diverse range of social issues that the digital transformation raises.

M. le président, Maurice doit devenir plus agile dans la mise à jour ou l'élaboration de stratégies nationales de cybersécurité ainsi que d'un cadre juridique et réglementaire concernant le cyberspace. Ces initiatives doivent adopter une approche multipartite, notamment en accordant une attention particulière à la construction de capacités d'intervention en cas d'incident dans tous les secteurs. Le gouvernement ne peut pas agir seul et la participation de la communauté technique et du secteur privé est essentielle au renforcement de capacités de résilience efficaces. D'ailleurs, comme décrit dans le projet de loi à partir du paragraphe 38 - *setting up of the computer emergency response team*.

M. le président, l'échange d'information a augmenté depuis l'éruption de la COVID-19. Nous devons maintenir cet élan et le formaliser pour toutes les questions liées à la cybersécurité.

La cybersécurité exige une coopération internationale, et il est nécessaire d'accroître la confiance à tous les niveaux, entre les pays et les industries. Demain, il y aura un nouveau virus ou un ennemi commun dans le cyberspace. Par conséquent, la collaboration au niveau politique, technique et de l'application de la loi sera essentielle pour nous protéger et nous permettre de travailler ensemble pour trouver des solutions.

M. le président, un bon exemple de coopération internationale est le réseau hémisphérique régional *Computer Security Incident Response Team America (CSIRTA)*, qui est une communauté d'équipes d'intervention en cas d'incident de sécurité informatique dans l'hémisphère occidental. Pendant des crises telles que *Wannacry* et la pandémie de COVID-19, cette communauté a pu se réunir virtuellement pour partager des informations en temps réel et échanger des connaissances et des informations pour relever les défis régionaux.

Mr Deputy Speaker, Sir, I would like to touch on a highly sensitive subject, cyberbullying, mentioned several times in previous speeches. Cyberbullying takes place on social media, we all know, messaging platforms, gaming platforms, mobile phones. Who, in this House, does not remember the Telegram issue? Members of the Opposition, rightly I must say, pressed upon Government in this same august Assembly, for remedial actions.

Face-to-face bullying and cyberbullying can often happen alongside each other. But cyberbullying leaves a digital footprint, a record that can prove useful and provide evidence to help stop the abuse.

Le paragraphe 17 de ce projet de loi prévoit clairement que la cyber intimidation est passible d'une amende maximale d'un million de roupies et d'une servitude pénale d'une durée n'excédant pas 20 ans.

Mr Deputy Speaker, Sir, this Bill is intended to ensure that the media will take greater responsibility for the damage caused by incorrect reports and to improve news quality and public trust but to also explore how to deal with the spread of false information on social media such as Facebook and YouTube which can lead to cyberbullying.

Other countries in the Asia Pacific like Singapore, previously passed its new anti-fake news law in 2019, called The Protection from Online Falsehoods and Manipulation Act (POFMA) in Parliament with an overwhelming majority from the House. The POFMA gives the

Government more power to act against the spread of what it has termed as falsehoods. It puts the power in the hands of Ministers to order the correction or removal of online content judged to be a falsehood but lines have been drawn on what it can act on.

In addition, it will also allow the Government to impose fines of up to SGD1 m. on tech giants like Google, Facebook and Twitter if they do not act swiftly to limit the spread of falsehoods by displaying corrections or removing them completely. It will also force tech platforms to disable fake accounts operated by bots and block advertisements on fake news sites thereby cutting off their revenue streams.

Mr Deputy Speaker, Sir, 2021 was a breakout year for ransomware as the cyber security attack vector wreaked havoc on individuals and organisations around the world. While ransomware is not a new cybersecurity risk, it is a threat that received attention at the highest levels of Government. Ransomware affected people's ability to get health care, put gas in their vehicles and buy groceries.

Hon. Doolub and hon. Hurreeram expanded on several examples of these effects. But we must also bear in mind that with the pandemic, the financial effects of ransomware became particularly pronounced in 2021 as these attacks hit the supply chains, causing more widespread damage than an attack against a single individual. Hence, we have had an increased response from Government and technology vendors to help stem the tide of ransomware attacks.

Mr Deputy Speaker, Sir, along the efforts of the Government at paragraph 18, organisations and individuals should take steps to mitigate ransomware. But there is no silver bullet that will solve or defend against ransomware. What is needed is a multilayered approach to improve IT security overall.

Mr Deputy Speaker, Sir, this Bill's approach to cybersecurity and cybercrime will go beyond protecting the nation's critical information infrastructure, as pervasive connectivity opens up new and wider areas of attack.

The Government will work to secure our wider cyberspace given the increasingly widespread and interconnected use of digital technology in all domains. This needs to be underpinned by building organisational capability and talent development.

M. le président, pour conclure, le projet de loi sur la cyber sécurité et la cybercriminalité fait partie de la stratégie de cyber sécurité de Maurice visant à renforcer la posture de cyber sécurité du pays. Avec la croissance des cybers menaces à l'échelle mondiale, le projet de loi est essentiel pour protéger les services essentiels contre les perturbations causées par les cyberattaques, prévenir et répondre aux menaces et incidents de cyber sécurité, et pour établir un cadre de licence pour améliorer la crédibilité des services de cyber sécurité à Maurice.

Ce projet de loi prévoit un cyberspace plus sûr à Maurice dans le cadre du plan stratégique *Digital Mauritius 2030* et, M. le président, sur ces mots, je soutiens pleinement les dispositions dans ce projet de loi.

Vive la République de Maurice!

Merci, M. le président !

The Deputy Speaker: Thank you. We shall break for one hour.

At 8.07 p.m., the Sitting was suspended.

On resuming at 9.36 p.m. with the Deputy Speaker in the Chair.

The Deputy Speaker: Thank you very much. Hon. Members, please be seated. I will call upon hon. Richard Duval to make his debate.

(9.37 p.m.)

Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien): Thank you, Mr Deputy Speaker, Sir, for giving me the opportunity to say where I stand concerning the Cybersecurity and Cybercrime Bill.

Indeed, Mr Deputy Speaker, Sir, the governing Members are appealing to us to vote for the Bill which is, in my opinion, in total contradiction with what is being done in other countries which faced long before us serious problems of cyber security and cyber criminality.

Mr Deputy Speaker, Sir, malicious domains, malicious softwares aim at obtaining data, zombie machine network, pirate mining, dark net. Cybercrime as a service, Mr Deputy Speaker, Sir, these are terms that hardly existed decades ago and have today become part of everyday language as criminals use new technology to launch cyber-attacks against Government businesses and individuals. These crimes, we all agree, Mr Deputy Speaker, Sir, know no

physical, no virtual boundaries but cause significant damages and pose very real threat to those who fall victim to them around the world.

Mr Deputy Speaker, Sir, since we are nowadays in the era of technology and innovation, it is a *sine qua non* condition to protect ourselves against invasion and other cyber-attacks from people or institutions with bad intention.

Cependant, M. le président, la présentation de ce texte de loi et les clauses qu’il contient – en catimini bien entendu – démontre que ce gouvernement n’a pas en réserve les meilleures intentions. Bien au contraire, il a tenté de nous cacher ses mauvaises intentions. Oui, M. le président, the *Cybersecurity and Cybercrime Bill* peut être classé dans le même ordre d’idée que ces textes de loi qui ont été présentés depuis 2017 dans une vaine tentative du gouvernement de bloquer et priver les Mauriciens qui utilisent l’internet et les réseaux sociaux de leur droit de s’exprimer.

M. le président, la section 3 (b) de la Constitution de Maurice est pourtant très explicite sur le droit de la liberté des citoyens Mauriciens. Pour le besoin de rafraîchir la mémoire de certains, cette clause garantit, entre autres, je cite –

“The freedom of conscience, of expression, of assembly and association and freedom to establish schools.”

Au risque de me répéter, M. le président, de ce que les autres honorables membres ont dit avant moi, cette loi scélérate et dangereuse pour notre démocratie est déjà victime d’un nombre incroyable de tentatives de bâillonnement de ce présent gouvernement. Avant de continuer, M. le président, je vais citer pour le besoin de ce débat un extrait du jugement de la Cour Suprême dans l’affaire *Seegum v. The State of Mauritius* sur la constitutionnalité de certaines sections de l’*ICT Act*. En effet, M. le président, les juges Chan Kan Cheong et Gunesh Balaghee avaient, le 27 mai dernier, statué, je cite –

“(…) As pointed out above, any legislation which is hopelessly vague must be stuck down as unconstitutional and the precision which is required in the drafting of a criminal law to avoid it being declared unconstitutional for vagueness will necessarily vary according to the subject matter.”

M. le président, on ne peut pas être plus clair que cela dans ce jugement de la Cour Suprême. Et là, M. le président, le *Cybersecurity and Cybercrime Bill* est en vérité la réponse du gouvernement après la claque magistrale obtenue de la population tout entière après le *Consultation Paper* présenté sur les amendements proposés pour contrôler des réseaux sociaux à Maurice afin de bafouer notre démocratie.

On se rappelle encore, M. le président, que la population dans son ensemble avait rejeté massivement ce papier consultatif qui avait d'autres objectifs que de bâillonner tous ceux et celles qui utilisaient internet et les réseaux sociaux comme un moyen de communication et plateforme pour s'exprimer.

M. le président, ce gouvernement veut, à travers ce projet de loi, noyer le poisson en incorporant, toujours en catimini, les propositions faites dans le *Consultation Paper*, avec cette fois plus grave encore, M. le président, des propositions qui viennent remettre en cause nos droits fondamentaux. Et comme il fallait s'y attendre, le ministre de tutelle utilise les quelque 1,300 plaintes pour cybercriminalité enregistrées en 2020 pour venir justifier sa démarche, mais ce n'est pas la vraie raison pour laquelle ce gouvernement vient devant l'Assemblée nationale avec ce texte de loi, M. le président.

Le vrai motif derrière l'introduction de ce texte de loi, M. le président, c'est sans doute pour avoir un contrôle absolu sur l'utilisation de l'internet et des réseaux sociaux à Maurice. M. le président, ce gouvernement veut empêcher les citoyens d'utiliser Facebook, TikTok, Instagram, entre autres, pour dénoncer ses actions ou s'exprimer librement. Le gouvernement va imposer ce qu'on appelle un filtrage en ligne très bientôt une fois que ce texte de loi est voté.

Oui, M. le président, dans le *Consultation Paper* on pouvait déjà lire avec appréhension que ce gouvernement voulait amender l'*ICT Act* pour, je cite –

“Segregate from all incoming and out coming internet traffic in Mauritius, social media traffic, which will then need to be decrypted and re-encrypted and archived for inspection purposes as and when required.”

Bref, M. le président, un projet pour moi extrêmement dangereux et digne des pays autocrates. Sachez que c'est exactement, M. le président, ce qui va se passer à la section 4 (f) de ce texte de loi, notamment sur les fonctions de la *National Cybersecurity Committee* établies

sous la section (3). Et là, M. le président, toutes les fonctions de la *National Security Committee* n'ont pour seul et unique but de contrôler, contrôler et contrôler abusivement par le biais des *Government Policies* ou *Established Best Practices and Standard for Critical Information Infrastructure*.

M. le président, c'est un secret de polichinelle que ce gouvernement n'aime pas les critiques, et encore moins les critiques qui sont de plus en plus exacerbantes de la population à son égard. L'exécutif veut donc prendre le contrôle des plateformes sociales à travers ce présent texte de loi.

M. le président, avec l'entrée en vigueur d'une telle loi, la vie de tous les Mauriciens va changer, pas nécessairement de la meilleure des façons, y compris des amis journalistes, des journaux qui seront culpabilisés sous la section 23 de ce texte de loi s'ils ne font pas du *Control Undesirable Content* de leurs articles en ligne.

M. le président, pour pousser encore plus loin dans l'absurde, cette loi impose une amende d'un million de roupies et une période d'emprisonnement ne dépassant pas 20 ans. Rien que ce bras armé du gouvernement qui n'a pas de nom dans ce texte de loi estime qu'un contenu dans un journal en ligne, qui veut dire les commentaires sont indésirables, qui soit dit en passant, M. le président, n'est pas défini dans ce texte de loi. Si ce n'est pas une atteinte à la liberté d'action, une atteinte à la liberté de nos concitoyens, cela lui ressemble beaucoup, M. le président. Et il n'y a pas que la section 23 qui porte sérieusement atteinte à nos libertés comme elles sont garanties dans la Constitution.

Dans cette catégorie, je citerai aussi les sections 7 et 8 de ce texte de loi qui vise uniquement à décourager les Mauriciens, surtout les jeunes, M. le président, à s'exprimer librement sous la peine d'emprisonnement de 10 ans, d'une amende d'un million de roupies pour le moindre délit, si on peut l'appeler ainsi. Le but serait-il d'essayer de leur faire peur ou ainsi les museler ? M. le président, pourquoi tant de craintes de la voix du peuple, messieurs de l'Exécutif ?

Il y a aussi la section 30, M. le président, de ce texte de loi qui oblige un fournisseur d'accès à donner à ce que ce projet de loi appelle une *Investigatory Authority*. Les données stockées puisque le *content data* n'est pas défini, et si les données ne concernent pas aussi les informations bancaires, les e-mails, les autres informations sensibles relatives à la vie privée des

Mauriciens, ces données peuvent en plus être examinées par cette autorité sans que la personne directement concernée n'en soit informée.

M. le président, ce projet de loi est dangereux, des légistes que j'ai consultés dans le cadre de ces débats autour de ce projet de loi m'ont affirmé que ces peines de prison vont à l'encontre de plusieurs sections de la Constitution et là je laisse donc à une Cour de Justice de trancher comme elle a tranché dans le cas de l'*ICT Act*. Pourtant, M. le président, le ministre des technologies et de l'innovation a mis en avant pour introduire ce texte de loi que Maurice est signataire de la Convention de Budapest datant de 2001 mais une lecture des clauses de cette Convention montre qu'avec ce texte de loi le gouvernement ne va pas dans le sens y relatif. Mais plus vers un durcissement des lois, ce qui est, M. le président, contraire à la Convention de Budapest.

En somme, M. le président, ce que ce gouvernement cherche surtout à faire à travers ce texte de loi c'est d'instaurer un sentiment de frayeur chez les utilisateurs de l'internet et des réseaux sociaux, soit plus de 80% de la population qui est de plus en plus connectée selon les derniers chiffres disponibles.

M. le président, au lieu d'essayer de faire entrave à la liberté d'expression une telle loi qui serait sans doute contestée devant la Cour Suprême, j'en suis sûr, le gouvernement aurait eu plutôt prendre pour exemple ce qui se fait le mieux à l'étranger comme en Grande-Bretagne où la *Computer Misuse Act* de 1990 propose toute une méthodologie afin d'étudier cas par cas sur la mauvaise utilisation des outils informatiques avant que les autorités policières ne passent à l'action.

M. le président, ce que j'appréhende avec une telle loi c'est la façon que va procéder la police à des arrestations arbitraires avant même d'enquêter, M. le président, comme c'est déjà le cas avec beaucoup d'autres lois. Pour conclure, la population nous regarde ce soir, M. le président, elle est aussi consciente que ce projet de loi va à l'encontre de ses droits fondamentaux. M. le président, l'Exécutif a essayé au préalable à travers le *Consultation Paper* de l'*ICTA*, notamment de porter atteinte à notre liberté d'expression mais elle n'a fort heureusement pas réussi et aujourd'hui nous faisons face à un très grand danger avec le *Cybercrime and Cybersecurity Bill*.

Pour terminer, M. le président, je vais saisir de cette occasion pour faire une requête au ministre de tutelle sur les conditions dans lesquelles les officiers de cette unité sont appelés à opérer, sont déplorables. Ils évoluent dans un espace restreint et ne sont pas équipés adéquatement et M. le ministre si on veut apporter des changements il faut surtout se procurer les ressources nécessaires. C'est ainsi qu'on obtiendra les résultats requis en investissant dans les équipements et en offrant un environnement approprié aux officiers de notre *Cybercrime Unit*.

Je vous remercie, M. le président, de votre attention.

The Deputy Speaker: Thank you very much. Hon. Minister Toussaint.

(9.53 p.m.)

The Minister of Youth Empowerment, Sports and Recreation (Mr S. Toussaint): *Thank you, Mr Deputy Speaker, Sir.* M. le président de séance, je vais essayer d'être le plus direct possible parce que l'heure avance très vite. Aujourd'hui dans notre environnement virtuel et technologique, nous avons plusieurs réseaux sociaux et plusieurs réseaux de communication en ligne. L'internet est partout, l'internet contrôle tout.

À titre d'exemple, M. le président, nous avons vu la création du fameux Facebook dont beaucoup de personnes dans le monde et à Maurice, beaucoup de nos jeunes, beaucoup parmi nous, nous sommes friands, donc en 2004. En 2005, et je cite –

“A creative network for showcasing and discovering creative work...”

qu'on appelle Be Hands voit le jour.

En 2006, Twitter prit naissance, 2009, notre fameux WhatsApp, réseau de communication très utile – quoi que moi je ne suis pas sur WhatsApp parce qu'il est difficile de lire 300 messages par jour et aussi beaucoup de bêtises que nous recevons. 2010, le fameux Instagram arrive, 2011 Snapchat, 2016 – j'ai pris quelques exemples seulement, M. le président pour parler de l'environnement virtuel – alors 2016, en Chine, une plateforme qui s'appelle Douyin voit le jour, 2016 et c'est Douyin qui en 2017 devient TikTok à l'international. Il y en a qui sont friands ici même de TikTok.

J'ai pris ces quelques petits exemples, M. le président, pour juste montrer à la population, peut-être nous-mêmes nous ne nous rendons pas compte de l'évolution rapide de ce monde

virtuel, de ce monde de la technologie depuis le fameux *Computer Misuse and Cybercrime Act* de 2003 et donc le *Cybersecurity and Cybercrime Bill will repeal* quand il sera promulgué...

Donc, en 2003, nous avons une loi qui à l'époque, si je ne me trompe pas, il n'y avait que de simples mails et certains outils de l'Internet, et à partir de 2004, les choses s'activent et nous voyons la création de beaucoup de plateformes, beaucoup de réseaux sociaux, beaucoup de réseaux de communication de 2004 à là, et comme je viens de citer quelques-uns.

Donc, n'est-il pas temps, M. le président, d'avoir une loi qui pourrait nous protéger tous contre la mauvaise utilisation de ces différentes plateformes ? Est-ce que quand les membres de l'opposition viennent nous dire qu'ils ont peur, que la liberté d'expression est menacée, etc. etc., nous ne faisons rien ? Nous restons, comme on dit dans notre langue, *enpendant* avec la loi 2003 ? Mais non, il nous faut voir loin parce que ce monde virtuel, ce monde de l'Internet, ce monde de la technologie, dans deux ans à peine - je ne suis pas expert - il y aura encore d'innombrables changements, d'innombrables choses, d'innombrables outils qui vont arriver. Nous n'allons pas pouvoir changer la loi chaque deux ans ; on ne peut pas le faire. Alors, c'est dans cette optique, et je félicite mon collègue et ami, l'honorable ministre Balgobin et toute son équipe pour avoir travaillé sur une loi à long terme, qui nous permettra de gérer le monde de la technologie, le monde virtuel.

M. le président, il est malheureux que chaque loi qui vient, ici, au Parlement, les membres de l'opposition choisissent une direction, c'est-à-dire, le négatif. Et que les membres de l'opposition ne prennent pas la peine d'expliquer réellement à la population ce qui est écrit dans ces différentes lois. On joue sur les mots. On joue aux fins techniciennes. On évite de dire certaines choses et on essaye de faire peur à la population. Alors, je me permets de rassurer surtout nos jeunes - parce que je vais parler beaucoup de jeunes - qui utilisent beaucoup l'Internet dans leurs études, certains dans leurs travaux. Par exemple moi à l'époque, étudiant à Curepipe, il fallait aller à la bibliothèque, fameuse librairie Carnegie, ouvrir de gros encyclopédies poussiéreux et écrire, trouver des notes jusqu'à ce que nous ayons des *tennis elbow*, jusqu'à ce que nous ayons des douleurs aux poignets tellement que nous avons dû écrire et chercher des notes. Aujourd'hui, cette jeunesse a à sa disposition sur son portable, sur sa tablette accès à des tonnes et des tonnes d'informations qu'ils vont utiliser dans leurs études, mais qui, malheureusement, certains se laissent tenter par d'autres informations, d'autres

activités illicites qui se passent sur la toile. Alors, mon appel à nos jeunes c'est de bien utiliser cet outil formidable qu'est l'Internet, qu'est la technologie. C'est ça que nous venons dire à nos jeunes aujourd'hui. Et je pense que c'est ça que veut dire responsabiliser les jeunes. Le mot 'responsabiliser' ne vient pas dire qu'ils sont irresponsables. Ce n'est pas possible qu'on puisse utiliser les mots à mauvais escient ; ce n'est pas possible ! Moi, je suis un père de famille, j'ai besoin de responsabiliser mes enfants. Cela ne veut pas dire que mes enfants sont des irresponsables. Ils ne sont pas encore *mature*. C'est ça que nous sommes en train de dire à ces jeunes que nous avons devant nous. Ils n'ont pas assez de maturité pour venir juger entre ce qui est bon et ce qui n'est pas bon, d'où le rôle de l'adulte en tant que parent, en tant qu'enseignant, et là je parle en tant ex-enseignant, et en tant que honorable membre de l'Assemblée. C'est cela que veut dire responsabiliser les jeunes. C'est les guider sur la bonne voie et leur dire que l'Internet, l'outil informatique est une chose merveilleuse. Mais enfants, il faut faire attention, ne tombez pas dans les pièges de malfrats. C'est ça que veut dire responsabiliser. Il y a des dictionnaires sur la table, certains pourraient en utiliser.

M. le président, comme je l'ai dit au début je ne vais pas être très long, je vais juste retirer certains points qui ont été mis de l'avant et essayer d'apporter certains éclaircissements. L'honorable Bodha a essayé tant bien que mal d'apporter quelques éclairages, il a parlé de critiques positives, je l'espère. Mais je suis désolé, je crois qu'il vient de découvrir ce monde virtuel. Et j'ai peur pour lui qu'il ne reste que virtuel. Attention ! Mais à vrai dire, il a fait des propositions, un *Select Committee*, etc., on verra.

Ce qui me chagrine un peu, M. le président - je suis désolé, malheureusement, l'honorable Mohamed n'est pas là, donc, ce n'est pas pour parler derrière son dos - j'ai besoin de dire ce qui m'a frappé dans son allocution. Il a parlé en long et en large de la section 23. Laissez-moi retrouver cela rapidement, M. le président. Alors, il a parlé de la section 23 mais il a omis de parler de certaines choses. Il a utilisé le mot « *deceptive* » or « *innacurate* » sans compléter la phrase, et c'est ça qui est dangereux. Et je suis désolé pour des membres d'expérience, des membres qui sont dans la profession légale, on ne peut pas venir jouer avec les mots de cette façon-là. Il a parlé à plusieurs reprises de la partie (a), si vous lisez –

“is deceptive or innacurate”

Il s'est arrêté là. Si je me trompe, corrigez-moi, et je m'en excuse en avance. Il a pris un exemple que quelqu'un a posté bla bla sur le ministre, etc. Et si le ministre voit ça, *is deceptive or inaccurate*. Mais si je continue à lire la phrase, cela dit –

“posted with intent to defame, threaten, abuse or mislead the public”

Li bliye sa bout la ! C'est incroyable ! Et c'est pour cela que je dis c'est dangereux ; c'est dangereux ce que certaines personnes adultes sont en train d'essayer de faire ; sont en train d'essayer de mettre des choses inexactes dans la tête, surtout de nos jeunes, qui comme je dis n'ont pas assez de maturité pour comprendre tout cela. Je continue –

“(b) threatens public health or public safety;

(c) threatens national security; or

(d) promotes racism.”

Alors, il a pris l'exemple de quelqu'un qui aurait mis sur la page du ministre le mot 'incompétent' et qu'il n'y a pas, c'est un exemple. Est-ce que le mot 'incompétent' dans ce cas-là est écrit pour dire ce que je viens de dire, (a), (b) (c) et (d) ? Est-ce que le mot 'incompétent' est écrit de la façon *to promote racism* ? Là, c'est un cas. Mais si c'est juste le mot 'incompétent' comme ça, *so what* ? Et ce que l'honorable membre omet de dire, section 23 '*Failure to moderate undesirable content*', la première partie, et je cite –

“It shall be the responsibility of the administrator of an online account to moderate and control undesirable content that has been brought to his attention by an investigatory authority.”

Ce n'est pas juste que quelqu'un écrit cela, et puis, d'un coup, les autorités décident de l'arrêter, de faire n'importe quoi. Ce n'est pas cela cette loi. Je ne suis pas dans la profession légale, mais j'ai pris mes renseignements avec les personnes compétentes, ce n'est pas ça du tout ce que veut dire cette loi. Alors, Mesdames et Messieurs, arrêtez de mettre du poison dans la tête de la population ! Soyez responsables ! On accepte les critiques positives mais soyez juste dans vos propos, Mesdames et Messieurs membres de l'Opposition, et d'autres qui sont à l'extérieur et qui ont tendance à faire un peu du n'importe quoi.

M. le président de séance, mon honorable ami Richard Duval, ancien du même collège, que je respecte énormément et il le sait...

(Interruptions)

An hon. Member: Hmm !

Mr Toussaint : Non, il n'y a pas de *hmm* ; *nou kamarad*. *Entre Josephiens, li kumsa sa sa ! Pas de hmm !*

(Interruptions)

Il a traité cette loi - encore une fois si je me trompe, corrigez-moi - de loi scélérate. Rapidement, j'ai été sur l'internet - merci, l'internet existe ! Je n'ai pas besoin de lever la main pour demander un dictionnaire ou *sarye enn gros diktioner* ici ! Donc, j'ai été sur l'internet ; alors, rapidement, une petite définition du mot 'scélérat' : c'est quelqu'un qui est capable de commettre un crime. Donc, c'est une loi qui commet un crime !

(Interruptions)

Taler nou koze dan couloir !

The Deputy Speaker: Order! Address me!

Mr Toussaint : Donc, d'après l'honorable membre, c'est une loi scélérate, une loi qui va commettre des crimes.

An hon. Member : *Ancien français !*

Mr Toussaint : Voilà ! Ancien français ! Je laisse la population en juger. M. le président, encore une fois, quelque chose qui me chagrine énormément, parce que, là, plusieurs orateurs ont essayé d'influencer, surtout nos jeunes, et de faire croire que c'est un gouvernement dictateur, de faire peur que les membres assis, ici, sont tous des bourreaux, des tortionnaires...

An hon. Member: Des scélérats !

Mr Toussaint: Des scélérats pour ne citer qu'eux - et que votre fameux Facebook, *tu sa pou fini la d'après eux ! Quand* la loi sera promulguée, *fini !* Plus de Facebook, plus de Twitter, plus de TikTok et *tu dimunes dan prison !* Voilà ! C'est ça qu'on est en train de mettre dans la tête de nos jeunes ! Pire encore, et je me réfère rapidement à ce que l'honorable Uteem a dit. Lui aussi est dans la profession légale ; j'ai pris un extrait de son discours, je cite –

“Another dangerous provision is section 21 of the Bill.”

Section 21 telle que je lis, et je cite –

“infringement of copyright and related rights.”

Donc, je cite l’honorable Uteem –

“If you download movies, music files or pirated applications...”

Déjà, il y a le mot *pirated* dedans –

“for gain or against remuneration, then, you face up to eight years’ imprisonment.”

Vous prenez toutes les chansons, tout le travail intellectuel et créatif de nos artistes, M. le ministre - et là, je fais appel à nos artistes, aux jeunes artistes que personnellement je connais et que je côtoie souvent, si quelqu’un va pirater vos œuvres, sans votre permission, va télécharger vos œuvres et va faire des sous avec, d’après ce que l’honorable Uteem est en train de dire, c’est normal !

(Interruptions)

Il n’y a pas de problème, on laisse pirater ! *Pirater aller mem ! Continie papa, pirater partou !*

(Interruptions)

The Deputy Speaker: Order!

Mr Toussaint: Donc, c’est normal !

(Interruptions)

Je ne vous ai pas interrompu pendant votre discours ! S’il vous plaît !

The Deputy Speaker: Order!

Mr Toussaint: M. le président de séance, donc, nos artistes qui ont passé des heures, des nuits blanches, qui ont fait beaucoup d’efforts à être créatifs, aujourd’hui on laisse les gens les pirater et faire de l’or sur leurs têtes ! A réfléchir !

Je reviens avec le discours de l’honorable membre par rapport aux jeunes. Je cite –

“We are talking about breach of copyright, this is a civil remedy. If the owner of the copyright wants to sue you, then sue, but do not send our kids to jail. ”

Comme je l'ai dit au commencement, nous essayons de responsabiliser nos jeunes, - puisqu'ils sont jeunes, ils n'ont pas toute la maturité qu'il faut- ils peuvent se laisser piéger par des personnes mal intentionnées. Aussi, je fais un appel aux jeunes de ne pas faire cela. Vous aimez la musique, vous écoutez il n'y a pas de soucis mais ne rentrez pas dans ce rouage de télécharger ! Je prends l'exemple de la musique, mais ça peut être autre chose. Donc, de télécharger de la musique, etc. et de faire des CDs, des 'copies pirates' et de les vendre. Non ! Mes jeunes amis, il ne faut pas faire ça ! Il faut respecter le travail de nos artistes. Encore une fois, c'est ça les responsabiliser.

M. le président, je ne vais pas être long...

The Deputy Speaker: You have to be short.

Mr Toussaint: Je termine. L'honorable Assirvaden a parlé des *fake profiles*. Il y a quelque chose que je dois corriger dans ce qu'il a dit. Il a parlé de la dame qui a fait des attaques vis-à-vis des handicapés. Bien sûr, tout le monde condamne cela mais je ne pense pas que c'est un *fake profile*, elle l'a dit de vive voix et on voit son visage. *This is not a fake profile*. Il a aussi cité un certain Paul Lismore. M. le président, je tape rapidement sur Facebook et ensuite je termine dessus. Alors, laissez-moi essayer de trouver M. Paul Lismore. J'invite les autres membres à faire pareil pour voir de quoi il s'agit. Je suis outré quand j'ai vu le langage qui est utilisé sur cette page Facebook - *fake profile* ! Bien sûr, par respect pour l'Assemblée, par respect aux jeunes qui nous écoutent, je ne pourrais pas citer les mots qu'il utilise. D'après ce que je vois, quatre heures de cela, il a mis quelque chose : « *Vraiment ena bez dans sa *** pays!* ». Allez lire vous autres ! Allez lire ! Je ne dis pas que Paul Lismore ou qui que ce soit etc., je dis le contenu de ces *posts*. Est-ce que le Parti Travailleiste, à travers l'honorable Assirvaden, président du Parti Travailleiste, est en train de soutenir ce genre de langage ? Je le redis, dans chaque *post* que ce *fake profiler* a écrit, il y a des 'fleurs'. *Li kapav ecriv ene diktioner !*

Et je fais un appel aux jeunes membres du Parti Travailleiste : est-ce que c'est ça votre partie ? Et la démocratie est à écrire des fleurs ! C'est ça la démocratie, oui.

M. le président, je termine, ici, pour dire à la population et surtout à notre jeunesse – et là, je le redis, je parle en tant que père, en tant qu'ex-enseignant, et en tant que membre responsable de l'Assemblée - qu'il n'y a absolument rien à craindre de cette loi qui arrive. Nous faisons une

loi pour nous protéger tous des attaques des personnes mal intentionnées. Et, encore une fois, félicitations à mon collègue.

Merci, M. le président.

The Deputy Speaker: Thank you very much. Hon. Ms Stephanie Anquetil!

(10.17 p.m.)

Ms S. Anquetil (Fourth Member for Vacoas & Floréal): Je vous remercie, M. le président. Ma participation à l'examen de ce nouveau projet de loi sur la cybercriminalité dont les débats interviennent à quelques jours de la journée internationale pour l'élimination de la violence à l'égard des femmes, commémorée chaque 25 novembre, coule de source.

L'objet de ce projet de loi consiste à abroger le *Computer Misuse and Cybercrime Act* de 2003 et de le remplacer par le *Cybersecurity and Cybercrime Bill*. En se faisant, le gouvernement n'aurait-il pas un agenda politique caché ? Dans son discours, le ministre a fait état de certaines choses. Je voudrais, ce soir, remettre les pendules à l'heure. L'histoire témoigne que le gouvernement Travailleiste, dirigé par le Dr. Navin Ramgoolam, a tout le mérite d'avoir créé en 1997 un ministère à part entière de l'Informatique et des télécommunications qui, aujourd'hui, est l'un des piliers de notre économie. M. Sarat Lallah, un élu du Parti travailleiste, avait été nommé à la tête de ce nouveau ministère qui a permis de jeter les bases pour une révolution numérique. La première loi informatique mauricienne, the *Telecommunications Act* de 1998 a attiré des multinationales comme Microsoft dans notre pays.

L'*ICTA* a été introduit sous le gouvernement MSM-MMM en 2001. Tout comme le *Computer Misuse and Cybercrime Act* en 2003. Il est bon de rappeler, surtout aux nouveaux ministres et députés, que la Convention de Budapest a été signée le 15 novembre 2013 et ratifiée en mars 2014 par le gouvernement Travailleiste, faisant de Maurice le premier pays africain à adhérer à la Convention. Nous savions au Parti travailleiste qu'il y avait une utilisation inadéquate et abusive des outils informatiques. Et cette adhésion démontre clairement que nous étions sincères dans notre démarche. Déjà en 2010, la cybercriminalité prenait de l'ampleur, déjà à cette époque on parlait de la démocratisation de l'espace informatique car Internet devenait populaire.

M. le président, en 2014 l'ancien ministre travailleiste des TIC, M. Tassarajen Pillay Chedumbrum, parlait déjà de l'urgence de renforcer la législation existante pour faire face à la

cybercriminalité. Au cours de la même année, le Conseil des Ministres, sous le leadership du Dr. Navin Ramgoolam, Premier ministre d'alors, avait approuvé un *Cybersecurity Strategic Plan* qui permettrait aux autorités de mieux appréhender la question des délits informatiques. Concernant le *National Security Strategic Plan 2014-2019*, le ministre est-il prêt à rendre des comptes sur le nombre de projets qui ont été implémentés ces cinq dernières années ?

M. le président, il est un fait que ces deux lois existantes, en l'occurrence l'*Information and Communication Technologies Act* et le *Computer Misuse and Cybercrime Act*, sont déjà équipées pour faire face à la criminalité informatique. Toujours est-il que nous devons mener une réflexion et des questions se posent d'emblée. Une nouvelle loi est-elle vraiment nécessaire ? Si ces deux lois existantes ont fait leur temps, je dis bien - si ces deux lois existantes ont fait leur temps - pourquoi ne pas plutôt les actualiser pour répondre à l'évolution des progrès du numérique au lieu de sortir d'un extrême à l'autre ? Les garde-fous sont là, les lois existent, mais sont-elles appliquées ? Est-ce que cette nouvelle loi va vraiment changer les choses ? Autre question, en introduisant cette nouvelle loi, est-ce que le gouvernement serait-il motivé par de bonnes intentions, sachant que les professionnels de la *cybersecurity* jouent un rôle essentiel dans la protection des citoyens, de l'économie et de la démocratie ?

Comme l'a dit mon collègue du Parti, tout à l'heure, l'honorable Shakeel Mohamed, est-ce que le ministre connaît les conditions déplorables dans lesquelles la *Cyber Unit* travaille pour répondre aux exigences et défis complexes de demain ? Reçoivent-ils une formation continue, pointue régulièrement ? Souhaitons qu'une attention particulière leur sera accordée pour une meilleure considération lors du prochain budget.

M. le président, il est un fait qu'Internet est devenu incontournable dans nos vies privées et professionnelles. Nous possédons tous un téléphone portable, un ordinateur ou une tablette. Ces moyens de communication sont, malheureusement, des armes à double tranchant qui offrent d'un côté de multiples opportunités, mais de l'autre côté ils présentent aussi un réel danger pour notre sécurité. Déjà la cybercriminalité faisait rage dans notre pays et le confinement n'a pas arrangé les choses provoquant même une aubaine pour les cybers criminels.

M. le président, *Part II - The National Security Committee, section 4, Functions of Committee*, ce projet de loi préconise la mise en place d'un *National Security Committee*. Un sentiment de grande incertitude et d'inquiétude plane sur les pouvoirs de ce comité. Serait-il doté

de super pouvoirs cachés ? L'avenir nous le dira. Ce comité sera composé exclusivement de 13 membres proches du pouvoir dont le *Chairperson* sera nommé par le Premier ministre. En bref, aucun représentant indépendant et de la société civile. Je propose, tout comme les autres collègues de ce côté de la Chambre, un *Select Committee* composé entre autres de parlementaires des deux côtés de la Chambre, mais aussi des représentants d'organisations des droits humains dans un souci de transparence, de cohérence et d'équité. Sinon, c'est clair que ce comité ne sera en aucun cas indépendant.

Part III – Offences, section 16 - fake profile, section 17 – Cyberbullying, section 19 - Revenge pornography. Cette partie de ce nouveau projet de loi ne dit pas comment - j'ai cherché, M. le président ; cette partie de ce nouveau projet de loi ne dit pas comment elle va combattre le harcèlement sur Internet et la vengeance pornographique pour mieux protéger les mineurs, pour mieux protéger les jeunes filles, les femmes, les personnes en situation de handicap. Rien sur le droit de l'image. Rien sur l'atteinte à la dignité. Impossible de faire l'impasse sur le scandale Telegram qui a secoué le pays avec le partage des vidéos et d'images pornographiques de filles mineurs, de jeunes filles et de femmes contre de l'argent. Il y a eu aussi la diffusion de plusieurs *cybervideos* dégradantes et humiliantes à l'encontre des femmes vulnérables. Les vidéos de mineurs dénudés, la campagne de dénigrement sur les réseaux sociaux à l'encontre de Madame Simla Kistnen à travers des vidéos contenant des propos diffamatoires et une tentative d'humiliation en public.

The Deputy Speaker: You stop there. It is not proper to cite somebody's name who is not in the Parliament unless you have prior authorisation. It is not proper.

Ms Anquetil: Okay.

The Deputy Speaker: She is a lady who lost her husband, we are all very sad about it. It is not proper to call out her name unless you have permission. It is not proper, avoid it please.

Ms Anquetil: Okay! Je peux continuer, M. le président ?

The Deputy Speaker: Yes, please!

Ms Anquetil: Okay, merci ! Alors, les propos aussi insultants d'une dame à l'encontre des personnes en situation de handicap mais à ce jour aucune condamnation. Le risque d'une application sélective de cette nouvelle loi provoquera la décadence de la nation mauricienne. La

police ne va-t-elle pas *pick and choose who to arrest and who not to arrest*? Les policiers vont-ils agir de manière sélective ? Tout laisse croire que l'objectif principal de ce projet de loi est uniquement de filtrer, d'intercepter et de contrôler l'information. C'est contraire aux droits humains.

Est-ce que cette loi ne servirait pas plutôt d'instrument pour régler les comptes avec les adversaires politiques ? Le gouvernement ne décide-t-il pas d'imposer la censure pour faire taire la moindre critique ? A contrario, seuls ceux proches du gouvernement ne seront pas inquiétés, les proches du pouvoir, eux pourront se permettre de publier des contenus sans mesurer leur propos et en toute impunité.

Dans quelle démocratie vivons-nous, M. le président ? Connaissez-vous le nouveau credo du régime envers ses opposants ? Tous ceux qui font des critiques constructives pour améliorer le système sont taxés d'antipatriotes par le gouvernement. Messieurs, mesdames, ministres et députés, chers collègues, tout Gouvernement doit être ouvert à la critique. Un message aux ministres et députés, quand vous vous engagez en politique, vous opérez dans la sphère publique. Si vous n'acceptez pas la critique, retirez-vous de la vie publique et concentrez-vous sur votre vie privée.

C'est une évidence, c'est une évidence que le gouvernement cherche à tout contrôler, sachant que ce gouvernement est prêt à tout, M. le président, jusqu'à politiser la commission électorale à la veille des élections municipales. La question qui se pose, ne s'agirait-il pas d'une loi pré-électorale ? Je dénonce cette injustice à deux vitesses. Nous sommes tenus d'adopter une législation appropriée pour empêcher tout abus potentiel.

Part III – Offences - Section 23 - 'Failure to moderate undesirable content' Alors, cela signifie que nous serons tenus responsables des commentaires des internautes sur notre propre compte Facebook. Cette nouvelle loi est une atteinte aux droits fondamentaux, il y a de sérieuses raisons de croire que des milliers de personnes pourraient être surveillées pour leurs prises de positions. Nul doute que cette section va favoriser et provoquer des arrestations arbitraires, il faut une bonne balance dans le respect des droits humains pour une démocratie stable.

Nous craignons, M. le président, des sanctions uniquement contre les journalistes et opposants politiques. A travers cette nouvelle loi, le gouvernement ne chercherait-t-il pas à se donner à lui-même un instrument de répression pour instaurer un climat de peur et de soupçons

généralisés dans le pays ? Dans le passé, dans certains cas le gouvernement a su agir vite. Je cite quelques exemples –

- I. l'arrestation de M. Ish Sookun ;
- II. l'arrestation de l'internaute Madame Ruhomally à 6h30 du matin en présence de 10 policiers...

(Interruptions)

The Deputy Speaker: Order!

Ms Anquetil: Oui, je m'excuse.

(Interruptions)

The Deputy Speaker: Order! Do you want to regulate the conduct whoever said it?

Ms Anquetil: Maybe.

The Deputy Speaker: And?

Ms Anquetil: Okay, je reprends, M. le président. Je m'excuse.

The Deputy Speaker: No, you do not have to start again. You just have to understand when I say we do not mention people who are not in the House. It is out of order, not proper.

Ms Anquetil: No problem, okay, thank you, Mr Deputy Speaker, Sir.

The Deputy Speaker: And you are withdrawing the name that you used right now.

Ms Anquetil: Okay.

The Deputy Speaker: Thank you very much.

Ms Anquetil: Okay! Il y a eu aussi l'arrestation de Madame R. S. entre autres. M. le président, j'invite le ministre à nous communiquer en toute honnêteté le nombre de plaintes faites par l'opposition et le nombre de plaintes faites par le gouvernement. Dans combien de cas, il y a eu une suite, c'est-à-dire combien de cas ont été en cours pour l'opposition et combien de cas ont été en cours pour le gouvernement, je suis sûr qu'on aura des surprises.

M. le président, les citoyens de notre pays veulent que leurs droits soient protégés, le véritable tollé de la population sur le *Consultation Paper* concernant les modifications proposées

par l'ICT Act pour contrôler les réseaux sociaux à forcer l'équipe de M. Dick Ng Sui Wa à faire marche arrière. Depuis, il se fait tout petit.

(Interruptions)

On ne l'entend plus le Monsieur, on ne l'entend plus.

(Interruptions)

The Deputy Speaker: No, no, no.

Ms Anquetil: Non, mais lui c'est un nommé, excusez-moi !

(Interruptions)

The Deputy Speaker: Order!

Ms Anquetil: C'est un nommé.

(Interruptions)

C'est un nommé ! Il est dans le giron !

(Interruptions)

The Deputy Speaker: Who wants to have the floor, except hon. Ms Anquetil? I do not see anybody who wants the floor. It is perfectly in order to take the name of somebody appointed in an official capacity.

Ms Anquetil: *Yes, thank you, Mr Deputy Speaker, Sir.* Pour ne pas déroger à mes habitudes, je voudrais faire quelques propositions. La mise en place d'un dispositif d'assistance aux victimes de *cyber* malveillance. Les autorités chargées des enquêtes doivent envoyer les conclusions de leur rapport au DPP dans un délai raisonnable.

Cette législation n'est pas sensible au genre, la cyber sécurité doit davantage s'ouvrir aux femmes. L'alarmante sous-représentation des femmes dans les métiers de la cyber sécurité doit tous et toutes nous interpeller. Il faut aussi combler les vides juridiques en ce qui concerne la protection des droits des victimes et leurs droits d'obtenir réparation. Il faut aussi sensibiliser l'opinion publique et notamment les femmes et les plus jeunes qui sont exposées dès leur plus jeune âge sur les réseaux sociaux aux enjeux de la cyber sécurité grâce à des campagnes d'information mais aussi d'éduquer les mauriciens sur les dangers.

Je propose que le ministère alloue un budget dans ce sens. Tout comme mon collègue du parti, l'honorable Shakeel Mohamed, j'invite le ministre à aller voir dans quelles conditions justement la Cyber Unit travaille pour répondre aux exigences de demain, tout simplement inconcevable.

M. le président, je vais maintenant conclure, mais avant je voudrais dire quelle ironie, quelle ironie d'entendre le discours de la ministre de l'égalité du genre et du bien-être de la famille ! Quelle ironie !

(Interruptions)

Où était la ministre au moment des faits quand Madame F. K. se faisait humilier sur les réseaux sociaux ? Où était la ministre ? Où était la ministre quand il y a eu des arrestations arbitraires de plusieurs femmes ? Où était la ministre ? Comme d'habitude elle a joué aux abonnés absents ! Nul doute que la population va tirer ses propres conclusions, et puis, honnêtement, quelle crédibilité a-t-elle cette ministre !

(Interruptions)

Si le gouvernement...

The Deputy Speaker: Nobody will have to take a point of order, as long as I have got it.

Conduct of a Member must be taken by a substantive motion. I am sure you are aware of it. No reference to the conduct of the Minister! Make a debate; I will listen!

Ms Anquetil: Alors, si...

(Interruptions)

J'ai expliqué au fait...

The Deputy Speaker: Order!

Ms Anquetil: J'ai expliqué au fait...

(Interruptions)

The Deputy Speaker: Address me!

Ms Anquetil: Je voulais juste vous dire, M. le président, que juste avant d'expliquer mon point, j'ai expliqué que, voilà, il y a eu des faits et elle n'était pas là. Elle n'a pas été présente. Elle joue aux abonnés absents comme d'habitude.

(Interruptions)

The Deputy Speaker: I do not need you to clarify me...

Ms Anquetil: Oui.

The Deputy Speaker: ... on the ruling I gave. I allowed you, as long as you were talking facts. I would not allow you to qualify conducts. Facts are allowed!

Ms Anquetil: Okay.

The Deputy Speaker: Qualifying conducts are not allowed! I am sure you got my point!

Ms Anquetil: Yes, I got your point, Mr Deputy Speaker, Sir.

The Deputy Speaker: Next time, know your point prior to talking. Thank you!

Ms Anquetil: *Okay, thank you, Mr Deputy Speaker, Sir.* Si le gouvernement est sérieux avec ce projet de loi, alors pourquoi venir avec une loi sélective ? Est-ce cela la bonne gouvernance ? Le peuple rêve d'une République numérique, puissante et entreprenante dans la lutte contre la cybercriminalité mais pas à n'importe quel prix ! Les lois existent, mais sont-elles bien appliquées ? Cessons, de grâce ! Cessons avec les arrestations et détentions arbitraires dans notre pays ! Nous lançons un cri de cœur pour que le harcèlement en ligne, ainsi que la cyber violence en ligne soient neutralisés. Le pays mérite mieux ces jours-ci.

Je termine, M. le président. Le pays mérite mieux ces jours-ci et il y a d'autres priorités. Avant de conclure, je faillirai à ma tâche si je n'invite pas la population à être plus vigilante, surtout dans le contexte de la COVID-19 où le temps passé devant l'ordinateur a explosé, et à faire preuve de prudence en ce qui concerne la cybercriminalité, il s'agit d'une menace qui va durer. La menace cyber est présente partout. Je vote contre ce projet de loi car je le considère immoral et anticonstitutionnel.

Je vous remercie pour votre attention.

The Deputy Speaker: Thank you very much. Hon. Ms Teenah Jutton!

(10.39 p.m.)

Ms T. Jutton (Second Member for Vieux Grand Port & Rose Belle): Mr Deputy Speaker, Sir, it is with a deep sense of purpose that I am taking the floor this evening to bring my humble contribution to the debates on the Cybersecurity and Cybercrime Bill.

M. le président, cela équivaudrait à une vérité de La Palice d'affirmer qu'à travers l'histoire, la société humaine a fait l'objet d'un développement socio-économique d'une envergure phénoménale.

The Deputy Speaker: May I? Excuse me, if you can get your mic closer. Thank you very much.

Ms Jutton: Thank you. Is it okay?

The Deputy Speaker: It is for all the Members.

Ms Jutton: Permettez-moi de faire une analogie qui nous mènerait à mieux jauger la portée gigantesque de cette évolution. Jadis, on s'enorgueillissait de la construction des grands chemins qui favorisaient une connectivité fort efficace. Ils permettaient une communication qui faisait tomber les frontières entre des grandes villes, voire même entre des Etats. Il s'agissait pour l'époque d'une révolution monumentale, mais dans son sillage, elle apporta aussi la prolifération des bandits des grands chemins qui attaquaient, pillaient et pirataient les utilisateurs de ces grandes voies de mobilité.

Aujourd'hui, il s'agit fondamentalement d'un même pôle de développement en matière de connectivité et de communication afin de s'assurer d'une meilleure mobilité de l'information. Des grandes voies de communication routière, on est passé à des autoroutes numériques où la mobilité de l'information se conjugue à ce jour en 5G – presque aussi rapide que la vitesse du son et de la lumière. Bien entendu, tout comme les grands chemins d'antan, ce développement numérique colossal a apporté dans son sillage son lot de bandits, de criminels, de pirates et autres hors-la-loi. Mais avec l'euphémisme d'un préfixe: Cyber ! Cybercrime ; cyberpiratage ; cyberdélits, et j'en passe. Et tout gouvernement qui se respecte doit, selon l'exigence du moment, faire preuve de responsabilité et de fermeté afin de mettre ces hors-la-loi et autres desperados numériques hors d'état de nuire. C'est précisément ce que fait ce gouvernement à travers ce projet de loi, dont cette auguste Chambre est appelée à adopter.

Mr Deputy Speaker, Sir, today, more than technological accessories, communication platforms such as Facebook, Instagram, Twitter, Whatsapp, Telegram, have become indissociable and indispensable components of the human mechanism. But these platforms bring in their wake untold risks and unfathomable damage that can potentially imperil the safety and security of users. Facebook, Instagram and their mobile chat applications Whatsapp and Messenger have, today, around 3.5 billion users, and their outage some time back caused a major disruption around the World. If seven hours of downtime could hamper our activities, can we imagine the magnitude of the impact of a major cyberattack? Cyberattacks can be as fatal as pandemics. A simple virus generated by cyber criminals can destroy entire networks, delete large databases, and lead to significant losses.

As the threats become more sophisticated, the legal framework must be enhanced too. This is a *sine qua non* and it is exactly what this Bill is proposing. To the seven existing offences stated in the existing Computer Misuse and Cybercrime Act 2003, twelve new offences are being added. This is bold action for security of our people and our nation and I would like, here, to congratulate the hon. Balgobin, under the leadership of the hon. Prime Minister, for coming up with this comprehensive piece of legislation. This Bill also shows the resolute determination of this Government to offer, to the extent possible, a near foolproof protection, security and safeguard to our citizens against criminals, outlaws and *les pirates* of all forms, guise and denominations. This, without trespassing on the privacy of individuals nor encroaching on their fundamental rights on which I will come to.

Mr Deputy Speaker, Sir, we have all been hearing what Frances Haugan who is an ex-employee of Facebook as the whistle-blower sharing what is termed as ‘the Facebook files’, decrying how public safety is sacrificed at the expense of profitability for Facebook. This whistle-blower explains how, even if there is harm speech or content of abusive nature, as long as it is bringing money to them, Facebook has no good will to act. Because if they change the algorithm to be safer, people will spend less time on the site, which will in turn generate less returns for the firm. That ex-employee of Facebook decried the inadequacy of the firm to detect hate language and with the difficulty with English language already being alarming, now, considering the specificities of our local language: the *Kreol* language.

Last week, in this very House, while answering a question about the Action Plan by ICTA to protect the most vulnerable from cyber bullying, hate speech and fake profiles, the then Ag. Prime Minister, hon. Obeegadoo, indeed informed the House on the slackness of Facebook in reacting to flagged posts constituting abusive content and the request for Facebook to get translators, which has not been done hitherto, *d'où le besoin de prendre le taureaux par les cornes*.

Mr Deputy Speaker, Sir, allow me to delve into some pertinent clauses of the Bill and then I will reply to some of the comments which hon. Members on the other side made.

This Bill prones the setting up of a much required National Cybersecurity Committee which will consist of key stakeholders to receive all information on cybersecurity and cybercrimes as well as to coordinate and implement the relevant actions.

It will implement a Critical Information Infrastructure Protection policy as well as improve cyber security and investigation techniques while also ensuring international cooperation and mutual legal assistance.

Mr Deputy Speaker, Sir, according to WHO statistics, every 40 second, a person is dying from suicide in the world. While there are many incidents of cyberbullicide, only a few handful have garnered national media attention. I mentioned earlier here about the whistleblower of Facebook who refers to internal studies from Facebook itself about how Instagram harms teenage girls, making suicidal thoughts and eating disorders worse.

It is said that comparison is the master thief of joy and the danger of Instagram is that it makes so overtly that people tend to compare about their bodies, about their lifestyles, etc., which ends up being worse for kids.

An article published in the Journal of Medical Internet Research in 2018 concluded that cyber victims are at risk of both self-harm and suicidal behaviours. Another study conducted by the Swansea University looking at more than 150,000 children and young people across 30 countries over a 21-year period, said that children and young people under 25 who are victims of cyberbullying are twice more prone to inflict self-harm and enact suicidal behaviour. All these studies recommend that cyberbullying and cybercrimes be considered more seriously by policymakers across the world. This is exactly what we are gathered to do today.

What is saddest with cyberbullying is that even in the safe havens of their homes, the victims continue to be bullied, which can literally be 24-hour a day or 7 days a week. Moreover, since the posts stay online, they may be shared; they may be viewed and reviewed repeatedly adding to the victimization process and the embarrassment, pain and humiliation felt by the victims.

So, I think it was time, Mr Deputy Speaker, Sir, that this Bill be presented to the House because we need to protect our children; the most vulnerable component of society.

Mr Deputy Speaker, Sir, more than a few months ago, more than 200 high-profile women consisting of former Australian Prime Minister, Julia Gillard, the ex-US tennis player, Billie Jean King and British actresses like Thandiwe Newton and Emma Watson have signed an open letter asking for concrete action to tackle abuse on social media platforms.

Allow me also to quote Arlene Foster, the first Minister of Northern Ireland who says –

“Online trolling can be really, really painful”.

And, Mr Deputy Speaker, Sir, I can vouch for that!

The Democratic Unionist Party (DUP) leader called on social media companies to take more responsibility in dealing with anonymous abusers which brings me to the next clause on misuse of fake profiles.

Mr Deputy Speaker, Sir, fake profiles which when misused by unscrupulous, and dastard individuals, cause untold damages to the reputation, dignity and honour of innocent and defenseless people.

This is where creating the change happens; making use of a fake profile to cause harm being an offence punishable by law where the perpetrator will be liable to a fine not exceeding Rs1 m. or to penal servitude for a term not exceeding 20 years.

Section 23 reinforces the above by clearly attributing to the administrator of an online account the responsibility to moderate the contents and where failure to moderate and control undesirable contents brought to the attention of an investigative authority will bear the same penal servitude and fine.

Mr Deputy Speaker, Sir, actually this is verily a panacea for what hon. Ms Anquetil said *le cri de coeur contre le harcèlement* online!

In the same breath, Mr Deputy Speaker, Sir, I have to say I was appalled by what hon. Ms Anquetil said. She was on one hand decrying *la campagne de dénigrement contre les femmes mais en même temps, elle était en train d'attaquer une autre femme*, which I think is already controversial in itself; judging the character and behaviour of another Member of this House which anyway is against the Standing Orders!

Along the same lines, I was appalled by what hon. Uteem had to say regarding this Bill last week. The only difference he found between the repealed Bill and the one currently being tabled is the penalty terms. He seemingly finds the penalties being proposed too harsh for such offences.

I am sure that by so doing, he is not, as a responsible law-maker, making an advance plea in favour of prospective culprits, not to say clients. Indeed, Mr Deputy Speaker, Sir, he strongly advocated less stringent penalties based on what he called the principle of proportionality.

In the name of that principle of proportionality, may I ask, Mr Deputy Speaker, Sir, can one claim damages like persistent moral harassment, severe psychological turmoil, loss of self-esteem, mental trauma leading, more often than not to irreversibly desperate acts of suicide that need to be given some proportionality?

Mr Deputy Speaker, Sir, how can one put a price tag to human life? Can there be a penalty strong enough against those who, for their wanton leisure, mentally torture people causing a tantalizingly excruciating slow death culminating in suicide?

Mr Deputy Speaker, Sir, I would like to ask hon. Uteem, if he would still have deemed the penalties too stringent if at all, God forbids, yes I insist on if God forbids that his daughter, his sister or his near and dear ones were to be victims of those vile attacks from those sadistic cybercriminals hiding behind the anonymity or fake identities? To purposely cause harm and bring embarrassment and cause humiliation to the person's morality and dignity?

Mr Deputy Speaker, Sir, there are so many of our children out there suffering silently, stoically and often helplessly. Don't these victims deserve to be adequately protected? Can we claim to be a compassionate society if we refuse to provide the brawnier bulwark in the form of

strongest penalties against the perpetrators of such crimes? I believe it is our duty as Parliamentarians.

In fact, I wish here to thank to the hon. Prime Minister and Leader of the House and the hon. Minister of Information Technology, Communication and Innovation for hearing the plea, I myself, made in this very august Assembly some time back while highlighting the lurking dangers of emerging technologies.

As I had stated, Mr Deputy Speaker, Sir, I chose to transform these wounds into purpose and help change things for others to help make a difference so that other young girls too do not become victims. I also wish to share that this work against online abuse is something the Commonwealth Parliamentary Association as well with the IPU, regrouping Parliaments around the world are working on.

As a Parliamentarian, I will fight for what is right. It is imperative that matters of public interest be taken up by journalists and I stand by this. I may not always agree with them but in this temple of democracy, I will always support freedom of expression. However, I strongly stand against infringing people's right to peaceful lives through disrespect, harassment, trauma, humiliation.

Well, Mr Deputy Speaker, Sir, this Bill in no way restrains an individual's freedom of expression as hon. Ms Anquetil was claiming as long as the latter is not causing any undue and purposeful harm to anyone. When it comes to freedom of expression, I personally subscribe fully to what Saint Exupery had said, I quote –

“Si tu diffères de moi, mon frère, loin de me léser, tu m'enrichis.”

This quotation constitutes the very corner stone of my philosophical belief. It is my very credo but I heard hon. Members on the other side of the House say that they will be deprived of their essential human rights with this Bill.

Mr Deputy Speaker, Sir, as hon. Balgobin explained it, throughout the drafting of this Bill, consultative meetings were held with The Council of Europe. If this Bill has been verily approved by the leading Council of Europe, which is the cornerstone of the principles of democracy and the rules of law, how can it be violating Human Rights or be *anticonstitutionnel*?

M. le président, je crois qu'il nous faut remonter à la Déclaration des droits de l'homme et du citoyen de 1789 et je cite ici les Articles IV et XI de cette déclaration -

« La liberté consiste à pouvoir faire tout ce qui ne nuit pas à autrui : ainsi l'exercice des droits naturels de chaque homme n'a de bornes que celles qui assurent aux autres membres de la société, la jouissance de ces mêmes droits. Ces bornes ne peuvent être déterminées que par la loi.

La libre communication des pensées et des opinions est un des droits les plus précieux de l'Homme : tout citoyen peut donc parler, écrire, imprimer librement, sauf à répondre de l'abus de cette liberté, dans les cas déterminés par la loi ».

M. le président, la liberté d'expression est reconnue à chaque personne pour qu'elle puisse librement exprimer ses pensées, sans censure préalable, mais non sans sanctions si cette expression porte préjudice à quelqu'un.

Selon l'Article 10 de la Convention européenne des droits de l'homme de 1950, la liberté d'expression permet à tout citoyen d'exprimer ses idées avec néanmoins des limites imposées par la loi.

Let me remind hon. Members on the other side of the House, saying that *c'est la dictature*, that it was the MSM Government with the late hon. Sir Anerood Jugnauth at the helm of Government in 2020 which implemented the liberalisation of airwaves. It is through this liberalisation of airwaves that private radios came into existence for the first time. And let it be said that, as at date, all the private radio and web TV licenses were issued under an MSM-led Government.

Mr Deputy Speaker, Sir, when we see the almost boundless extent of freedom our countrymen enjoy on a daily basis, through the private radio channels, it would not be an overstatement to say that the liberalisation of airwaves by the MSM-led Government is the second major milestone of the democratic advancement that this country has known, the first being the universal suffrage.

Mr Deputy Speaker, Sir, some people have the face and grace to accuse this Government of trampling over the freedom of expression because it is undertaking to protect our citizens from unscrupulous people! If this is not the height of bad faith, what is it, Mr Deputy Speaker, Sir?

Earlier, my colleague, hon. Toussaint, even mentioned about some shocking facts and words which could not even be repeated here, in this House. *Il y a l'honorable Assirvaden qui, comme on dirait, faisait l'avocat du diable.* But this is such a shame to be canvassing such oppressive language. Et laissez-moi assurer l'honorable Assirvaden – qui n'est pas dans la Chambre - que ce projet de loi n'est pas pour censurer nos jeunes, non, mais pour protéger nos jeunes.

The Deputy Speaker: Hon. Member, just watch your time, please!

Ms Jutton: Yes. Earlier, my colleagues, hon. Teeluck and hon. Mrs Koonjoo-Shah have elaborated enough on revenge pornography and because of the time limit I will not delve on same. But let me just clear a few things which, I think, certain Members from the other side did not understand.

The Deputy Speaker: You have less than one minute to do it.

Ms Jutton: I will just explain this and conclude. Some had lots of time on the other side.

The Deputy Speaker: You are over by about two minutes.

Ms Jutton: I quote Section 23 which says -

“Failure to moderate undesirable content:

- (1) It shall be the responsibility of the administrator of an online account to moderate and control undesirable content (...)

I just want to emphasise on the word ‘undesirable’. I can’t understand why there is so much debates about this when the definition of the word “undesirable” is clear. Like Section 23(1) talks about the deceptive, inaccuracy and the intent to defame, threaten abuse and mislead public. And I refer here to Articles 2 to 10 of the Budapest Convention, to which Mauritius is signatory, to include the element of Intent and without right. Just like we have the principle of ‘*mens rea*’ in criminal justice, it is imperative to understand the motive behind the person’s act and as mere legislators, I have utmost faith and confidence in our judicial system to look into matters which were referred to them with more depth.

Again I ask, Mr Deputy Speaker, Sir, if we lose one of our children to suicide from cyberbullying tomorrow, then it is imperative that we take action *car nos enfants ne sont pas à l'abris de ces agressions de toutes sortes*.

Here, on this side of the House, we do not wish it be too late. In fact, I make an appeal to the media too, that they fulfill their roles in terms of being safeguards, generating awareness on cyber abuse, cybercrimes and help inculcate the inbred sense of responsibility that internet users on social media should operate with.

Subsection 2 talks about public health and public safety. I will just end here. With the pandemic which took the world by storm and waves of panic gaining individuals who were whole day and night absorbing all kind of published information on social media. Even the US President Biden stated that 'Covid misinformation on Facebook is killing people'.

This is where it is a matter of collective responsibility to ensure that each one takes responsibility over what is being posted online and on social media platforms.

To end on National Security & Racism, Mr Deputy Speaker, Sir, the champions of freedom of expression, I am sure, are alive to the fact that freedom, any freedom for that matter, has to be exercised responsibly and by respecting the views of others as long as they don't give way to sedition, racial hatred or communal animosity that may seriously jeopardise national security and public peace. Law and order is an imperative for all citizens. Be it on the motorway or the digital highway of communication and information.

The Deputy Speaker: Hon. Member, with all due respect, wrap it in two sentences!

Ms Jutton: I am wrapping. Mr Deputy Speaker, Sir, this Bill goes a long way to prove - if at all any further proof is required - the high level of responsibility, seriousness of purpose and care that this Government has been constantly demonstrating since it was called upon to preside over the destiny of a country.

The reason why I entered politics is verily to use my voice to make a difference and bring about impactful change to make people's lives better and I will fight for people to have a right to peaceful life and living with dignity.

(Interruptions)

The Deputy Speaker: Hon. Member, I have been very, very ...

Ms Jutton: With this, Mr Speaker Sir, I hereby commend the Bill to the House. It was my second sentence.

The Deputy Speaker: Hon. Member, thank you very much. I have to be fair to Opposition and Government. Thank you very much. I appreciate that you finally listen.

Hon. Mrs Mayotte!

Mrs Mayotte: Mr Deputy Speaker, Sir, I move that the debate be now adjourned.

The Deputy Prime Minister seconded.

Question put and agreed to.

Debate adjourned accordingly.

ADJOURNMENT

The Deputy Prime Minister: Mr Deputy Speaker, Sir, I beg to move that this Assembly do now adjourn to Friday 19 November 2021 at 3.00 p.m.

Mr Ganoo seconded.

Question put and agreed to.

The Deputy Speaker: The House stands adjourned. Have a safe trip back home!

At 11.04 p.m., the Assembly was, on its rising, adjourned to Friday 19 November 2021 at 3.00 p.m.

WRITTEN ANSWERS TO QUESTIONS

MUNICIPAL & VILLAGE COUNCIL ELECTIONS - RIGHT TO VOTE – 16 YEARS OLD - LEGISLATION

(No. B/1078) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East) asked Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Municipal and Village Council Elections, he will state if consideration will be given for amendments to be introduced to the relevant legislation with a view to bringing the right of vote thereat to 16 years and above.

(Withdrawn)

MONTAGNE JACQUOT - SOLID WASTE DUMPS

(No. B/1098) Mr F. David (First Member for GRNW & Port Louis West) asked the Minister of Environment, Solid Waste Management and Climate Change whether, in regard to the solid waste dumped in the cliff area, from Montagne Jacquot to the Albion Lighthouse, he will state –

- (a) the actions taken or that will be taken in relation thereto, and
- (b) if an inquiry will be initiated thereinto.

Reply: Following a post on Facebook on 07 November 2021 regarding illegal dumping of construction debris on a plot of land at Montagne Jacquot in Pointe aux Sables, a site visit was carried out by the *Police de l'Environnement* on 08 November 2021. Several heaps of demolition debris were seen dumped at different spots starting about 100 metres West from the Wastewater Treatment Plant at Montagne Jacquot, over a stretch of about 1.5 kilometres towards the Albion Lighthouse.

Another site visit carried out by the officers of the Solid Waste Management Division of the Ministry of Environment, Solid Waste Management and Climate Change and the Municipal City Council of Port Louis on 11 and 14 November 2021 respectively revealed the presence of about 100 tonnes of construction debris consisting of concrete and bricks; some 600 tonnes of excavated debris and around 20 tonnes of other mixed wastes comprising damaged gypsum board, wood, tiles, damaged furniture and e-wastes dumped at about 50 meters away from the cliff area at Montagne Jacquot. The site is a State Land under the control of the Ministry of Housing and Land Use Planning and is part of the *Pas Géométriques Belle Vue Phare* at Albion.

I am made to understand that the state of the wastes, which are predominantly of the same materials and colour, and the vegetation on site tend to indicate that the dumping activity has been carried out quite recently. Stock card receipts bearing the header of two companies were also found and secured by the *Police de l'Environnement* on site.

Based on the above evidence, the locations of both companies have been successfully tracked by the *Police de l'Environnement* via Google map. Traces of a building which seems to have been recently pulled down were physically located at Old Pailles Road in Pailles. Although no demolition debris was seen on the spot, yet it could be observed that the basement matched the colour of the debris deposited at Montagne Jacquot. A Forensic investigation will be carried out to compare and match the wastes observed at Montagne Jacquot with those of the pulled down building.

The owner of the building which has been demolished and the contractor who undertook the demolition works have been interrogated by the *Police de l'Environnement* on 12 November 2021. Inquiry is still in progress. Once the offender is identified, actions will be taken in line with provisions laid down in Regulation 10 of the Local Government (Dumping and Waste Carriers) Regulations 2021 requiring the offender to remove the waste unlawfully deposited within such time as may be determined by the authorised officer being an inspector of a local authority, a Police Officer or an enforcement officer of the Ministry of Environment, Solid Waste Management and Climate Change, failing which he will be liable to the payment of fine in accordance with the provisions of the said Regulations. In such case, the law also makes provision for the removal of the waste unlawfully deposited and recovery of expenses incurred for its removal from the offender.

Most green waste dumped at Montagne Jacquot have been collected and carted away by the Municipal City Council of Port Louis and transferred to the Roche Bois Transfer Station.

As far as construction and demolition debris are concerned, amenities have been put in place at the Transfer Stations at La Chaumière and La Laura for their storage and eventual collection by stone crushing plants or any other person willing to use the waste for backfilling.

In the meantime, the *Police de l'Environnement* is regularly monitoring the site through regular mobile patrols to ensure that there is no further dumping at Montagne Jacquot.

ECONOMIC DEVELOPMENT BOARD - COMPOSITION

(No. B/1099) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Minister of Finance, Economic Planning and Development whether, in regard to the Economic Development Board, he will, for the benefit of the House, obtain therefrom, information as to the composition thereof, indicating in each case, the terms and conditions of appointment, including the total monthly pay packet, allowances and benefits drawn.

(Withdrawn)

BEAU BASSIN POLICE STATION – METHADONE DISPENSING - RELOCATION

(No. B/1100) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Minister of Health and Wellness whether, in regard to the distribution of methadone at the Beau Bassin Police Station, he will state if his Ministry is in presence of representations in connection therewith and, if so, indicate if consideration will be given for a relocation of the said distribution.

Reply: I wish to inform the House that I have personally received representations regarding methadone dispensing in the yard of the Beau Bassin Police Station. The main concern relates to –

- a) inadequate Police presence during methadone dispensing;
- b) loitering, and
- c) suspicion of diversion of methadone.

I chaired a meeting with various stakeholders, including the Police, representatives of Metro Express Ltd, the Municipal Council of Beau Bassin/Rose Hill, the Sacré Coeur Church and officers of my Ministry on 19 October 2021.

Moreover, I have personally effected a site visit on 20 October 2021 at the dispensing site with my team in order to take note of the situation in real time. Following the site visit, the following measures have been put in place –

- a) the dispensing caravan has been placed directly under the CCTV Camera to deter diversion of methadone and the anti-social behaviour of beneficiaries;

- b) Police presence has been reinforced near the caravan;
- c) handrails are being used to facilitate orderly queuing up of beneficiaries so that administration of methadone is done one at a time, and
- d) a pilot project using paper cups has been initiated for methadone dispensing. Methadone found in sealed bottle is poured into a paper cup in front of the beneficiary and handed over to him to be consumed in front of the dispensing staff. This measure has been taken to ensure that there is no methadone diversion.

My Ministry is ensuring close follow-up of the above measures taken at the Beau Bassin dispensing site. I wish to point out that as at date, no incident has been reported to my Ministry.

For the time being, the relocation of the said dispensing site is being looked into by my Ministry.

COVID-19 - PATIENTS - MEDICAL OXYGEN

(No. B/1101) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Minister of Health and Wellness whether, in regard to medical oxygen, he will state the –

- (a) actions being contemplated to ensure uninterrupted supply thereof to all patients, including COVID-19 patients, in all hospitals;
- (b) names of the suppliers thereof to his Ministry, indicating in each case, when contract was awarded, and
- (c) if the stock of oxygen is sufficient to cater for demand.

Reply: With regard to part (a) of the question, as the House is aware, the ENT Hospital has been converted into a dedicated treatment Centre for COVID-19 patients. The hospital is equipped with a Pressure Swing Absorption Oxygen Generator which provides oxygen on a continuous basis.

This equipment has been supplying oxygen on a daily basis since the beginning of the pandemic and will have to undergo servicing and maintenance in due course.

With a view to ensuring that there is no disruption in the supply of oxygen, My Ministry initiated procedures for the installation of a second Oxygen Generator of a capacity of 1000-1500 Litres of oxygen per minute. The New Oxygen Generator will enable the servicing and maintenance of the existing generator and will also serve as a backup in case of any breakdown.

After a market sounding carried out in collaboration with Hospital Services Consultancy Corporation (HSCC India Ltd), the Consultant for the New ENT Hospital project, three Expressions of Interest were received from –

- (i) Mintvest Solutions LLP, India;
- (ii) Medical Products Service, India, and
- (iii) Proximed Ltd.

After assessment, HSCC Ltd recommended the proposal from MPS for the supply of 1,000 Litres per minute Oxygen Generating System. The equipment will be operational in about 4 weeks' time.

In addition to the above, my Ministry has also procured 15 Oxygen Concentrators with maximum oxygen flow of 10 Litres per minute, which has already been installed at New ENT Hospital.

With regard to part (b) of the question, I am informed that my Ministry procures Medical Oxygen through annual tender exercises. The present contract for the supply of Medical Oxygen was awarded to S. K. S. Co. Ltd on 30 June 2020, for a duration of 2 years. The contract is valid up till June 2022.

With regard to part (c) of the question, my Ministry approached the 3 local suppliers of medical oxygen to seek information on their capacity to continue supplying oxygen on a daily basis to the ENT Hospital and other Regional Hospitals.

One of the suppliers proposed to provide an oxygen tank, free of charge, to be installed at ENT Hospital, with a capacity of 20 tons of oxygen. The supplier will replenish the liquid oxygen on a daily basis.

The possibility of installing similar tanks at other hospitals is being explored.

**PAY RESEARCH BUREAU REPORT 2021 –
COMPLAINTS/REPRESENTATIONS**

(No. B/1103) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Public Service, Administrative and Institutional Reforms whether, in regard to the Pay Research Bureau Report 2021, he will state if his Ministry is in presence of complaints and representations in relation thereto and, if so, indicate the actions that will be taken, if any.

Reply: I wish to inform the House that, so far, my Ministry has received 15 complaints/representations as follows –

Ministries/Departments	-	3
Trade Unions	-	5
Parastatal Bodies	-	2
Local Authorities	-	1
Individual officers	-	4

In accordance with paragraph 20.41 (b) of the PRB Report 2021 Vol. I, the cases have been submitted to the PRB for consideration and appropriate action. The Bureau will now scrutinise these complaints/representations and provide its recommendations thereon by way of a letter and thereafter, compiled as an addendum to the 2021 Report within nine months from the date of the publication of the Report.

SOCIAL REGISTER OF MAURITIUS - FREE OPTICAL GLASSES

(No. B/1104) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to the scheme for the provision of free optical glasses to persons on the Social Register of Mauritius aged up to 21 years old, she will state the –

- (a) number of applications received thereunder and approved, respectively; and
- (b) aggregate quantum of funds disbursed in relation thereto.

(Withdrawn)

NOTRE DAME RELAY SHELTER – BUDGET ALLOCATION

(No. B/1110) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Minister of Gender Equality and Family Welfare whether, in regard to the Notre Dame Relay Shelter, she will state the –

- (a) number of
 - (i) persons presently sheltered thereat; and
 - (ii) staff members employed thereat; and
- (b) budget allocated thereto.

(Withdrawn)

PURE HEAVEN SHELTER, VACOAS - OPERATION

(No. B/1111) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked Minister of Gender Equality and Family Welfare whether, in regard to the Pure Heaven Shelter, located in Vacoas, she will state –

- (a) the date of coming into operation thereof;
- (b) the number of –
 - (i) persons presently sheltered thereat;
 - (ii) staff employed thereat, indicating the qualifications held, in each case, and
- (c) if any case of alleged ill-treatment reported to the Police has been relayed to her Ministry and, if so, indicate the actions taken in relation thereto.

(Withdrawn)

MV WAKASHIO - ENVIRONMENT IMPACT ASSESSMENT - MEASURES

(No. B/1112) Ms J. Bérenger (First Member for Vacoas & Floréal) asked the Minister of Blue Economy, Marine Resources, Fisheries and Shipping whether, in regard to the dismantling of the wrecked Wakashio vessel, he will state –

- (a) if an assessment of the impact thereof on the environment has been undertaken prior to the start thereof and, if so, table copy of the report, and
- (b) the proposed mitigating measures to be implemented, if any, regarding –
 - (i) lagoon pollution due to marine sediments;
 - (ii) change of marine flow;
 - (iii) corals destruction, and
 - (iv) oil spill.

Reply (Minister of Environment, Solid Waste Management and Climate Change):

Following the grounding of MV Wakashio on 25 July 2020 near Pointe d'Esny, the vessel eventually split into two sections. The aft part of the vessel remained aground on the reef since then.

With regard to part (a) of the question, a wreck removal plan was prepared and submitted to the Ministry of Blue Economy, Marine Resources, Fisheries and Shipping by Lianyungang Dali Underwater Engineering Co. Ltd, the contractor appointed by Japan Protection and Indemnity (P & I) Club for the dismantling of the aft part in November 2020. The plan included, amongst others, a reef assessment prior to the start of the wreck removal operation and an Environmental Monitoring Plan.

According to the Ministry of Blue Economy, Marine Resources, Fisheries and Shipping, prior to the wreck removal operation and in line with the wreck removal plan, the Japan Protection & Indemnity Club, insurer of MV Wakashio, also appointed Seaground of United Kingdom to assess physical damages to the reef and to undertake a reef assessment to determine the likely effect of the ten anchors, chains and warps which would be used by the crane barge Hong Bang 6 during the wreck removal operations.

The experts of Seaground also effected environmental surveys in the vicinity of MV Wakashio wreck from 04 to 08 December 2020. The purpose of those surveys was to collect video and photographic imagery using remote video cameras for obtaining qualitative and quantitative data on coral reef conditions. Additionally, the experts collected high resolution side scan sonar data across the site from the initial grounding to the current location of the stern section of the vessel.

Following the assessment, experts of Seaground concluded that the overall area encompassed by the position of the initial grounding to the current position of the aft part comprised a reef slope environment with an extremely heterogeneous coral distribution. Within this overall area, there were significant areas which had been altered from their original physical topography as well as flora and fauna composition.

The assessment of Seaground further revealed that damages would likely originate along the greater length of the warp and chain lines which would run between the anchor points and the crane barge. As such, it would not be possible to lay these lines in a way to avoid any coral, implying that a degree of damage to the reef environment was inevitable. The assessment

indicated that, despite the presence of occasional large coral heads and clusters of boulders with corals occupying them, the overall coral percentage cover was low across the likely impacted areas for anchor locations. Accordingly, the experts of Seaground are still present on site for conducting additional necessary reef assessments on a daily basis.

Prior to the resumption of the wreck removal operations in October 2021, a monitoring plan had been devised by the Fisheries Division and the Albion Fisheries Research Centre of the Ministry of Blue Economy, Marine Resources, Fisheries and Shipping for seawater, sediment and fish quality. Results of the seawater analysis revealed the absence of oil and grease in all twenty samples collected.

On the other hand, sediment samples were collected in September 2021 and October 2021 along the shoreline from La Cambuse to Bois des Amourettes and in the lagoon at Pointe d'Esny and analysed by SGS (Mauritius) Ltd. The analysis indicated the absence of total hydrocarbons and Polycyclic Aromatic Hydrocarbon in all samples, except for traces of hydrocarbons in sediment samples collected in October 2021 at Mahebourg, Rivière des Créoles, Bois des Amourettes, Pointe Canon and Vieux Grand Port.

With respect to analysis conducted by Quantilab on 66 fish samples collected in the lagoon from Pointe d'Esny to Mahebourg during the period May to July 2021 and those collected from the aquaculture farm at La Ferme Marine de Mahebourg Ltd during the period July to September 2021, same revealed the absence of total hydrocarbons and Polycyclic Aromatic Hydrocarbon in all samples.

According to the Ministry of Blue Economy, Marine Resources, Fisheries and Shipping, a team from the Japan International Cooperation Agency would field a mission to Mauritius from 18 November 2021 to 06 December 2021 to, *inter alia*, survey the change in coastal ecosystems in the South Eastern coast of Mauritius in the aftermath of the MV Wakashio grounding and oil spill. The field surveys would thereafter entail discussions with stakeholders for the development of an Integrated Coastal Ecosystem Management system.

With regard to part (b) of the question, the wreck removal plan has taken into consideration all emergencies pertaining to any risk of residual oil spill by drawing an Environmental Management Plan. This plan was devised to minimise the environmental impact and in particular the disturbance to the seabed. It encompasses the activities pertaining to monitoring, containment and recovery of any spilled solids as well as oil and non-oil liquids,

minimisation of further physical reef damage, debris collection, segregation and disposal, cooperation with Local Government and statutory compliance throughout the wreck removal operations. The Environmental Monitoring Plan also defines the actions for the prevention of oil spill, as well as response in case of any oil spill incident at the site.

According to the Ministry of Blue Economy, Marine Resources, Fisheries and Shipping, prior to the start of the wreck removal operations, all oil in the tanks had been pumped out and all tank openings had been sealed. Nonetheless, the salvage team informed of the presence of residual quantities of inaccessible and un-pumpable oils in the pipes. In that respect, to respond to any incidence of oil spill, Polyeco Société Anonyme has been appointed for any intervention, if required. The team is on standby on a 24/7 basis with all oil pollution response equipment readily available.

Furthermore, a total of 2,760 metres of booms has been deployed near the aft part in the lagoon at Blue Bay Marine Park at the Pointe d'Esny Ramsar Site prior to the start of the wreck removal operations. Following the occurrence of a minor spill on 03 November 2021, 300 metres of sorbent booms have been deployed at the South East of Ile aux Aigrettes.

On 05 March 2021, through an Order made by the National Crisis Committee *vide* General Notice No. 429 of 2021, two areas, inside and outside the lagoon at Pointe d'Esny respectively, have been delimited and restricted to the public for a smooth dismantling operation.

Additionally, an Integrated Environmental Monitoring Programme was developed in collaboration with the Centre for Environment, Fisheries and Aquaculture Science of the United Kingdom, for an initial proposed duration of three years, to address various environmental impacts in the aftermath of the grounding of bulk carrier vessel, MV Wakashio, on the reef off Pointe d'Esny on 25 July 2020. This Programme is under implementation by the Ministry of Environment, Solid Waste Management and Climate Change, the Albion Fisheries Research Centre, the Mauritius Oceanography Institute, the National Parks and Conservation Service, Mauritian Wildlife Foundation and Reef Conservation. The key tasks, which are ongoing, comprise the monitoring of corals and sub-tidal habitats; terrestrial biodiversity at Ile aux Aigrettes; coastal water and sediment quality; and monitoring of fish farms and fisheries.

According to information received from Brand Marine Consultants GmbH, the Consultant appointed by Japan Protection and Indemnity Club, prior to the resumption of the wreck removal operations, around 1822 tons of scrap metal have been removed. Following the

start of the operations since 02 November 2021, an additional amount of around 1,000 tons of scrap metal have been removed. Moreover, on 13 November 2021, according to the Department of Shipping, the whole main engine of the MV Wakashio has been successfully removed. The dismantling operation of the aft part of the MV Wakashio, which started on 02 November 2021, is expected to be completed within 20 working days, subject to favorable weather conditions.

**COVID-19 - PUBLIC HEALTH INSTITUTIONS -
PATIENT-NURSE RATIO**

(No. B/1119) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière) asked the Minister of Health and Wellness whether, in regard to the nursing staff working in public health institutions, he will state the number thereof –

- (a) currently employed, indicating the –
 - (i) optimal patient-nurse ratio, and
 - (ii) current patient-nurse ratio
- (b) contaminated at their place of work since March 2021 to date, and
- (c) additionally required amid the resurgence of COVID-19 pandemic, including how his Ministry proposes to achieve same.

(Withdrawn)

COVID-19 VACCINES – PURCHASE

(No. B/1121) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière) asked the Minister of Health and Wellness whether, in regard to COVID-19 vaccines, he will state the number of doses thereof purchased as at to date, indicating the –

- (a) total cost thereof, and
- (b) stock thereof available, including their respective expiry dates.

(Withdrawn)

**COVID-19 – EDUCATIONAL INSTITUTIONS (PUBLIC & PRIVATE)
POSITIVE CASES**

(No. B/1122) Dr M. Gungapersad (Second Member for Grand Baie & Poudre d’Or) asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and

Technology whether, in regard to the COVID-19 pandemic, she will state the number of staff and students of private and public educational institutions who have been COVID-19 positive tested since the resumption of studies for second semester, indicating the number thereof who –

- (a) contracted the Delta variant;
- (b) had to self-isolate, and
- (c) lost their life after contracting the virus.

(Withdrawn)

“PRISONER OF PARADISE” FILM – REBATE SCHEME - LOAN

(No. B/1125) Mr P. Assirvaden (Second Member for La Caverne & Phoenix) asked the Minister of Finance, Economic Planning and Development whether, in regard to the film “Prisoner of Paradise”, he will, for the benefit of the House, obtain from the Economic Development Board, information as to –

- (a) the final sum of money refunded to the director/producer thereof under the Film Rebate Scheme, and
- (b) if Government/the Board guaranteed a loan of Rs 90 million at the State Bank of Mauritius Ltd. to the director/producer thereof, indicating if the loan was in Mauritian Rupees or in British pound sterling.

(Withdrawn)

TEENAGE PREGNANCY – REPORTED CASES

(No. B/1130) Mrs S. Mayotte (Second Member for Savanne & Black River) asked the Minister of Gender Equality and Family Welfare whether, in regard to teenage pregnancy, she will state the number of reported cases thereof since January 2020 to date.

(Withdrawn)

ARTISTS - PROFESSIONALISATION

(No. B/1131) Mrs S. Mayotte (Second Member for Savanne & Black River) asked the Minister of Arts and Cultural Heritage whether, in regard to the professionalisation of the artists and the status of Artists Bill, he will state when same will be materialised.

(Withdrawn)

**LAND DRAINAGE PROJECT - NEW MOSQUE ROAD & ERNEST LEMAIRE
ROAD, CHEMIN GRENIER – WORK PROGRESS**

(No. B/1132) Mrs S. Mayotte (Second Member for Savanne & Black River) asked the Minister of National Infrastructure and Community Development whether, in regard to Land Drainage Project at the New Mosque Road and Ernest Lemaire Road at Chemin Grenier, he will, for the benefit of the House, obtain from the National Land Drainage Authority, information as to the work progress thereof, indicating when same will be handed over.

(Withdrawn)

SOCIAL AID - REGISTRATION

(No. B/1133) Mrs S. Mayotte (Second Member for Savanne & Black River) asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to social aid, she will state the number of people registered since 06 October 2021 to date, following the issue of a communiqué by her Ministry inviting people to register therefor.

(Withdrawn)

PRIVATE SECONDARY SCHOOLS - GRANT FORMULA

(No. B/1136) Mrs A. Navarre-Marie (Fourth Member for GRNW & Port Louis West) asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to the Private Secondary Education Authority, she will, for the benefit of the House, obtain therefrom, information as to the change in the grant formula to private secondary schools and the need for approval thereof prior to implementation of projects.

(Withdrawn)

PRIVATE SECONDARY SCHOOLS - EDUCATORS - RECRUITMENT

(No. B/1137) Mrs A. Navarre-Marie (Fourth Member for GRNW & Port Louis West) asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to the Private Secondary Education Authority, she will state if she is aware of alleged interference thereof in the recruitment of educators in private secondary schools and the allocation of time dedicated to each subject in these schools and, if so, indicate the actions taken in relation thereto.

(Withdrawn)

**COVID-19 PANDEMIC – EDUCATION SECTOR - ASSISES DE
L'EDUCATION**

(No. B/1138) Mrs A. Navarre-Marie (Fourth Member for GRNW & Port Louis West) asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to the education sector, she will state if she proposes to organise an *Assises de l'Education* in consultation with the different stakeholders thereof to look into all the problems facing same amid the COVID-19 pandemic.

(Withdrawn)

**NATIONAL SOLIDARITY FUND- PROJECTS – PERIOD JANUARY 2019-
NOVEMBER 2021**

(No. A/54) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Social Integration, Social Security and National Solidarity whether in regard to the National Solidarity Fund, she will, for the benefit of the House, obtain –

- (a) a detailed list of projects financed thereunder since 2019 to date, indicating the sum disbursed in each case, and
- (b) the amount of funds available as at date.

Reply: The National Solidarity Fund (NSF) operates under the aegis of my Ministry and was set up under the NSF Act 1991. The objective of the Fund is to provide financial assistance to persons, including those with disabilities, who face personal hardships.

To meet its objective, the Fund has implemented several schemes to assist persons undergoing severe hardships. The Personal Hardship schemes are categorised under the following areas –

- (a) Medical Scheme;
- (b) Destitutes;
- (c) Needy Students, and
- (d) Sudden and Unexpected Hardships.

As regards part (a) of the question, I am informed that since 2019 to date, an amount of Rs93,323,112.88 has been disbursed in favour of 7,400 beneficiaries under the various schemes available at the Fund. Details are as follows –

SCHEME	JAN 2019 TO DATE	
	NUMBER OF BENEFICIARIES	AMOUNT DISBURSED Rs
Medical	5,341	76,792,233.38
Destitutes	922	4,802,104.00
Needy Students	930	9,357,775.50
Tragic Accidents	4	100,000.00
Repatriation of Mortal Remains	4	200,000.00
Multiple Birth	4	100,000.00
Natural Calamities	1	6,000.00
Sale by Levy (Rent Allowance)	8	105,000.00
Centenarian	186	1,860,000.00
TOTAL	7,400	93,323,112.88

With regard to part (b) of the question, I am informed that, as at date, the NSF has an available total amount of Rs138,313,952.27.