



SEVENTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

(UNREVISED)

FIRST SESSION

TUESDAY 23 NOVEMBER 2021

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(Formed by Hon. Pravind Kumar Jugnauth)

Hon. Pravind Kumar Jugnauth	Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity
Hon. Louis Steven Obeegadoo	Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism
Hon. Mrs Leela Devi Dookun-Luchoomun, GCSK	Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology
Dr. the Hon. Mohammad Anwar Husnoo	Vice-Prime Minister, Minister of Local Government and Disaster Risk Management
Hon. Alan Ganoo	Minister of Land Transport and Light Rail Minister of Foreign Affairs, Regional Integration and International Trade
Dr. the Hon. Renganaden Padayachy	Minister of Finance, Economic Planning and Development
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Hon. Kavydass Ramano	Minister of Environment, Solid Waste Management and Climate Change
Hon. Mahen Kumar Seeruttun	Minister of Financial Services and Good Governance
Hon. Georges Pierre Lesjongard	Minister of Energy and Public Utilities
Hon. Maneesh Gobin	Attorney General, Minister of Agro-Industry and Food Security

Hon. Jean Christophe Stephan Toussaint	Minister of Youth Empowerment, Sports and Recreation
Hon. Mahendranuth Sharma Hurreeram	Minister of National Infrastructure and Community Development
Hon. Darsanand Balgobin	Minister of Information Technology, Communication and Innovation
Hon. Soodesh Satkam Callichurn	Minister of Labour, Human Resource Development and Training
	Minister of Commerce and Consumer Protection
Dr. the Hon. Kailesh Kumar Singh Jagutpal	Minister of Health and Wellness
Hon. Sudheer Maudhoo	Minister of Blue Economy, Marine Resources, Fisheries and Shipping
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. 34 of 2021

Sitting of Tuesday 23 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 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**

- (a) Certificate of Urgency in respect of the following Bills (In Original):
 - (i) The Independent Broadcasting Authority (Amendment) Bill (No XVIII of 2021);
 - (ii) The Town Planners' Council Bill (No XIX of 2021)
 - (iii) The Revision of Laws (Amendment) Bill (No XX of 2021)
- (b) The Probation Hostel and Home (Amendment) Regulations 2021. (Government Notice No. 283 of 2021)

B. Ministry of Finance, Economic Planning and Development

- (a) The Report 2018 Census of Economic Activities Phase 1 – Small Establishments.
- (b) The Public Procurement (Amendment) Regulations 2021. (Government Notice No. 280 of 2021)
- (c) The Build Operate Transfer Projects (Prescribed Threshold) Regulations 2021. (Government Notice No. 281 of 2021)
- (d) The Public-Private Partnership (Prescribed Threshold) Regulations 2021. (Government Notice No. 282 of 2021)

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

The Rodrigues Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No. 32) Regulations 2021. (Government Notice No. 279 of 2021)

D. Ministry of Health and Wellness

The Consolidated COVID-19 (Amendment No. 4) Regulations 2021. (Government Notice No. 278 of 2021)

ORAL ANSWERS TO QUESTIONS**VALLÉE PITOT, TRANQUEBAR, PLAINE VERTE & WARD IV - DRUG
PROLIFERATION – PREVENTIVE MEASURES**

(No. B/1140) 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 Vallée Pitot, Tranquebar, Plaine Verte and Ward IV, in Port Louis, he will, for the benefit of the House, obtain from the Acting Commissioner of Police, information as to if an increase in drug proliferation thereat has been observed and, if so, indicate the additional measures taken in relation thereto, if any.

The Prime Minister: Mr Speaker, Sir, I am informed by the Acting Commissioner of Police that the regions of Vallée Pitot, Tranquebar, Plaine Verte and Ward IV fall under the jurisdictions of four Police Stations, namely Vallée Pitot, Pope Hennessy, Plaine Verte and Line Barracks respectively.

Mr Speaker, Sir, I am also informed by the Acting Commissioner of Police that, for the years 2017 to 18 November 2021, Police have carried out several crackdown operations in these regions resulting in the detection of the following number of drug-related cases –

- (i) 149 cases in year 2017;
- (ii) 171 in year 2018;
- (iii) 116 in year 2019;
- (iv) 129 in year 2020, and
- (v) 67 cases from January to 18 November 2021.

Based on the statistics available, it cannot be inferred that there has been an increase in the proliferation of drugs in the region. However, the Police are of the view that even one case is too many, and the absence of concrete actions could lead to drug proliferation from one region to the whole country.

I am further informed by the Acting Commissioner of Police that the following additional preventive measures are being taken in the regions of Vallée Pitot, Tranquebar, Plaine Verte and Ward IV to fight illicit drugs, namely –

- (a) in a bid to encourage informers/whistle blowers to tip-off the Police/ADSU about illegal activities, including drug transactions in their locality, the ‘Reward to informers Scheme’ is ongoing and the Reward Scheme for Police Officers has been restored by the Acting Commissioner of Police and the scheme has been extended to all types of drugs;
- (b) the Safe City Cameras are another add-on to fight crime as well as illegal drugs as this modern tool is allowing the Police/ADSU to monitor the movement of suspicious persons/vehicles and drug peddlers hanging around with intent to commit offences;
- (c) the Education Cell of ADSU is working in collaboration with the Crime Prevention Unit to conduct aggressive sensitisation campaigns in educational institutions, youth clubs and Community Centres in the regions in a bid to raising awareness on the ill effects of illegal drugs among the inhabitants in the concerned regions;
- (d) ADSU is being provided with additional staff and modern equipment to improve its operational capabilities. To this end, Rs10.5 m. have been allocated to ADSU in the budget for this Financial Year;
- (e) tailor-made trainings are being provided to Police Officers, including ADSU Officers for enhancing their capacity building in order to enable them to tackle drug cases in a holistic manner, and
- (f) the Mauritius Police Force is continuously strengthening its bilateral and multilateral cooperation with friendly countries in the region, such as Reunion, Madagascar, Seychelles, South Africa, Mozambique, amongst others, in the sharing of intelligence on drug trafficking and other related offences, and effective investigations into drug cases.

Mr Speaker, Sir, it must also be pointed out that the National Drug Secretariat (NDS) of my Office, in collaboration with the United Nations agencies, conducted a national survey in September 2021 among people who use drugs in Mauritius. The results of the study which are expected in January 2022 will provide comprehensive information, including socio-demographic characteristics of drug users, their living conditions, their employment status, age of onset of drug use, frequency and patterns of use and extent of drug use, which will all guide our national drug response. We shall then be in a better position to assess the extent of the drug situation among the population across different age groups.

Mr Speaker, Sir, in order to enhance the drug prevention programme, a community-based approach has been initiated through the implementation of the Youth Empowerment Programme Against Drugs (YEPAD) since February 2021 by the Ministry of Health and Wellness in collaboration with the National Drug Secretariat, the Police, the Ministry of Youth Empowerment, Sports and Recreation and NGO partners targeting different regions of the country, including the regions of Vallée Pitot. In fact, YEPAD was launched at Vallée Pitot and was successfully completed. A team of resource persons is present in the targeted region for a week for consultations and capacity building of community leaders to take the lead of drug prevention programmes at the level of their localities.

The YEPAD includes interventions such as sensitisation, recreational and physical activities to empower and engage the youth in their personal development, as well as access to training programmes, amongst others.

Mr Speaker, Sir, my Government has been working on all fronts to deal with the drug scourge. In addition to sensitisation campaigns by the Police, the Ministry of Education, Tertiary Education, Science and Technology, is implementing a series of measures in the regions of Vallée Pitot, Tranquebar, Plaine Verte and Ward IV. These measures include –

- (i) a structured, extensive prevention programme at the level of educational institutions conducted with the Ministry of Health and Wellness and the assistance of ADSU, the *Brigade pour la Protection des Mineurs* and NGOs to address the drug problem as well as share information;
- (ii) hosting of a multi-sectoral meeting yearly on “Indiscipline and Substance Abuse Prevention Programmes in Schools” with all the major stakeholders such as the

Ministry of Health and Wellness, Mauritius Police Force, the Private Secondary Education Authority, amongst others;

- (iii) sensitisation campaigns are ongoing in collaboration with the relevant stakeholders such as ADSU, Harm Reduction Unit of the Ministry of Health and Wellness;
- (iv) a protocol has been put in place to act as a guideline for management to handle a case whereby a student is caught in possession of a suspected illicit substance. This protocol also advocates close monitoring and follow-up at the level of the school, including pastoral care and support from Educational Psychologists;
- (v) an evidence-based Drug Use Prevention Programme, which is in line with the international standards for drug use prevention (UNODC & WHO collaboration) has been introduced in secondary schools across the island, in line with the National Drug Control Master Plan 2019-2023. The Programme uses a life skills concept model with the aim of delaying tobacco, alcohol and drug initiation among adolescents, and
- (vi) provision in the National Curriculum Framework for both Primary and Secondary subsectors to integrate drug abuse prevention within the curricula.

With a view to enabling our youth to resist peer pressure to indulge in substance abuse, my Government is committed to empower and equip them with skills and aptitudes to face current life challenges. The Youth Section of the Ministry of Youth Empowerment, Sports and Recreation organises a series of programmes aimed at promoting healthy lifestyle and preventing substance abuse amongst young people. These measures include -

- (i) Afterschool Programme, which has also been initiated since 2017 and has been scaled up to all our schools. Life skills and physical activities are provided by trained personnel to the youth after school hours within the school compound;
- (ii) ongoing preventive peer education sessions on substance abuse with *animateurs* who are working with vulnerable youths through a Special Outreach Programme in different regions;

- (iii) conversion of Youth Centres into modern Youth Hubs through artistic, physical and other activities to promote a healthy behaviour in the community, and
- (iv) introduction of a Mauritius Recreation Council Bill for the establishment of a Mauritius Recreation Council which will be responsible for the promotion and organisation of recreational activities in Mauritius.

Mr Speaker, Sir, I am also informed that the *Centre Idrice Goomany* has been carrying out drug sensitisation sessions with women in *forces vives* of Plaine Verte. Furthermore, since last year, *Centre Idrice Goomany* has been engaging in UNODC approved drug sensitisation activities for students in the region. The programme is called “Get Connected”. Since last year, *Centre Idrice Goomany* has applied the programme in several secondary schools based in these regions.

Mr Speaker, Sir, I am informed that, with a view to preventing the entry of drugs in the country, the Mauritius Ports Authority (MPA) is working in close collaboration with the Mauritius Revenue Authority and the Police for intelligence sharing together with all the major stakeholders. The MPA is conducting regular crackdown operations to prevent illegal activities in the port area. The CCTV Cameras in the port area will be upgraded with the latest technology capable of covering a wider range of port activities. The project is expected to be operational by September 2022. In addition, an IT-based access control system will be introduced, which will provide real-time control and will be fully integrated into the port IT network.

Mr Speaker, Sir, as the House is aware, we have been taking bold measures despite the COVID-19 pandemic to address the drug problem in Mauritius, and these have produced positive results, and we are determined to continue unflinchingly to fight it. Thank you.

Mr Osman Mahomed: Thank you. The hon. Prime Minister is right in saying that the statistics cannot be telling. For example, in 2018, there were 179 crackdowns, but, for 11 months, in 2021, 67 only with regard to drug consumption and drug use in the region because simply the drug sellers and the drug dealers are outside these regions; on the outskirts of these regions. Can I ask the hon. Prime Minister whether, in these regions that supply drugs - the Acting Commissioner of Police is surely aware of these regions - strong crackdowns can be held there, like the one there was some time ago in Cité St Claire, which brought results, and these regions are no longer able, like Cité St Claire, to provide drugs to that region anymore now?

The Prime Minister: Apart from, let us say, Cannabis, which is not only I would say not manufactured; the plants are planted here and, therefore, the drug is available locally. There is also imported Cannabis, but all the other drugs are imported. They come either through the airport or through the sea route, not only through the harbour, but, as we know, there is also a number of cases where the Police have been able to seize and arrest people coming by boat, by ship. Obviously, the issue with regard to drug fighting is that it is waged throughout the country. This is because drugs are coming from abroad and are circulating from one region, obviously ending in that region which you mentioned in your question. The fight against drug is at the national level, but we have to be careful also because there are peddlers, not only from outside the region which you have mentioned in your question but also from within the region. And if you look at the number of cases - I think I mentioned, but I have the statistics for the past years also - there have been so many cases whereby people who are involved in drug dealing and who reside within this region have been arrested. There is a number of cases which eventually end up before the Court and, I must say, quite a number of the people involved have been convicted.

Mr Osman Mahomed: Thank you. There is an increase visibly on the ground in terms of drug consumption and drug use and also what is visible on site is regular patrol from ADSU is not there anymore. Furthermore, Officers of ADSU residing in these areas, like Plaine Verte, Vallée Pitot and Tranquebar, who were very effective in information gathering on the ground, because they live there, have been transferred. So, can I request the hon. Prime Minister to talk to the Acting Commissioner of Police to enhance these aspects that I have just mentioned to him?

The Prime Minister: There are a few issues which you have raised in one question. The first one being that there are no more regular patrols. This is not correct, I can tell you.

(Interruptions)

Sorry?

Mr Osmad Mahomed: Not as much.

The Prime Minister: *Non.* This is what I have said. I have enquired, for example, into the number of cases and into what is being done and, in fact, I can say today that there are more operations that are being carried out. Maybe - if you are not aware - one might not notice these operations because some of them are not being carried out by Officers wearing uniforms and

using Police vehicles which you can easily recognise. Of course, it is important that we have Police Officers in civil clothes, and who cannot thus be identified as such, so that they can be more effective in their fight against those traffickers. Now, you mentioned a few things so that...

Mr Osman Mahomed: Officers of ADSU being transferred.

The Prime Minister: Being transferred? Mr Speaker, Sir, this happens regularly within the Police Force, also within a particular Unit. I am not going to say for what reasons there are transfers. There are many reasons why Officers who have been posted at a particular Station or Unit are transferred after some time; obviously, some of them; there are reasons for their transfer. The reasons are not the same, as these are different reasons also. But you can rest assured that what is important is that, at least, we tried to have sufficient number of Officers in the Unit, particularly and especially for the fight against drugs, and they are Officers who are also efficient. It is not correct to say that Officers have been transferred and that there are less Officers.

Mr Speaker: Hon. Reza Uteem!

Mr Uteem: Mr Speaker, Sir, what the hon. Prime Minister has said is quite different from what is happening on the ground. I wrote to the Commissioner of Police a few weeks ago to inform him about precise locations of where synthetic drugs are being sold. Not only I did not receive any acknowledgement but there has been no landing carried out. I went and I spoke to an Officer of ADSU and instead of carrying out a crackdown, he asked me to give him the name of my informer. They were more interested in knowing who were the informers than actually cracking down. So, may I ask the hon. Prime Minister, despite all that he has said, to ask the Commissioner of Police to really pay heed to these regions because drugs are being sold *au vu et au su de tout le monde* in these regions.

The Prime Minister: The hon. Member has stated certain facts. Obviously, I need to check those facts. If you have written to the Commissioner of Police, obviously this can be easily verified; I do not know whether it is by email or letter. If it is by letter, I shall check. Now, if you have talked to an Officer - I hope you can trust me - if you give me the specific details with regard to which Officer and what has happened, I shall ask the Commissioner of Police to conduct an enquiry.

I have always invited every Member of this House to provide me with information because some Members - I am sure they can testify; and I am talking about the Opposition - have provided me with some information which has, in fact, led to the Police making certain arrests. I welcome any reliable information you can provide to me and I shall pass on to the relevant people in authority to do the needful.

Mr Speaker: Hon. Abbas Mamode!

Mr Abbas Mamode: Yes, thank you, Mr Speaker, Sir. Can the hon. Prime Minister inform the House as to the amount of drugs and the commercial value thereof seized during the periods 2005 to 2009 and 2010 to 2014 compared to the last five years period, that is, 2017 to 2021?

The Prime Minister: Mr Speaker, Sir, the figures can be interpreted as they are.

- The total street value of drugs seized during the period 2005 to 2009 is approximately Rs1 billion;
- the total street value of drugs seized during the period 2010 to 2014 is Rs994 m.,
- whereas the total street value of drugs that have been seized during the near last five years, that is, from 2017 up to beginning of November 2021, stands at Rs12.5 billion.

That is an increase of nearly 12 times. So, anyone can draw any conclusion with regard to those facts and figures.

Mr Speaker: Hon. Doolub!

Mr Doolub: Thank you, Mr Speaker, Sir. On the same comparative note, the hon. Prime Minister mentioned awareness campaign being run in those regions. Can the hon. Prime Minister, if ever he has got the details, inform the House on the number of awareness campaigns on crime prevention carried out by the Commissioner of Police in the same regions for the period 2006 to 2009, compared to recent years?

The Prime Minister: In fact, the crime prevention awareness campaign is carried out by the Crime Prevention Unit of the Police Force. It is interesting for me to mention, for example –

- in 2006, there were only 10 such initiatives, and
- in 2008, 16.

Let me take a year which is nearer to a change in Government –

- 2013, there were 21 which, in fact, involved about 970 participants;
- whereas in 2016, for example, there were 27 such operations which involved 2,209 participants, and
- I give a last figure for 2017; 29 such awareness campaigns which touched some 5,743 participants.

which shows that the number of awareness campaigns has been scaled up and the number of people who have been touched by these awareness campaigns has also drastically increased.

Mr Speaker: Hon. Dr. Aumeer!

Dr. Aumeer: Thank you. Can I ask the hon. Prime Minister, if he could see with the Ag. Commissioner of Police besides all the preventive and deterring measures that have been outlined, whether consideration can be seen to upgrading of Safe City cameras which will have a wider coverage area of the prone areas which, in these particular areas such as Vallée Pitot, Tranquebar, Plaine Verte, are sub-specialising in redistribution of drugs? Thank you.

The Prime Minister: I must say I am happy to note that there is a request not only from the hon. Member; there have been so many other requests also recently for an increase in setting up Safe City cameras in different parts of the island. Again, this is testimony that, first, it does act as a prevention for those people who intend or are inclined to go against the law. Secondly, as I have always said, it is an effective tool to help the Police to combat crime; contrary to what, unfortunately, has been previously alleged that Government is trying to see who is moving where and so on. In fact, since the installation of all these cameras, such allegation has never occurred. The Safe City Project enables the Police to become even more efficient. Obviously, there is a question about Safe City cameras and there are some sites which the Police is now trying to identify. Probably decision will come when it will see which area, which region and which place those cameras will be installed. Of course, I take note of the suggestion that you made, and I shall pass it on to the Commissioner of Police.

Mr Osman Mahomed: Last question, thank you. Insofar as drug fighting is concerned, there is distribution of methadone at Dr. A.G. Jeetoo Hospital. I would like to make a specific request to the hon. Prime Minister, to request the Commissioner of Police to have enhanced presence of Police Officers there because when these people come to take their methadone, they

hang around for a long time, creating havoc there, causing disturbances to the nearby Raoul Rivet Govt. School, giving bad example, and also to patients going to Dr. A.G. Jeetoo Hospital for treatment; a special request to the Commissioner of Police to look into this aspect for enhanced presence of Police Officers for them to move away once they have taken their dose of methadone. Thank you.

The Prime Minister: In fact, some time back, this matter was brought to my attention and, of course, the Commissioner of Police had done the needful to have, first of all, more Officers posted at the very time when the methadone is being distributed and also to see to it that those people do not loiter around after they have already received their dose. But I can ask the Commissioner of Police to have a look at the situation again, and to see to it that all arrangements for the distribution of methadone are according to expectations. And if indeed there is a need, as hinted, to talk to those people and make them understand that they should not stay around and that they should move on, I shall pass on this suggestion also to the Commissioner of Police.

Mr Speaker: Hon. Members, the Table has been advised that PQs B/1143, B/1147, B/1148, B/1149, B/1150 have been withdrawn. Time over! PQs!

COVID-19 PANDEMIC - SURGERIES - WAITING LISTS

(No. B/1155) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central) asked the Minister of Health and Wellness whether, in regard to surgeries put on hold amid the prevalence of the COVID-19 pandemic in the fields of general, orthopaedic, neuro, vascular, eye, Ears, Nose and Throat, gynaecology and obstetrics, angiography and angioplasty, gastroscopy and colonoscopy, he will state the status of the waiting lists of patients therefor in the five general hospitals and specialised hospitals, respectively.

Dr. Jagutpal: Mr Speaker, Sir, I wish to inform the House that given the prevailing sanitary condition, a decision was taken on 11 November 2021 by my Ministry to put on hold routine surgeries for a period of one week based on the trend of admission of COVID-19 patients and to prioritise emergency cases only. This decision is being reviewed on a weekly basis based on the assessment of the COVID-19 admission, the staffing and the availability of beds.

After thorough assessment of the evolving sanitary condition on Monday 15 November 2021 and following consultations with the Director, Health Services, it was decided to continue with routine surgeries in all the fields.

Mr Speaker, Sir, since January 2021 to date, more than 35,000 surgeries have been performed in our regional and specialised hospitals with a mean waiting time of 12.9 weeks, including 20,000 planned surgeries and 15,000 emergency surgeries during the same period.

Mr Speaker, Sir, with your kind permission, I am tabling the document providing information requested by the hon. Member.

Mr Osman Mahomed: So, I welcome the decision, this measure to postpone patients who are on the waiting list - not only on the waiting list but on book list - that they will have their surgeries in due course. But I would like to make a suggestion to the hon. Minister and it is a suggestion made by Dr. Navin Ramgoolam yesterday in an open letter addressed to the hon. Prime Minister. Maybe in order not to have changing decision time and again with regard to Dr AG Jeetoo Hospital which I raised at adjournment time some time ago, to consider Bruno Cheong Hospital and the Côte d'Or National Sports Complex as specialised COVID centres so that once and for all we are fixed and hospitals can function adequately. Thank you.

Dr. Jagutpal: Mr Speaker, Sir, the ENT Hospital is already earmarked to treat emergency cases and cases of COVID-19 patients and in the different hospitals there has been at no time any shortage of beds.

Now, converting a hospital which is delivering services for the whole region and dedicate that hospital only for COVID-19, the problem would be how are we going to deal with the other services the hospital is providing? That will create a big disturbance for all the other services and then we will not be able to manage all these services in other hospitals. It will be a huge inconvenience for the patients, for the population living around that place.

Now, if ever we have more admissions, obviously, we have to cater for more beds and with whatever beds that are available at present, we are not able to meet that demand, obviously then we have to look for other centres.

According to our updated Preparedness Plan, we have already made provision for additional beds in the different setups that we can use for COVID-19 patients.

Mr Osman Mahomed: On 10 November, there was a meeting at the Ministry whereby it was decided to call back all staff who were on vacation leave because there was a shortage of staff. I have heard a lot of protagonists speaking on this. Can I ask the hon. Minister whether this has been successful and Nursing Officers and other staff of hospitals have started to resume back duty, because there is a real need for them at the moment right now in hospitals?

Dr. Jagutpal: Mr Speaker, Sir, obviously, because in the last two weeks, the number of cases that were admitted in the hospital was increasing, the Ministry had to make provision for more staffing.

We have also to see the number of staff being in isolation, the number of staff being tested positive. So, that is why the decision was taken that we have to cancel the vacation leave and all the other leaves that we have to make sure that we do not have any shortage of staff in the hospitals. That is why that decision was taken.

Mr Speaker: Hon. Uteem!

Mr Uteem: Mr Speaker, Sir, being given that a number of nursing staff is being dedicated to treat COVID patients, can the hon. Minister inform the House whether there are sufficient nursing staff to carry out the other medical services at the hospital and in particular to assist in surgery?

Dr. Jagutpal: Mr Speaker, Sir, that is why that decision was taken to cancel the leaves of other staff and at the same time to make provision in case in future we keep on having more cases, how the hospitals should join especially to offer services. That is why it was a weekly decision to postpone surgeries; to postpone routine cases and it is an evolving situation. Every week we are having different scenarios. Hopefully, since the last two weeks, the trend is that we have decreasing number of cases and the hospitals are able to cope with the number of admission and also the number of discharge. So, this is a dynamic situation that we are having. But we have to make sure that the staff are working, they are not on leave, because daily we are having absentees besides being on vacation leave. So, all the different factors have to be taken into account before any decision is taken about the other different services offered in the hospital.

Mr Speaker: Last supplementary!

Mr Bhagwan: Mention has been made by the Minister himself or Government of recruiting staff overseas. Can the Minister inform the House where matters stand, concerning which country and whether contacts have been taken with friendly countries? Can he inform the House accordingly?

Dr. Jagutpal: Mr Speaker, Sir, yes, in fact, my Ministry has already made a request to the Ministry of Labour and Ministry of Foreign Affairs. It is an ongoing matter. Now, we are following closely till we will be getting foreign staff working in our hospitals.

Mr Speaker: Next question!

ROAD SIGNAGE - CONTRACTS

(No. B/1156) 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 contracts for road signage along motorways and other classified roads awarded since 2015 to date, he will, for the benefit of the House, obtain from the Road Development Authority and table details as to the procurement methods used, name of successful bidder, contractual cost and scope of works in each case.

Mr Hurreeram: Mr Speaker, Sir, the Road Development Authority (RDA), which operates under the aegis of my Ministry, is responsible amongst others for the construction, care and maintenance of main roads and Motorways. These include the maintenance and replacement of traffic signs along Motorways as well as classified roads and fixing of new traffic signs, approved by the Traffic Management and Road Safety Unit (TMRSU), when constructing new roads.

I am informed by the RDA that routine maintenance and replacement of faded traffic signs are carried out by the Maintenance Department of the RDA either through its direct labour force or outsourcing through its Framework Agreement. The Framework Agreement is finalised and awarded following an Open Advertising Bidding exercise which is carried out by the Central Procurement Board (CPB). I wish to highlight, Mr Speaker Sir, that the scope of works awarded under the Framework Agreement is not specific to road signage only. It, in fact, contains several items related to road works, such as resurfacing of roads, provision of footpath, provision and

replacement of handrails and other furniture and it also includes replacement and maintenance of road signage.

Mr Speaker, Sir, I am informed that from 2015 to date, a total amount of Rs25.2 m. has been disbursed by the RDA for the replacement of traffic signs under its Framework Agreement. The scope of works in this respect are as follows -

- i. supply of signs, posts and fittings;
- ii. digging out the foundation for post;
- iii. supply and laying concrete for foundations, including anchor bars to be welded to the posts;
- iv. mounting and fixing the sign, including bolting and securing the sign panels to posts, and
- v. painting of metallic supports.

I am, in this respect, tabling a list of such works allocated since 2015 to date with details on the Contractors and the cost.

Mr Speaker Sir, with time, aging of traffic signs occurs as a consequence of the impact of environmental conditions such as sunlight, wind and dust. As a result, a significant number of traffic signs have degraded all around the island. Thus, there was a need to address these problems in a holistic manner. This could have been difficult under the Framework Agreement where works are allocated on a regionwide basis and for each region, there are different contractors. Accordingly, the RDA, in September 2020, has invited bids from eight (8) potential suppliers for the supply of some 2,700 traffic signs using reflectorised Diamond Grade Sheets to the latest international standards, to be installed by the Authority itself around the island to replace faded one. The method of procurement used was “Request for Sealed Quotation” through e-Procurement. After an evaluation exercise, the contract was awarded to Road Sign Plus for an amount of Rs4 m. The contract is still ongoing and as at date. I am informed that 90% of the signs have been supplied to the RDA. The latter is proceeding with the installation of these signs through its direct labour after having the clearance of the TMRSU. Thank you.

Mr Osman Mahomed: Thank you. Signage provides valuable information to drivers and road users in general and they maintain order and reduce accidents and it is why the Road

Development Authority has in recent years amended their specifications, like the Minister has said, to go for diamond grade auto reflective which is very expensive stuff. Now, can I ask the hon. Minister how does he reconcile with the fact that after RDA has gone for these specifications, there are

some classified roads whose signage have faded away, like he mentioned in his original reply, even though they are of that kind of world higher standard?

Mr Hurreeram: Mr Speaker, Sir, the tender for the diamond grade was invited in September 2020 and the delivery of the diamond grade is still ongoing and the replacement has just started. Obviously, it will not happen overnight by magic, it will take some time.

Mr Osman Mahomed: This is very specialised specification. Is there an authority that is advising the authority whether what is being supplied, complied with what is in the specification, or the engineers of the RDA decide by themselves?

Mr Hurreeram: Mr Speaker, Sir, in the first part of the reply, in the first paragraph itself, I said, I repeat myself, Mr Speaker, Sir, the motorways as well as classified roads and fixing of new traffic signs approved by the TMRSU. So, it is the Traffic Management and Road Safety Unit that approves the signage.

Mr Bhagwan: Is the Minister aware that there is a real problem on Crossings following the resurfacing of roads? I am talking about one classified road at Royal Road, Beau Bassin, near the Tangs Supermarket and the new commercial centre, where, for more than three or four months, there has been resurfacing, my colleagues and myself we have been insisting upon the RDA, formally they were painting white lanes on the Crossings, now there is apparently a new type of equipment, *une sorte de triangle*.

Can the Minister inform the House whether he has been made aware that there is a shortage of that reflective equipment to be put on Crossings, and what immediate action does the RDA intend to take to avoid accidents, loss of lives on the Crossings?

Mr Hurreeram: Mr Speaker, Sir, the main question relates to road signage, and regarding Crossings, sometimes this pertains to the TMRSU looking into, the Local Council looking into and the RDA looking into, but I take note of the hon. Member's comments and we will look into it.

Mr Speaker: Last question!

Mr Osman Mahomed: Mr Speaker, Sir, whether it is TMRSU engineers, whether it is RDA engineers, they are Government engineers. Whether it is TMRSU or RDA which is procuring, it is taxpayers' money. Now, my question is as follows: which authority competent and qualified satisfies that the road signage complies with the specifications spelt out by the authority who has issued the specifications?

Mr Hurreeram: I am not too sure why the hon. Member is insisting on the same point, Mr Speaker, Sir. However much he insists, it will remain that it is the TMRSU which gives the approval for the signage.

Mr Speaker: Next question!

Mr Osman Mahomed: B/1157.

**NATIONAL HOUSING DEVELOPMENT COMPANY LTD – MR G. R. –
RECRUITMENT**

(No. B/1157) 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 Mr G. R., Housing Estate & Development Officer of the Housing Estate and Community Development Department, he will, for the benefit of the House, obtain from the National Housing Development Company Ltd., information as to the –

- (a) qualifications held;
- (b) total monthly remuneration and other benefits drawn;
- (c) duties and responsibilities thereof, and
- (d) recruitment process followed for the recruitment and subsequent confirmation thereof.

The Deputy Prime Minister: Mr Speaker, Sir, as regards parts (a), (b) and (c) of the question, the information as provided to me by the NHDC Ltd is being tabled.

As for part (d), I am further informed that Mr G. R. has worked at the NHDC Ltd since March 2016 and presently holds the post of Housing Estate and Development Officer. This post was reportedly advertised internally on 08 October 2020 and Mr G. R. was called for an

interview on 18 November 2020. I am told that after the candidature of the gentleman was recommended by the interview panel, the Board of the NHDC Ltd at its meeting held on 26 November 2020, approved the appointment of Mr G. R. as Housing Estate and Community Development Officer with effect from 01 December 2020 for a probationary period of 6 months.

According to information provided by NHDC Ltd, Mr G. R. was eventually confirmed in the post with effect as from 01 August 2021.

Mr Osman Mahomed: Can I have a copy of the document tabled by the Minister, please? Thank you.

Just before his appointment to the post of Housing Estate and Community Development Officer, that was on 01 December 2020, the hon. Deputy Prime Minister was the recipient of a letter dated 13 August 2020 from *Syndic Résidence Dodo* and *Epervier à la Tour Koenig*, copy to the Prime Minister's Office with a series of issues – it is a five pages letter. I am not going to go into all the issues, but there is one that has caught my attention and I wish to bring it to the attention of the hon. Deputy Prime Minister because this was the subject of an ICAC enquiry as well, regarding a conflict of interest of Mr G. R. cannot obtain money from 15 *syndics* for auditing their monthly account, at the same time working at the NHDC. I am going to table this letter because it is long letter.

Can I ask the hon. Minister whether he has had discussions – because he is the recipient of the letter, it is a duly signed letter – with the Management of the NHDC to see whether this matter has been cleared at the level of the NDHC, the doubts raised in this letter and the ICAC issue as well?

The Deputy Prime Minister: Mr Speaker, Sir, the hon. gentleman says I am the recipient of the letter, now, surely he can state that a letter was addressed to me. But he cannot state what letter I have or I have not received.

(Interruptions)

Mr Speaker: Please!

The Deputy Prime Minister: Now, I do not have any personal recollection at this point in time of any such letter. But, of course, almost everyday, Ministers are in receipt of letters of complaints. And in the case of the NHDC, this is a regular feature: people not having obtained a

house complaint; sometimes there are allegations of impropriety; sometimes complaints of the mere delay, which is in itself a cause for concern. And invariably, all such letters are referred to the administration in my Ministry for further investigation. Now, I have no recollection of having received any feedback from my Ministry concerning any such letter.

However, information collected - in order to answer this question - does confirm that there has been an inquiry from ICAC in the course of the first part of 2021 concerning allegations against Mr J. R. Now, again, as the hon. gentleman who has been, I believe, at the head of the NHDC at some point in time in the past, complaints to ICAC are also very frequent in relation to the NHDC. So, in this particular case, there was a request from ICAC for information, I am told. I am also told that NHDC has provided all the relevant information and there has been no further communication from ICAC since June 2021.

Mr Osman Mahomed: Can I ask the hon. Deputy Prime Minister, whether one of the responsibilities of the Officer in question is to go around and to check for hardship cases and report back to the NHDC because quite a huge percentage of housing units that are developed by the NHDC is attributed to hardship cases, based on the report of Mr J. R.? Is this one of his remits? Is this one of his responsibilities? Because if the reports are not *bona fide*, then we might be having cases of people who are waiting for 25 years? Well, I am not casting any doubt on the character but I am just reading the letter. If people on the list with 1-2 year waiting time are surpassing those who are waiting behind then we will have an issue of inequity in housing distribution.

The Deputy Prime Minister: I am sorry I missed the last part of the supplementary question.

Mr Osman Mahomed: If, for example, people who are on the waiting list for 20-25 years, are waiting, and they have the means to buy a housing unit which is, as you know, there are demands far exceeding supply at this point in time, if based on the report of Mr J. R. - if this is one of his remits at the NHDC to prepare reports for hardship cases - then we might be having cases where people who are new on the waiting list, because Mr J. R. has qualified them as being hardship cases, they will overtake those who are on the list for 20-25 years.

The Deputy Prime Minister: I understand from information gathered that this gentleman has long experience in *syndic* matters. I have also been provided with information

that, in 2016 he was first recruited on the contract - I believe, I will have to check - as a Sports Coordinator. He is, now, Housing Estate and Community Development Officer. In the document that I have tabled and which is in possession of the hon. gentleman, the responsibilities are listed. I do not see anything specific concerning hardship cases, but there are general duties such as facilitating social dialogue. So, that may presumably include visits and recommendations concerning hardship cases, I do not know for sure, but that may be the case. Now, we all know that each time the NHDC allots housing units, there are one, two or three housing units that are allotted to hardship cases, as recommended by NGOs. And they have a process, I suppose, of verification, along with the NGOs. But, I cannot say for sure whether Mr J. R. is directly involved in such an exercise. Now, I listened carefully to the hon. gentleman, if he has any personal information as to conflict of interest, I would be very interested if he would communicate same to me, and I would undertake to look into it.

Mr Speaker: Hon. Assirvaden!

Mr Assirvaden: Merci, M. le président. Je profite de l'occasion concernant la question sur M. J. R. pour faire une demande au *Deputy Prime Minister* concernant la NHDC de La Caverne où les habitants utilisent le parking depuis bientôt 10 ans - 25 ans, et le M. J. R. est de ceux qui mettent la pression sur les habitants, sur les propriétaires des logements de La Caverne pour évacuer le parking. Et depuis quelque temps je reçois pas mal - je suppose le député Lobine aussi - de plaintes des habitants. Est-ce-que le ministre peut voir avec la NHDC si on peut régler ce problème-là, et surtout parler à M. J. R. parce que c'est lui qui est un peu l'instigateur pour mettre la pression sur les habitants de La Caverne, Vacoas ?

The Deputy Prime Minister: That is the allegation, and of course, I am no longer Member of Parliament for the Constituency. I mean, the hon. gentleman does not need to wait for the PQ. Please, feel free, if there are any complaints do contact me and I shall certainly look into it.

Mr Speaker: The Table has been advised that PQ B/1158 will be replied by hon. Balgobin; PQ B/1159 by Minister Lesjongard; PQ B/1160 by hon. Ganoo; PQ B/1161 by hon. Koonjoo-Shah; PQs B/1170 and B/1212 will be replied by hon. Minister of Environment, Solid Waste Management and Climate Change.

The Table has also been advised that PQs B/1196, B/1198, B/1203, B/1204, B/1205, B/1206, B/1210, B/1211, B/1214, B/1215, B/1216, B/1217, B/1218, B/1219, B/1220, B/1222, B/1223, and B/1224 have been withdrawn.

Next question!

LEGEND HILL PROJECT - STOP ORDER

(No. B/1158) Ms J. Bérenger (First Member for Vacoas & Floréal) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the Legend Hill Project, he will, for the benefit of the House, obtain from the District Council of Black River, information as to where matters as to the motion for Stop Order tabled by the Presidents of the Grande Rivière Noire Village and Tamarin Village Councils at the District Council of Black River.

The Minister of Information Technology, Communication and Innovation (Mr D. Balgobin): Mr Speaker, Sir, I am informed by the District Council of Black River that on 02 September 2019, an Environmental Impact Assessment (EIA) Licence was issued to the promoter Iconic View Ltd, for a development marketed as "Legend Hill Residential and Commercial Complex" on the slopes of *La Tourelle du Tamarin*.

The undertaking comprises the construction of 29 apartments, 23 villas and a commercial complex under the Property Development Scheme (PDS), on a plot of land of a total extent of 22 acres 90 perches.

I am also informed by the District Council that the following Building and Land Use Permits have been issued to Iconic View Ltd –

- on 31 October 2019 for subdivision of land of an extent of 96,649 m² into 26 lots for the development of 52 residential units and reception/concierge, fine dining restaurants, spa, gym, lounge bar, kids' corner and swimming pool under the Property Development Scheme;
- on 02 March 2020 for infrastructural works for proposed residential and commercial complex under the Property and Development Scheme;

- On 13 March 2020, for 23 villas, including respective mini sewage treatment plants, 29 apartments, one common pool, two water tanks, one pumping station, two sewage treatment plants for apartments, one security gate post, two technical rooms, and
- on 22 January 2021, for the construction of a ground plus two floors building for the running of a club house consisting of a reception, concierge, fine dining restaurant, spa, gym, lounge bar, kid's corner and swimming pool.

Mr Speaker, Sir, as at date, no motion for a Stop Order has been tabled at the District Council of Black River.

Ms J. Bérenger: Merci, M. le président. En réponse à ma question parlementaire B/519, sur le même sujet, il était dit que, je cite -

“The design report for the drainage infrastructure downstream of the site is awaited from the proponent for the assessment of a Land Drainage Authority to ensure that the runoff is safely discharged to the sea.”

Ce que je pourrai demander au ministre responsable de la gestion des risques des catastrophes - mais malheureusement il n'est pas là, mais j'espère que le ministre Balgobin pourra me répondre - where does matter stand with regard to the Land Drainage issues because the rainy season is coming and it is very important to make sure that the Legend Hill Project will not increase the flood risk for the inhabitants, especially for Careadas which is a flood prone area?

Mr Balgobin: Mr Speaker, Sir, I hope the hon. Member will appreciate that the question relates to where matters stand with regard to the Stop Order Motion and I said that as at today, there is no Motion for Stop Order tabled at the Council. I invite the Member to ask a specific question with regard to LDA and other issues related to that project, specifically so that I can have all information pertaining to her question.

Mr Speaker: Hon. Lejongard!

MAURITIAN FRUIT BATS - CULLING

(No. B/1159) **Ms J. Bérenger (First Member for Vacoas & Floréal)** asked the Attorney General, Minister of Agro-Industry and Food Security whether, in regard to Mauritian fruit bats, he will state if he has or is considering authorising the culling thereof in the current year.

The Minister of Energy and Public Utilities (Mr G. Lesjongard): Thank you, Mr Speaker, Sir.

Mr Speaker, Sir, the National Fruit Bat Survey was carried out across the Island of Mauritius from 04 to 28 October 2021 by the National Parks and Conservation Service in collaboration with the Forestry Service, the Mauritian Wildlife Foundation and students of the University of Mauritius.

The island wide survey was carried out in some 100 known roost sites and the estimated population is around 107,000. The indications are that the population is stable as compared to 106,218 bats recorded in 2019.

There appears to be a decrease in the population of 130,615 bats recorded in 2020 as the survey was started earlier this year and this has had an influence on the detectability of the bats coming out of the roost.

Mr Speaker, Sir, the Special Technical Committee, as provided under Section 36 of the Native Terrestrial Biodiversity and National Parks Act 2015, met on Monday 08 November 2021 following the island wide survey of the bat population. The committee, whose mandate is to make recommendations and advise on the measures to be taken for controlling the bat population, after deliberation, proposed that, no control exercise be carried out this year but instead additional support be provided to planters and households to protect their fruit trees.

Ms J. Bérenger: The culling of bats, which is the sole endemic mammal of Mauritius, in order to protect the pecuniary interest of fruit traders, has proved to be inefficient and ineffective. So, I am very happy to hear the answer of the Minister. Can I know whether the Ministry is considering to subsidise up to 100% protective nets under the Fruit Protection Scheme? Because he mentioned additional support, can we know which kind of support, please?

Mr Lesjongard: Thank you, Mr Speaker, Sir. From the comments made by the hon. Member, I am also very happy that no culling will be done this year. I have stated in the reply provided to me that the committee will provide additional support to the planters. I have some details of the support but it has not been specified exactly what are the support but I believe additional support meaning over and above what is being given to the fruit planters.

Mr Speaker: Next question!

TRAIN WORKSHOP - CAUDAN - RECONSTRUCTION

(No. B/1160) **Ms J. Bérenger (First Member for Vacoas & Floréal)** asked the Minister of National Infrastructure and Community Development whether, in regard to the proposed reconstruction of the Train Workshop at Caudan, he will, for the benefit of the House, obtain from the Road Development Authority, information as to where matters stand.

The Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade (Mr A. Ganoo): Mr Speaker, Sir, in the context of the construction of the Victoria Metro Station under Phase 1 of the Metro Express Project, the Road Development Authority was requested to carry out an early enabling works which also consisted of the demolition of the old Train Workshop at Caudan. In this regard, the works were undertaken by Gamma Construction Ltd and were completed on 31 August 2017.

In view of the specific nature of the building, though not listed as historical site, all the stones were carefully removed, numbered and stored at the RDA sub-office at Moka.

It has been proposed to use the stones to rehabilitate and restore historic sites in collaboration with the Ministry of Arts and Cultural Heritage and the National Heritage Fund.

Ms J. Bérenger: Ce bâtiment représentait un vestige important de notre passé ferroviaire et a été construit en 1950. La RDA, à travers son *Divisional Manager*, avait pourtant donné la garantie, le 14 mars 2017, dans le journal télévisé de la MBC que ce *Train Workshop* serait reconstruit tel quel. Donc, je suis navrée d'apprendre que ce ne sera pas le cas.

Can the Minister give the reassurance to the House that all stones and other structures that have been dismantled have been secured and can he indicate the place where they have been kept, please?

Mr Ganoo: Well, I think I just mentioned, Mr Speaker, Sir, the stones are stored at the RDA sub-office at Moka and what I can inform the hon. Member is that MEL has had meetings and site visits with representatives from the Ministry of Arts and Cultural Heritage together with representatives of the National Heritage Fund, Ministry of Land Transport and the Ministry of Housing and Land to visit the ex-Governor Railway Station at Réduit for the possibility of coming up with a project, Mr Speaker, Sir, and to make use of the stones of the Train Workshop at Caudan but nothing has been decided as yet.

I must inform the hon. Member also that, unfortunately, there is no room at the place where the original building was erected and at the moment, the Ministries and Departments I just mentioned are deciding on the possibility of what better use can we make of these stones and where will the building be erected or whether we can use it to help in the building of another site.

**SPECIAL LOTTO DRAWS - HISTORICAL SITES & MUSEUMS
RESTORATION**

(No. B/1161) Ms J. Bérenger (First Member for Vacoas & Floréal) asked the Minister of Arts and Cultural Heritage whether, in regard to the implementation of the proposed measure consisting of four special lotto draws to finance the restoration of designated historical sites and museums, as announced in the 2021-2021 Budget Speech, he will state where matters stand.

The Minister of Gender Equality and Family Welfare (Mrs K. Koonjoo-Shah): Mr Speaker, Sir, I am informed that several meetings have been held with the Ministry of Finance, Economic Planning and Development, the Lottotech Ltd, the Gambling Regulatory Authority, the National Heritage Fund and the Ministry of Arts and Cultural Heritage to work out the modalities for those four special lotto draws. Following these meetings, it has been agreed that the first two special lotto draws will be held on 18 and 25 December this year and the remaining two lotto draws will be organised thereafter from January 2022 up to June 2022. The dates will be chosen based on the amount of the jackpot.

Ms J. Bérenger: Thank you. In France, from where the idea of *Loto du patrimoine* first emanated in 2015, yearly a list of the sites that will benefit from the funds is published before the draws. Can I ask the Minister to reveal the criteria that will be considered and mechanism that will be put in place for the distribution of the amount collected to designated historical sites or museums?

Mrs Koonjoo-Shah: Mr Speaker, Sir, unfortunately, I do not have the list of criteria on which the projects are determined right in front of me, but I am sure that once my hon. colleague is back amongst us feeling better, he will be more than happy to provide the information.

Concerning the list of projects by the National Heritage Fund, there is one at an Annex here, which I am happy to table for the Library.

Ms J. Bérenger: Maybe, can I ask the Minister to indicate the estimated amount of additional funds that the State intends to raise for designated historical sites and museums with this new measure, as compared to the actual formula?

Mrs Koonjoo-Shah: The total amount earmark for this financial year, Mr Speaker, Sir, for the conservation, rehabilitation and the restoration of national heritage sites under the lotto fund is to the tune of Rs35 m.

Mr Speaker: Next question!

Dr. Gungapersad: B/1162!

ONLINE EDUCATION – IMPLEMENTATION

(No. B/1162) 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 online education, she will state the reasons for the implementation thereof since 11 November 2021, indicating if –

- (a) consultations were held with the stakeholders prior thereto and, if so, with whom and when, and
- (b) if a full fledge survey of same implemented during the two lockdowns to assess the extent of which teaching and learning were successfully achieved was carried out and, if so, table copy of the report thereof and, if not, why not.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): Mr Speaker, Sir, after an assessment of the situation with regard to the evolution of the COVID-19 pandemic and taking into consideration the safety of our youngsters in schools and the need to ensure a continuity in teaching as well as learning, decision was taken for schools to be closed and for classes to be held online as it was the case in June 2021.

As I have already explained during my replies to Parliamentary Questions B/630, B/648 and B/885, my Ministry has already in place a National Education Resilience Strategy since last year for ensuring continuity in learning and teaching whenever schools are closed.

Our strategy provides for the broadcast of educational programs for students of Grades 1 to 9 on MBC channels and MBC TV website. Lower secondary students, Grades 7 to 9, have been provided with logins to have access to educational resources available on the Student Support Portal. Moreover, all students in Grades 10 to 13 and the Educators have been provided with logins and have access to Microsoft Teams for them to connect online to ensure continuity in learning. Educators also use other platforms such as WhatsApp, Zoom and Google Classroom.

Mr Speaker, Sir, as for part (a) of the question, with regard to consultations, I wish to point out to the House that as far back as in 2020, all stakeholders have been informed that whenever schools are closed due to *force majeure*, we have to ensure continuity through online teaching and distance education. This has become deeply embedded in the system.

In fact, many of our stakeholders have supported the idea of having recourse to online teaching and learning, especially in the context of the COVID-induced situation.

Mr Speaker, Sir, with regard to part (b) of the question, the reason inbuilt structure, monitoring mechanism at the level of the Ministry involving the Primary Inspectorate and the Quality Assurance and Inspection Division had followed up on the online teaching exercise as well as on the coverage of the curriculum.

It is to be noted that this monitoring exercise is meant for internal analysis and action at the level of the Ministry. I wish, at this stage, Mr Speaker, Sir, to express my deep appreciation to Heads of schools and educators for their dedication and support in the implementation of our National Education Resilience Strategy. I believe the students have benefited from this mode of learning. It has also enhanced the capacity for autonomous learning and this, Mr Speaker, Sir, perhaps maybe one of the major gains of the COVID-induced situation.

I also wish to add that the results obtained at the level of the Primary School Achievement Certificate, the National Certificate of Education as well as the School Certificate and Higher School Certificate showed that students have in effect benefited from the remote learning.

Mr Speaker, Sir, I am confident that with the support of Heads of schools, Educators and parents, students will continue to benefit from remote learning may it be online or through the

TV or even the Student Support Portal. My Ministry will continue to monitor the situation closely.

Dr. Gungapersad: Thank you, hon. Minister. Mr Speaker, Sir, may I ask the hon. Minister whether her Ministry is doing or has done something to close the gap of the digital device that exists in our country and it is felt by many families, especially the under-privileged families? What measures will her Ministry take in order to ensure that all our kids irrespective of their economic background get proper education during this period?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, as I informed the House earlier, through Parliamentary Questions, I have, with the Ministry of Social Integration, Social Security and National Solidarity, already distributed tablets to all the students from Grades 10 to 13 and students coming from families who are registered on the Social Register Mauritius. Furthermore, Mauritius Telecom has connected more than 7,000 families to broadband internet.

Mr Speaker: Hon. Ameer Meea!

Mr Ameer Meea: Thank you, Mr Speaker, Sir. As the House is aware, in private schools all Grades, be it in primary or secondary schools, they have been following online courses whereas in public school only Grades 10 to 13 have been following online classes. So, my question to the hon. Minister - I am not taking primary but secondary, from Grades 7 to 9 - why are the students not following online courses, bearing in mind that the audio-visual thing that you have on MBC is only for a small amount of time, not more than one hour per day, and it is not catering for the needs for the syllabus of those students and also the teachers as they already have their existing timetable? So, why do we not give online courses for Grades 7 and 9?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, the planning for the classes being broadcast on the MBC channels have been made by the MIE and the Ministry's officials. What we are planning to do, we have the whole syllabus prepared and lessons prepared already for them to be broadcast on TV or on the Student Support Portal. Now, the Student Support Portal is also being upgraded so that we have even more lessons in there.

For private secondary schools, teachers have gone on WhatsApp and other means to connect with students. This does not mean that students from the State Secondary Schools do not

get this *accompagnement, this encadrement* from their educators. This is also being done, but we already have a format with classes being run on TV and on the Student Support Portal. This can be sort of complemented by the teachers connecting with students through WhatsApp, Google Meet and other means.

Mr Ramful: Thank you, Mr Speaker, Sir. Can the Minister tell us if at the level of her Ministry is there a monitoring with regard to the percentage of participation of students on online courses since the second semester has started and is she satisfied with the percentage of participation?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, all the Quality Assurance Departments of my Ministry are following up on this particular issue and they deal with the heads of schools. The heads of schools are to monitor the situation in the schools and to see to it that teachers do engage with the students and that the classes are on as planned by the Ministry.

Mr Speaker: Last supplementary!

Dr. Gungapersad: Thank you, Mr Speaker, Sir. Is the hon. Minister aware that in State Secondary Schools for Grades 7 to 9, there are schools which are providing online education for all subjects; some schools are providing online education for a few subjects and some schools are not providing these. There is a disparity, hon. Minister. So, if there is a proper protocol of online learning, it would be better for the kids and let me just add what about our kids from the Extended Stream who have to take the NCE exams? Thank you.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, as I have just said a few minutes earlier, one does not exclude the other. There are schools, even the State Schools, where teachers do connect with the students over and above the classes that are being run on TV or on the Student Support Portal. This, as I said, it all depends on the way it is being done. The Ministry has planned to have classes for Grades 7-9 on TV and on the Student Support Portal. But, as I have said earlier, teachers can still connect with the students. Students do ask their teachers for additional support and this is being provided.

Mr Speaker: The Table has been advised that...

Mrs Dookun-Luchoomun: Mr Speaker, Sir, as far as the Extended Stream is concerned, there is a follow-up being done at the level of the schools.

Mr Speaker: The Table has been advised that the following PQs have been withdrawn: B/1225, B/1226, B/1227, B/1223, B/1179 and B/1232.

Next question!

**COVID-19 - EDUCATIONAL INSTITUTIONS (PRIVATE & PUBLIC) - POSITIVE
CASES**

(No. B/1163) 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 members and students of private and public educational institutions who have been COVID-19 positive tested since the resumption of studies for the 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.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): Mr Speaker, Sir, I am informed that since resumption of studies for the second semester on 13 September 2021 till closure of the school on 09 November 2021, 2407 students and 951 teaching and non-teaching staff were tested positive for COVID-19. All of them were asked to self-isolate and follow treatment as advised by the Ministry of Health and Wellness.

With regard to the information being sought in respect of the Delta variant, my Ministry does not have such information as it is the Ministry of Health and Wellness which conducts a genomic sequencing.

Mr Speaker, Sir, with regard to part (c) of the question, the Ministry has learnt with much regret the passing away of four educators: three from the State sector and one from the Private sector, as well as one caretaker from a primary government school. I seize the opportunity to express my deepest sympathy to the bereaved families.

Dr. Gungapersad: Thank you, hon. Minister. I join you to present my condolences to these families. Now, hon. Minister, could we have saved these students from contracting the virus or whatever unpleasant experiences we have had if we had closed the schools earlier?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, I have been answering questions in this Parliament a number of times, and we have been saying that all over the world we are going through really hard times, and UNESCO and UNICEF have been saying that we should try as far as possible not to close schools and to keep schools open. Yet, we have at heart the interest and the safety of our children and we have decided to close schools when we felt it is important to do so. We must not forget that children have to carry on with their studies, education continuity remains a major issue and, therefore, we took the decision when we felt it was the right time to take it.

Mr Speaker: Hon. Lobine!

Mr Lobine: Thank you, Mr Speaker, Sir. May I ask the hon. Vice-Prime Minister, if vaccination of children under the age of 12 is being considered by Government?

Mrs Dookun-Luchoomun: At this point in time, Mr Speaker, Sir, considering the number of vaccines that we have on the island, we are planning to do the vaccination of students from Grade 7 onwards. But, right now, we have been doing it for students between 15 and 17 years of age. Once we have completed this batch, we can think of moving to the lower classes, but not earlier.

Dr. Gungapersad: Thank you, Mr Speaker, Sir. May I ask the hon. Minister, whether emotional support is being provided through educational psychologists to our kids whose families have come across tragedies in recent weeks?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, the National Education Counselling Services of the Ministry is in fact working closely with people, parents and students who have asked for support at the level of the Ministry.

Mr Speaker: Hon. Members, I'll suspend the Sitting for one hour and a half.

At 12.58 p.m., the Sitting was suspended.

On resuming at 2.32 p.m. with Mr Speaker in the Chair.

Mr Speaker: Please, be seated. Hon. Dr. Gungapersad!

Dr. Gungapersad: B/1164.

CONSTITUENCY NO. 6 – WATER SUPPLY

(No. B/1164) Dr. M. Gungapersad (Second Member for Grand’Baie & Poudre d’Or) asked the Minister of Energy and Public Utilities whether, in regard to water supply in Constituency No. 6, Grand’ Baie and Poudre d’Or, he will, for the benefit of the House, obtain from the Central Water Authority, information as to the –

- (a) localities of the different villages which are facing the most acute water shortage;
- (b) number of water cisterns supplying water to the most hit regions;
- (c) main causes for erratic water supply, indicating the short term solutions envisaged, and
- (d) expected date of regular water supply to the said localities.

Mr Lesjongard: Mr Speaker, Sir, I am informed by the CWA that water is supplied through six Water Supply Zones across the island irrespective of constituencies. Constituency No 6, Grand Bay and Poudre d’Or, falls within the Water Supply Zone (North) and is supplied with potable water from La Nicolière Reservoir, boreholes and other service reservoirs.

According to the distribution network, some villages falling within that specific zone, that is, the northern zone, benefit from 24 hrs of water supply, while others with 16 hrs or 8 hrs daily. For instance, Poudre d’Or Village is supplied with almost 24 hrs, while Pte Aux Canoniers, Mont Choisy and Fond du Sac are provided with 16 hrs of water supply.

Mr Speaker Sir, with regard to part (a) of the question, I am informed that the Upper Parts of Goodlands, Grand Gaube, Roche Terre, Calodyne and Morc Deelchand in Fond Du Sac are supplied with 8 hours of supply. The water source for these localities is underground water and is subject to fluctuations.

With regard to part (b) of the question, 5 CWA water tankers are assigned to supply water to the North. Out of these, 3 are dedicated to supply the above mentioned localities on a daily basis, as and when there are requests.

Mr Speaker Sir, concerning part (c) of the question, I am informed by the CWA that the main causes for disruption in water supply, are as follows -

- (i) the increase in the number of consumers tapping on existing water resources. The House is moreover aware that there have been several investment and development projects in that regions, with relatively high water consumption levels; water is supplied by gravity and elevated areas are supplied with water with a pressure which varies with the level of water available in the service reservoir, at any point in time. With a low level in the reservoir, elevated areas tend to have lower pressure;
- (ii) the distribution system which relies significantly on underground water, especially for the coastal area;
- (iii) ageing network of water pipes which have leakages, and
- (iv) interventions on the water network necessitate water interruption leading to disruption in supply until the system stabilises, when water is released after the intervention.

And here, Mr Speaker, Sir, I would like to highlight that on Monday 15 November 2021 and Wednesday 17 November 2021, the CWA had to carry out unforeseen major repairs at Poudre d'Or Balancing Tank and at Petit Raffray, which impacted on the water supply distribution during that period, in the regions of Goodlands, Roche Terre, Grand' Gaube, Calodyne, St François, Cap Malheureux, Vale, Petit Raffray, Grand Bay and Pereybere. The situation has returned to normal after the repair works.

Mr Speaker, Sir, the CWA is aware on the water problems, particularly during the dry spell in some regions of the North and it has been working on a Roadmap to improve the water supply in the Dry Season.

First of all as a short-term solution, the CWA will order mobile pressure filters to cater for water deficit in specific areas. Thus, two additional pressure filters will be installed, in the coming days at New Goodlands Reservoir to treat and inject an additional 5,000 m³ per day, tapped from the Irrigation Authority network. The pressure filters have reached Mauritius last week and will be commissioned in the days to come. This will improve water supply distribution in the regions of Goodlands, Grand Gaube, Roche Terre and St. Joseph.

Moreover, the CWA plans to rehabilitate the existing old Poudre d'Or Balancing tank to ensure a reliable supply of water to Mont Loisir Rouillard Reservoir and New Goodlands Reservoir that feed the system by gravity. Procurement procedures have already been initiated and are ongoing.

Mr Speaker Sir, as far as part (d) of the question is concerned, the CWA has earmarked a project to abstract some 5,000 m³ of water from Bassin Grande Marais at Poudre d'Or to be treated through two containerised pressure filters and pumped to Old Goodlands Reservoir to improve water supply, again in the regions of Roche Terre, Grand Gaube, St Joseph and Calodyne. Here also, the bid exercise has been initiated.

In the more medium-term, there is a plan for the enlargement of La Nicolière Reservoir. A Consultant has already been appointed. The project will also include the upgrading of the Water Treatment Plant at La Nicolière.

Mr Speaker Sir, with the investment and other development projects that have taken place and will take place in the future, and in this particular case in the northern part, and given the impact of climate change on our water resources, the CWA will commission a Review of its Master Plan and Distribution Network for the Water Supply Zone (North). This will enable the organisation to better plan its infrastructure to cater for future development projects, while highlighting alternative means of harnessing water.

Thank you, Mr Speaker, Sir.

Dr. Gungapersad: Thank you, hon. Minister. Mr Speaker, Sir, I would like to thank the hon. Minister for proposing some short and long-term solutions. But I would like him to consider the following, that the same regions for years, year in, year out, whether it is drought or not, they suffer from water shortage. And when they phone the Hotline 170, they do not get water and this has caused a lot of social problems, some of them getting on their nerves and so on. So, would the Minister make sure that as and when we have this problem, we have a judicious distribution and management of water in those localities?

Mr Lesjongard: Thank you, Mr Speaker, Sir. We are, at the level of the CWA, reviewing the functioning of the Hotline 170.

On top of that, Mr Speaker, Sir, with regard to water tankers, the CWA is receiving 11 additional water tankers to be spread across the island, that is, in the dry season period, this will cater for supplying water to the water stressed areas.

Another thing which I would like to point out in the case - maybe the hon. Member and even the other Members of that Constituency are aware – is that I mentioned two dates that is 15 and 17 November. In fact, we had some serious faults to repair in that area and this took us some time because of the presence of air in the pipes when the water was released. So, what happened was that consumers had to wait for some additional time to be able to get their water supply.

Dr. Gungapersad: Hon. Minister, sometimes this non-availability of water makes various political and communal connotations. I have received, for example, letters from Village Councils members of Grand Gaube when they suffer from water shortage. So, we need to make sure that there is a judicious allocation of water resources in all regions so that people do not perceive that water is being rationed on political or communal basis. Thank you for that.

Mr Lesjongard: Yes, thank you, Mr Speaker, Sir. This should not be the case; and this is not the case. As the two other Members of the Constituency do, whenever we have to face such problem, I would rely on my hon. friend to calm down the situation whenever we have such problems in his Constituency. I thank you, Mr Speaker, Sir.

Mr Speaker: Next question!

NATIONAL EDUCATION COUNSELLING SERVICE – SERVICE OFFERED

(No. B/1165) 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 National Education Counselling Service, she will state the number of staff grade-wise attached to each Zone to offer the said service, indicating the –

- (a) studies, surveys or research work carried out since January 2015 to date;
- (b) psycho-pedagogical tools elaborated therefor;
- (c) number of home visits effected to assist Special Needs Children, and
- (d) sensitisation/awareness programmes carried out for children and parents prone to social exclusion.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): Mr Speaker Sir, I wish to inform the House that the number of staff of the National Education Counselling Service attached to each Educational Zone stands as follows –

- Zone 1: 1 Senior Educational Psychologist, 12 Educational Psychologists, 1 Senior Educational Social Worker and 6 Educational Social Workers;
- Zone 2: 1 Ag. Senior Educational Psychologist, 7 Educational Psychologists, 1 Senior Educational Social Worker, and 6 Educational Social Workers;
- Zone 3: 1 Senior Educational Psychologist, 6 Educational Psychologists, 1 Senior Educational Social Worker, and 5 Educational Social Workers;
- Zone 4: 1 Senior Educational Psychologist, 5 Educational Psychologists, 1 Senior Educational Social Worker, and 5 Educational Social Workers.

I also wish to highlight that following the announcement made in the Budget Speech 2021-2022, the process for the recruitment of 34 additional Educational Psychologists has already been initiated with the Public Service Commission. This will double the number of psychologists in post.

Mr Speaker, Sir, with regard to part (a) of the question, I am informed that since 2015, numerous surveys and screenings have been carried out by the NECS with respect to –

- (i) students with learning difficulties;
- (ii) students showing anxiety and stress;
- (iii) coping skills of students between 8 to 12 years of age;
- (iv) drug prevention programmes;
- (v) assessment of children with disabilities to determine their needs and appropriate placement within the educational institutions in collaboration with the paramedical team of my Ministry which includes Occupational Therapists, Physiotherapists and Speech Therapists as well.

Mr Speaker, Sir, as regards part (b) of the question, I am informed that standardised and culture fair tests are being used by the Educational Psychologists to conduct the relevant

screenings and surveys. The testing materials used are in line with the DSM-5 (Diagnostic and Statistical Manual, 5th Edition).

Mr Speaker, Sir, with regard to part (c) of the question, home visit is an ongoing process across all education sectors from pre-primary to secondary level. 186 home visits have been carried out by the Educational Social Workers to assist children with special needs as well as to provide practical advice, guidance and care.

As regards part (d) of the question, I am informed that talks have been conducted by the NECS of my Ministry in community centres for parents. Since 2015 to date, numerous sensitisation and awareness programmes have been carried out for children and parents in primary and secondary schools. A total of 21,803 students and 7,090 parents have participated in these programmes.

The NECS of my Ministry in collaboration with the Citizens Advice Bureau, *Brigade pour la Protection des Mineurs*, and the National Empowerment Foundation also participated in a community sensitisation programme for *Résidence Bethléem* with the collaboration of the NGO “*Atelier Sa Nou Vize*”.

Mr Speaker Sir, it is to be noted that the National Education Counselling Service also conducted interactive sessions with Heads of Primary and State Secondary Schools and the support teams on post-COVID-19 resumption. The aim of this exercise was to empower 1,549 officers working in the educational sector in identification and referral of school children who are in need of psychosocial support.

The paramedical team of my Ministry will also be carrying out teletherapy for children with special education needs. Additionally, the screening protocol developed by the paramedical professionals for SEN learners would be validated by teams of allied Health Professionals through a virtual validation workshop in December 2021. A mass sensitisation campaign on inclusive education has also been scheduled for December 2021.

Dr. Gungapersad: Thank you, hon. Minister. Mr Speaker, Sir, since the Minister has announced online teaching as from 11 November 2021, is she aware, whether the Head of the National Education Counselling Service (NECS) has given instructions to 34 Educational

Psychologists and 22 Educational Social Workers of all the four Zones to stay in office? And if they stay in office, how will appropriate service be given to our children?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, even during the time of confinement, these officers have been in contact with the students, obviously through telephone calls and other online means. But then, Mr Speaker, Sir, with the present situation, it is quite normal that some restrictions be imposed and that these officers do not necessarily have to move to the houses of people unless there is the necessity for them to move.

Dr. Gungapersad: Thank you, hon. Minister. Mr Speaker, Sir, may I know from the hon. Minister, how many Educational Psychologists are involved currently in providing emotional support, especially to those children who have experienced tragedies in the wake of the pandemic or other emotional, economic or social problems?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, all the Educational Psychologists working normally give support to all students or even the parents of students who make requests at the level of the Ministry. Otherwise, as I have just mentioned, teachers normally are trained to try to identify students requiring such support. But, since we are in a time when schools are closed, we have to wait for them to come towards us, because teachers are not in contact with students, unless they do identify students having these problems while dealing with them online.

Mr Speaker: The Table has been advised that the following questions have been withdrawn: PQs B/1190, B/1191, B/1192.

Next question!

DIGITAL VACCINATION PASS

(No. B/1166) Mr P. Armance (Third Member for GRNW & Port Louis West) asked the Minister of Health and Wellness whether, in regard to the medical certificate issued by the National Non-Eligibility Committee to COVID-19 Vaccines, he will state if consideration will be given for the conversion thereof into a special pass and, if not, why not.

Dr. Jagutpal: Mr Speaker, Sir, I am informed by the Ministry of Information Technology, Communication and Innovation that a Digital Vaccination Pass has been developed which enables citizens to download and store their Digital Vaccination Pass.

I am further informed that the Digital Vaccination Pass already caters for citizens who are exempted from vaccination and exempted citizens will have a pass which reads 'Exempted'. The Digital Vaccination Pass has a QR code containing the vaccination details of the citizens which may be scanned by authorised institutions seeking the vaccination status of those citizens. The Digital Vaccination Pass may be accessed on the 'besafemoris' website or mobile application and the 'Mokloud' platform.

Mr Speaker, Sir, I wish to inform the House that from July 2021 to date, a total of 184 citizens have been issued with a medical certificate for non-eligibility. Furthermore, I am informed by the Ministry of Information Technology that as at date, 888 citizens have downloaded their Digital Vaccination Pass from the Mokloud platform while 335,505 citizens have downloaded their Digital Vaccination Pass from the 'besafemoris' platform.

Mr Speaker, Sir, I am also informed that the National Non-Eligibility Committee is currently reviewing the list of those non-eligible for COVID-19 vaccines. Previously contraindication for vaccination included -

- (a) Allergy to any allergens;
- (b) Risk of anaphylactic shock, and
- (c) Pregnancy which was a temporary contraindication.

Now, the only contraindication is allergy to any component of a particular vaccine.

Mr Armance: Thank you, hon. Minister. In October, answering a PQ, you mentioned that 733 persons could not be vaccinated against COVID-19. So you will surely understand that every time they have to produce the Vaccination Pass, they have to get hold of their whole medical history in front of the supermarket, in front of any place asking for the Vaccination Pass. Are you confirming to the House now that the Digital Pass for the person that could not be vaccinated against COVID-19, is this already active now? Can they apply on 'besafemoris'? Are you confirming this information that you just told us?

Dr. Jagutpal: No, hon. Member, this information is being updated because in the past, those who have been given that exemption certificate, the criteria have changed because previously, there was a set of criteria. Now, there have been different criteria. So, again, those who have been given that exemption, will be called again, assessed again by the Committee and then the Committee will decide whether they are still eligible for the exemption or not.

Mr Armance: If I may ask you as well regarding the PCR tests that these people are doing every week. So, previously you were receiving the result by WhatsApp, then you had to collect it and then it came by SMS and nowadays you have to collect it again. So, can you please let us know which best formula is suitable for this Ministry, whether you can send it by WhatsApp for everyone because in doing so, you are forcing the person to travel twice, once on Saturday to go and do the test and once on Sunday to go and collect the result?

Dr. Jagutpal: Mr Speaker, Sir, yes, it was agreed that the result will be sent by text, on WhatsApp and this has to continue because we will not be able to, you know, call somebody again to collect the result. It is practical to get the result through the WhatsApp.

Mr Armance: Mr Speaker, Sir, can the hon. Minister inform us when he intends to call these people on this Committee so that they can go through the Committee and get the proper vaccination pass which says that they cannot be vaccinated, any time frame for the implementation of the project?

Dr Jagutpal: Mr Speaker, Sir, the Committee has already been working on it and they are calling those who have been exempted to call them back again, whether they are still maintaining that status of being exempted. It is already in process.

Mr Speaker: Next question!

PAILLES BUS SHELTER - REPAIR

(No. B/1167) Mr P. Armance (Third Member for GRNW & Port Louis West) asked the Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the damage caused to the bus stop shelter at Pailles on the Motorway in the course of a road accident which occurred on 05 November 2020, he will state where matters stand as to the repair or replacement thereof.

Mr Ganoo: Mr Speaker, Sir, I am informed by the Traffic Management and Road Safety Unit that the bus shelter along the Motorway at Grewals, Pailles, was constructed by the Road Development Authority. I am also informed that the bus shelter has been severely damaged during the accident which occurred on 05 November 2020.

Mr Speaker, Sir, following the request of the Road Development Authority to the National Land Transport Authority for the fixing of a smart bus shelter thereat, the latter has

approved the fixing of a smart bus shelter along the Motorway at Grewals, Pailles. Accordingly, a private promoter enlisted by the National Land Transport Authority for construction of modern bus shelters has agreed to sponsor the construction of the smart bus shelter. However, due to technical issues related to the COVID-19 pandemic, the construction of the bus shelter has been delayed. I am now informed by the National Land Transport Authority that the promoter would complete the fixing of same by December 2021.

Mr Armance: Mr Speaker, Sir, it has been a year now since the occurrence of this accident and I have a picture with me which I want to table showing the place which has not even been cleaned up. I understand we are in this pandemic. But at least the Ministry can look into cleaning this eyesore which is standing on the Motorway. So, I am very thankful to the Minister saying that this bus stop will be replaced in December but I will urge upon him if at least the place can be cleaned up because it is really an eyesore and this is the Motorway of Mauritius. Thank you.

Mr Ganoo: I understand that a temporary bus shelter has also been erected on this location, Mr Speaker, Sir, but I will certainly look into the request made by the hon. Member.

Mr Speaker: Hon. Aumeer!

COVID-19 - HOSPITALS – DEATHS & COMPLAINTS

(No. B/1168) Dr F. Aumeer (Third Member for Port Louis South & Port Louis Central) asked the Minister of Health and Wellness whether, in regard to the COVID-19 pandemic, he will state the number of –

- (a) deaths attributed thereto in each regional hospital, the Souillac Hospital and the ENT Hospital, respectively, since 05 March 2020 to date, and
- (b) complaints registered in respect thereof, indicating the –
 - (i) nature thereof in each case, and
 - (ii) number thereof referred to the Medical Negligence Standing Committee.

Dr. Jagutpal: Mr Speaker, Sir, I wish to inform the House that since 05 March 2020 to 20 November 2021, 395 deaths have been attributed to COVID-19.

The number of deaths in each hospital since 05 March 2020 is as follows -

- (a) 243 at ENT;
- (b) 35 at Dr A. G. Jeetoo Hospital;
- (c) 28 at Bruno Cheong Hospital;
- (d) 25 at Victoria Hospital;
- (e) 25 at SSRN Hospital;
- (f) 13 at J. Nehru Hospital;
- (g) 9 at their residence;
- (h) 7 in private clinics;
- (i) 9 at New Souillac Hospital, and
- (j) 1 at Poudre D'Or Hospital.

Mr Speaker Sir, with regard to part (b) of the question, I am informed that since 05 March 2020, my Ministry has received four complaints with regard to the COVID-19 pandemic where patients have unfortunately passed away. One case is for the year 2020 and the remaining three cases are for the year 2021. All four cases were referred to the Medical Negligence Standing Committee for investigation.

The case that dates back to year 2020 has already been investigated by the Medical Negligence Standing Committee and a report has already been submitted to my Ministry. The remaining 3 cases are presently under investigation.

Dr. Aumeer: Thank you, hon. Minister. As you well know, COVID-19 disease entails multi-organ failure. Can the Minister confirm that following a serious complaint that I understand was made in his office by relatives of a deceased patient who died of suspected cardiac failure, disturbing information came up that the ultrasound machines that are used at the ENT to assess cardiac status, did not have an appropriate cardiac probe but were using a paediatric probe instead? Have you seen to it that remedial measures are taken?

Dr. Jagutpal: Yes, Mr Speaker, Sir. Now, this patient that the hon. Member is referring to, so far we have not received a complaint but concerning the cardiac probe, necessary arrangements have already been done to provide the required probe that is needed.

Dr. Aumeer: Once again, hon. Minister, it is complaint that has been aired to me or to members of the public. Is the Minister aware of serious complaints with regard to the repetitive use of specific masks that are attached to BiPAP machine; the BiPAP being one of the most life-

saving equipment used these days for severely sick patients, while it is supposed to be single-use? Has your Ministry ensured that there is a sufficient stock of these BiPAP masks not only for now but for the very foreseeable future where we expect to have an increase in number of cases?

Dr. Jagutpal: Yes, Mr Speaker, Sir, we have received this complaint also at the Ministry. The hon. Member can rest assured that all the different gadgets required for the BiPAP machine, all the consumables, we do have it at the ENT hospital.

Mr Speaker: Hon. Mrs Foo-Kune-Bacha!

Mrs Foo-Kune-Bacha: Merci, M. le président. Pour autant que je sache, il n'y a pas eu de cas référé par votre ministère au *Medical Negligence Standing Committee* cette année-ci. Néanmoins, pour l'intérêt public et celle de ces familles endeuillées, peut-on savoir de l'honorable ministre, les dates auxquelles ces cas ont été référés au *Medical Negligence Committee* et le délai dans lequel ces enquêtes vont être bouclées ?

Dr. Jagutpal: Mr Speaker, Sir, I do not have the dates when these cases have been referred but the hon. Member can rest assured that there are four cases, I have already given it in my reply, the committee decides. For a Committee to conduct an investigation, calling the patients, calling the relative of the patients, calling the staff working at ENT, we have to allow the Committee to work in independence. First of all, I will not interfere in the Committee doing the enquiry and at the same time let the Committee take the time required to give the report.

Mr Speaker: Last supplementary!

Dr. Aumeer: Thank you. Will the Minister give an undertaking to render the conclusion of each enquiry public to increase public confidence in the public health service?

Dr. Jagutpal: Mr Speaker, Sir, the report of the complaint is transmitted to the relatives first. With the permission of the relatives, if the relatives agree to make the report of the complaint official, then the Ministry will make it official. Without the consent of the relatives, the Ministry will not undertake to make the report official.

Mr Speaker: Next question!

DOMICILIARY MEDICAL UNIT – COVID-19 POSITIVE PATIENTS

(No. B/1169) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central) asked the Minister of Health and Wellness whether, in regard to the Domiciliary Medical Unit, he will state if consideration will be given for the –

- (a) dismantling thereof and redeployment of the staff attached thereto in other medical services with a mix of experienced and freshly graduated doctors having a well-equipped domiciliary ambulance service, and
- (b) rapid online access for radiological investigations in hospitals for suspected COVID-19 positive tested patients receiving domiciliary medical attention.

Mr Speaker: Minister of Health and Wellness!

Dr. Jagutpal: Mr Speaker, Sir, I wish to inform the House that following the phasing out of the quarantine centres, my Ministry enlisted the services of 39 medical practitioners for the Domiciliary Monitoring Unit (DMU) on a 4-month contract basis as at date.

The Medical Practitioners attached to the DMU consists of medical practitioners newly recruited for DMU and medical officers already in service. They work under the supervision of the Medical Superintendent of the hospital and are required to effect domiciliary visits on patients tested COVID-19 positive in self-isolation.

Mr Speaker, Sir, the Domiciliary Monitoring Unit is constantly attending to COVID-19 positive patients who self-isolate at home. The work is done in collaboration with the Rapid Response Team, the SAMU team and the ENT Hospital team.

Mr Speaker, Sir, with regard to part (b) of the question, I wish to inform the House that patients being followed by the DMU are provided treatment at their place of residence only in case of mild symptoms. Whenever the need for radiological investigations arises and there is a medical recommendation for further assessment, the patients are referred to the nearest hospital, where radiological examination is conducted. During the day, Radiologists are available for interpretation of the data and after working hours, they remain on call for any urgency.

Taking into consideration the services already available in our hospitals and bearing in mind any medico-legal implications that online access to health data may have, the question of putting in place such services does not currently arise.

Dr. Aumeer: Thank you, hon. Minister. You are surely aware, there are approximately since last week, probably more today, of nearly 16,000 positive cases as identified by Home Self-Testing Kits. As you just said, you have 39 or approximately 40 doctors working in the DMU. With a ratio of one doctor for every 400 positive patients in the community, isn't that tantamount to gross negligence of policymakers when they can humanely, and I am talking as a doctor myself and yourself as a doctor, how can we see 400 sick patients, one doctor on a daily basis?

Dr. Jagutpal: Mr Speaker, Sir, the number of patients being in self-isolation at home, most of them are asymptomatic patients. The DMU team will only attend to patients who are symptomatic. That is why they are being told, they are being requested, and they are being advised to stay at home. It is not what the hon. Member is stating that one doctor will have to visit or have to call 400 patients. It is not so. It is only those patients who will require an advice - at one time, they may require an advice on phone - or if ever according to that doctor, there is a need to do a domiciliary visit, the doctor will attend to those patients.

This is not only in Mauritius. This is an international scenario where DMU doctors are attending patients at their place. If ever we have patients who really require admission, definitely we would not allow those patients to be at home. Because the disease, it is a process, on the first few days, you may not have any symptoms but gradually, you may develop symptoms. Symptoms may be mild, it can be only fever but symptoms gradually can be severe. In case, those who develop severe symptoms, the domiciliary team will go and visit those patients. If ever the symptoms are very severe, SAMU will attend to those patients. I think we should understand in what conditions, in what situation we are in. The DMU will be able to really assess the health of those patients and definitely do a protocol for their transfer or give them the advice on phone or maybe visiting them at their place. But it is not that every doctor has to visit 400 patients. This is not the case.

Mr Uteem: Thank you, Mr Speaker, Sir. May I know from the hon. Minister how many patients on average does the doctor in the DMU visit per day and what is the criteria used by the doctor in selecting the patients that he has to visit, bearing in mind that the number of positive cases largely exceeds 34 doctors?

Dr. Jagutpal: Mr Speaker, Sir, from the information that I have, the DMU has to attend between 25 to 30 patients on a daily basis depending on the number of telephone calls they receive. Based on certain criteria, the DMU decide what patient to admit, that is, based on their breathing, based on the general condition, based on the comorbidities and also based on the oxygen saturation that these patients are having at home while the DMU is visiting those patients.

Mrs Foo-Kune-Bacha: Merci, M. le président. Puis-je demander à l'honorable ministre s'il a considéré la mise sur pied d'une équipe de médecins qui auraient pour tâche de consulter les patients en auto-isolement à travers la télémédecine afin qu'un plus grand nombre de personnes puissent être consulté et bénéficié de directive médicale pour se soigner et cela plus rapidement ?

Dr. Jagutpal: Mr Speaker, Sir, online consultation in Mauritius so far, as per the Medical Council Act, is not allowed. At the same time, we made a request last year to the Medical Council to see whether we can go ahead with online consultation. But, so far, the Medical Council has not given us the approval so that doctors can do online consolidation because, without this, if tomorrow there is a case of negligence, how will we be able to do the investigation. So, we have to take into consideration the other aspect of consultation because there is a regulatory body and we have to satisfy the conditions imposed by the regulatory body.

Ms Ramyad: May the Minister give some information, since the Domiciliary Monitoring Unit has to prescribe medicines to treat symptoms, and antiviral and antibiotics are supposed to be bought or are available only by prescription, how does the Domiciliary Monitoring Unit reconcile the need of the patient to his visits?

Dr. Jagutpal: At the Domiciliary Monitoring Unit (DMU), the doctors, whenever they do the home visits, they do carry with them certain emergency drugs so that at the time of consultation they do provide the medication, be it antiviral or any other drugs. But, so far, during their consultation, according to their assessment, these patients have to be transferred, and definitely, there is information being related to the Rapid Response Team so that patients can be transferred.

Mr Speaker: You have a last question?

Dr. Aumeer: Yes, please. I have listened to the answer of the hon. Minister with regard to the ratio I have mentioned before. The progression of asymptomatic patients to symptomatic ones, in the moment that we are living with the Variant Delta, is so fast and rapid that the reason why all those who are tested positive, be it by any testing means, I still recommend that they should be assessed to avoid getting into irrecoverable phases. The reasons why I asked the hon. Minister to consider, at least, using the health surveillance staff that were deployed in Malaria and Dengue, the 200 Sanitary Health Inspectors, to shoulder the 39 DMU Doctors in an attempt to detect early disease so that our death rates will come back to very minimal. Thank you.

Dr. Jagutpal: Mr Speaker, Sir, what the hon. Member has said about the Delta Variant, yes, the contagiousness with other people is very rapid. But for somebody who has the Delta Variant and the progress to severity, this, we have not heard; those who have been affected by the Delta Variant, the severity, the progress of the disease is rapid, accelerated according to other variants.

Now, about using the health surveillance, they are Sanitary Officers. Those who have been tested positive, they are those who are at home in isolation. So, it is a medical attention. Regarding health surveillance, the Sanitary Officers, their job is not to see the medical aspect of the disease, but it is to see the transmission of the disease, whether the person is satisfying the sanitary measures. We will not be able to use health surveillance to do medical practice. We cannot do that. And even in their scheme of duties, we will not be able to tell the surveillance officers to go and examine those who are tested positive. You have to seek the help of the medical personnel or the Nursing Officers. They are Officers who can do that job.

Mr Speaker: Next question!

Dr. Aumeer: B/1170.

CLEANER ENERGY & CARBON EMISSION REDUCTION – ELECTRIC VEHICLES

(No. B/1170) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central) asked the Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard the cleaner energy and carbon emission decrease policy, he will state if Government and parastatal bodies are required to comply therewith when purchasing vehicles and, if not, indicate if consideration will be given for

the setting of a certain targeted percentage of electric vehicles of the fleets thereof in the near future.

The Minister of Environment, Solid Waste Management and Climate Change (Mr K. Ramano): Mr Speaker, Sir, with your permission. I am replying to PQ B/1170. I wish to inform the House that the shift to cleaner energy and carbon emission reduction is high on the agenda of Government. In fact, following agreement of Government, the Republic of Mauritius has submitted its updated Nationally Determined Contribution to the Secretariat of the United Nations Framework Convention on Climate Change on 05 October 2021, whereby Mauritius aims to achieve a reduction of 40% greenhouse gas emissions by 2030. The contribution of the land transport sector to this new 40% mitigation target in terms of avoided emissions is 129 kilotons carbon dioxide equivalent, representing 19%.

The transport sector is the second highest greenhouse gas emitting sector in Mauritius. According to Statistics Mauritius, some 850 kilotons carbon dioxide equivalent were emitted during the year 2020, representing 16% of the total greenhouse gas emissions. The decarbonisation of the land transport sector would best be achieved by reducing its reliance on diesel-propelled vehicles and by promoting electric vehicles. To that end, the Budget 2021-2022 makes provision for several measures aiming to incentivise the operation of electric vehicles such as removal of excise duty in respect of vehicles of up to 180 kilowatt used for transport of goods as well as allowing vehicle owners to install a Photovoltaic System, not exceeding 10 kilowatt for charging their cars and for exporting any surplus electricity generated therefrom the grid of the Central Electricity Board. Mr Speaker, Sir, I should also add that following the PRB Report, it has been stated that the beneficiaries who purchase an electric car, electric motorcycle, the rate of interest that would be applicable would be 1% per annum.

Mr Speaker, Sir, I am informed that Ministries are usually guided by technical specifications when proceeding with the purchase of vehicles and they request the assistance of the Mechanical Engineering Division of the Ministry of National Infrastructure and Community Development for the preparation of specifications though very few parastatal bodies solicit the assistance of the said Division.

I am further informed that in the past, the submission of a Carbon Dioxide Levy/Rebate Certificate was required and was included as part of the requirements of the technical

specifications. Furthermore, suppliers were requested to provide Smoke Emission Test Reports at commissioning stage in order to confirm compliance with the figures mentioned in the Carbon Dioxide Levy/Rebate Certificate. However, these certificates are no longer requested following the suspension of the CO² Levy/Rebate Scheme.

Mr Speaker, Sir, Mauritius was one of the 27 countries which participated in the Global Fuel Economy Initiative Project, whose aim was to assist countries to develop policies that encourage fuel economy, that is, reduction in fuel consumption and carbon dioxide, and improvement in vehicle energy efficiency. The first phase of this project was undertaken from March 2013 to December 2014 and the second phase started in April 2015 and ended in December 2018. These initiatives aimed to facilitate large reductions of greenhouse gas emissions and fuel use through improvements in automotive fuel economy of at least 50 % worldwide by the year 2050.

Mr Speaker, Sir, under the strategy 1 of the Project, namely introduction of ultra-low sulphur fuel and alternative clean fuels, recommendations were made for the importation of petrol and diesel with 10 ppm (parts per million) sulphur by the State Trading Corporation. On 08 July 2021, the State Trading Corporation informed that, their fuel specifications for the importation for a better quality fuel have been amended to 10 ppm (parts per million) since November 2020.

Furthermore, in an endeavour to promote energy efficient cars and to reduce emissions from the road transport sector, the Environment Protection (Display of Fuel Consumption and CO² Emission Label) Regulations 2019 were promulgated on 25 May 2019. Dealers engaged in the sale of new motor cars are required to affix the fuel consumption and carbon dioxide emission label on every new motor car which is displayed at any place of sale. The label shall specify information regarding the make, model, engine capacity, fuel type used, fuel consumption and carbon dioxide emissions for the combined driving cycle of the motor vehicle.

Mr Speaker, Sir, with regard to the second part of the question, the hon. Member may wish to refer to the reply made by the hon. Minister of Land Transport and Light Rail to PQ B/408 on 18 May 2021 informing that EV Consultant from the Netherlands was appointed by the Ministry of Energy and Public Utilities for the development of a 10-year electric vehicle integration road map. The aim is to prepare the transition towards electric mobility, including the

conditions required for the sustainable integration of electric cars. The road map accordingly recommends a multi-pronged strategy in order to promote the operation of electric vehicles in Mauritius and highlights important considerations for the uptake of such vehicles such as facilitating an open fast charging infrastructure and the elaboration of a National Battery Plan.

Mr Speaker, Sir, in view of the multidimensional aspects linked to the effective implementation of the recommendation of the consultant, an Electric Vehicle Implementation and Monitoring Committee comprising members from different Ministries, parastatal bodies and Business Mauritius has been set up under the chair of the Ministry of Energy and Public Utilities to monitor implementation of the road map.

I am also informed by the Ministry of Energy and Public Utilities that each Ministry, department and local authority would need to have at least one electric vehicle in their respective transport fleet. I am further informed that needful is being done to finalise relevant regulations and schemes. In order to facilitate the implementation of this measure, I am made to understand that line Ministries and departments would be informed of the modalities thereof accordingly.

Mr Speaker, Sir, I should also add that an Inter-ministerial Committee chaired by the Minister of Finance is presently looking, among others, to include the issue of utilisation of electric cars in the public sector and the Inter-ministerial Committee is comprised of the Minister of Land Transport and Light Rail, the Minister of Energy and Public Utilities, the Minister of Public Service, Administrative and Institutional Reforms, the Minister of Environment, Solid Waste Management and Climate Change and a representative of the Prime Minister's Office.

Thank you, Mr Speaker, Sir.

Dr. Aumeer: Thank you, hon. Minister. The hon. Prime Minister, in his address only two weeks ago in Glasgow, made mention of our commitment to decrease carbon emission by 40% up to 2030 and promote usage of electric vehicles. Can the hon. Minister explain to the House how come the National Transport Corporation which is State funded is at present considering buying 24 new diesel pollutant run buses amidst our commitment to a greener energy policy, keeping in mind what you have just said about the road map of EV Consultant of the Netherlands?

Mr Ramano: M. le président, la politique du gouvernement ne souffre d'aucune contradiction. Nous allons de l'avant avec notre politique, en ce qui concerne le *target* qui a été fixé de 40% *mitigation* en ce qui concerne le *greenhouse gas emission*.

M. le président, donc, j'ai mentionné aussi qu'il n'y a pas mal de mesures incitatives qui ont été annoncées dans le Budget 2021-2022 en ce qui concerne le *removal of excise duty* et aussi en ce qui concerne le *grant* qui est accordé aux propriétaires d'autobus pour l'acquisition des bus électriques.

Dr. Aumeer: Thank you. I am sure you have enumerated a number of financial incentives as to promote greener energy and the acquisition of electric vehicles amongst others but is the Minister aware of the severe financial constraints – I am talking about financial constraints – faced by private bus owners with regard to acquiring electric buses which is sometimes four to five times the price they would have paid for those run by fuel. Whether the Government will be coming towards them with a new incentive plan to help them towards a greener transport service in Mauritius?

Mr Ramano: M. le président, donc, comme je l'ai mentionné dans ma réponse, le *Inter-ministerial Committee* qui est actuellement présidé par le ministre des Finances est en train de voir tous ces aspects des choses, que ce soit l'utilisation de ce type de véhicule, tous les obstacles en ce qui concerne la mise en application des *electric vehicles* et aussi en ce qui concerne les véhicules qui sont acquis par les différents ministères. Nous sommes en train de voir tous ces aspects des choses et je pense que très prochainement nous viendrons de l'avant avec un *comprehensive document*, M. le président.

Mr Speaker: Hon. Bodha.

Mr Bodha: Thank you, Mr Speaker, Sir, may I ask the hon. Minister whether we will have any indicative date as regards to the phasing out of diesel and petrol cars in the future?

Mr Ramano: M. le président, attendons les délibérations de ce *Inter-ministerial Committee* et je suis sûr que dans un proche avenir nous connaîtrons le contenu de ce rapport.

Mr Speaker: The Table has been advised that PQs B/1187, B/1188, B/1189 have been withdrawn. Next question!

COVID-19 PATIENTS – HIGH-FLOW OXYGEN (HFO) THERAPY

(No. B/1171) Mr D. Ramful (First Member for Mahebourg & Plaine Magnien) asked the Minister of Health and Wellness whether, in regard to the administration of High-Flow Oxygen (HFO) therapy on COVID-19 patients, he will state if sufficient equipment is currently available therefor and indicating if tender was recently launched for the procurement thereof and, if so, indicate –

- (a) the name of the selected bidder, and
- (b) if same has been delivered.

Dr. Jagutpal: Mr Speaker, Sir, I am informed that there is One High Flow Oxygen Device at the New ENT Hospital. In addition, there are two portable ventilators and ten ICU ventilators at ENT Hospital as well as three portable ICU Ventilators at Victoria Hospital, with the option of High Flow Oxygen cannula which can be used to deliver High Flow Oxygen to patients. So, in all, 16 apparatus to deliver High Flow Oxygen.

In view of our preparedness plan for the management of COVID-19 patients, my Ministry initiated procurement procedures for the supply of 10 units of High Flow Oxygen Therapy Devices at New ENT Hospital through open national bidding method on 08 December 2020 with closing date 13 January 2021. Following evaluation, an order was placed on 06 April 2021 with a local supplier for the supply of the said equipment.

However, the contractor informed my Ministry on 22 April 2021 that it would not be able to honour the contract due to exponential increase in freight. The order was thus cancelled and it was recommended that a new exercise be carried out.

On 12 October 2021, bids were re-launched, for the supply of 10 units of High Flow Oxygen Therapy Device at New ENT Hospital, through the restricted bidding method to 10 bidders with closing date on 26 October 2021. Bids were received from only three bidders.

Mr Speaker, Sir, with regard to part (a) of the question, I am informed that after evaluation, a contract has been awarded on 18 November 2021 to the selected supplier, i.e. V.D Ltd.

With regard to part (b) of the question, I am informed that delivery is expected within 6-8 weeks, i.e. by 06 January 2022.

Mr Ramful: Thank you. With regard to the previous bidder who was selected and who could not meet the demand, can we know what is the name of the company?

Dr. Jagutpal: Mr Speaker, Sir, I do not think I have this but I am going to submit it to you.

Mr Ramful: Has the Minister enquired how come the Committee has selected this bidder? Have they checked the credentials of the bidder before allocating the contract?

Dr. Jagutpal: Mr Speaker, Sir, this is entirely an exercise of the procurement. The Minister cannot reply to this question.

Mr Ramful: The Minister to a PNQ on 16 November said that for the month of October there were 171 patients who were placed on High Flow Oxygen (HFO) thereby avoiding intubation and ventilation. Now, does the Minister agree that these HFO equipment are highly important given the situation and because the bidder has not been able to supply those equipment, there is a problem and this is causing disruption in the management of the COVID patients?

Dr. Jagutpal: Mr Speaker, Sir, no, I do not agree with this statement because as I have already given in my reply, that already there are ventilators that have the mode of High Flow Oxygen to supply High Flow Oxygen and those apparatus are being used currently. That is why during the month of October, we were able to place these patients on high flow oxygen and most of them did not have to go through ventilation or through other advanced procedures for respiratory support.

Mr Speaker: Hon. Juman!

Mr Juman: Thank you, Mr Speaker, Sir. Hon. Minister, I have certain information from reliable source that 4 patients died during the day of Saturday, 20 November, at Victoria Hospital due to disruption in supply of oxygen, and same happened at Nehru Hospital during the night of Saturday to Sunday. I do not know if there have been any casualties there. Can I stress upon the Minister, due to the seriousness of the issue raised, if he can initiate an inquiry, an investigation about this?

Dr. Jagutpal: Mr Speaker, Sir, the hon. Member can rest assured that oxygen supply in all the hospitals have been constant and there has been at no time a shortage of oxygen supply in

the hospitals or even at ENT. Now, the question as to whether there was a problem of oxygen, I invite the hon. Member to have a formal complaint so that an investigation can be carried out.

Mr Speaker: The Table has been advised that PQ B/1184 has been withdrawn.

Next question!

SCHOOLS - PRIMARY & SECONDARY - SYLLABI - PLANNING

(No. B/1172) **Mr D. Ramful (First Member for Mahebourg & Plaine Magnien)** asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to the syllabi for all subjects for the current school year at primary and secondary levels, she will state if same will be completed as planned and, if not, indicate the measures that will be taken in relation thereto.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): Mr Speaker, Sir, as the House is aware, in the context of COVID-19 pandemic, arrangements were made for the continuity in teaching and learning whilst respecting the sanitary norms and conditions to ensure the safety of learners.

As I had already explained in reply to PQ B/450 at the Sitting of Tuesday 18 May 2021, in view of the prevailing situation, discussions were held with stakeholders before the start of the first term on school resumption and coverage of the programme of study. It was decided to resume school, in a phased and staggered manner as per the plan announced by my Ministry, to enable face to face teaching and learning for the new academic year.

Consequently, from 05 July 2021 to 05 October 2021, lower primary pupils attended school on 2 days while upper primary pupils attended school on 3 days. Similarly, secondary students having taken national and international examinations attended school on 3 days while the remaining students attended school on 2 days.

Mr Speaker, Sir, as the House is also aware, as from Monday 18 October 2021, we switched to a new staggered mode of schooling with the lower grades (Grades 1 to 4 in the Primary and Grades 7 to 8 in the Secondary) attending school on 3 days, whereas the upper grades (Grades 5 and 6 in Primary and Grades 9 to 13 in the Secondary sector) attended school on 4 days.

Following the closure of schools on 10 November 2021, we have proceeded with online classes for students of Grades 10 to 13. The remaining grades are having educational programmes on the 4 national television channels and the Student Support Programme daily, so as to ensure continuity of learning.

In addition, my Ministry has had discussions regarding curriculum reprioritisation for both the primary and secondary subsectors.

The framework for assessment with the prioritised curriculum contents has been finalised and Heads of Primary Schools have been informed accordingly.

As for the Secondary sector, the Mauritius Institute of Education (MIE) and the Mauritius Examination Syndicate (MES) have already worked out the de-loaded curriculum and a meeting with stakeholders has been scheduled for this week.

Arrangements had been made for the extension of the 2nd term by 2 weeks and it will now end on 17 December 2021. The 3rd term will be extended by 2 weeks as well and will end on 29 April 2022. The extension of the two terms, will allow teaching and learning to continue resulting in a broader curriculum coverage.

Mr Speaker, Sir, Educators are extending their full support for an optimum use of teaching time. However, as for the curriculum of SC and HSC, the Ministry of Education is closely monitoring the situation, and the MES is keeping the Cambridge Assessment International Education (CAIE) informed. The MES will reiterate a request for special consideration as was the case last year.

The current situation which has been internationally recognised as volatile, uncertain, complex and ambiguous is being closely monitored. Should the need arise, necessary adjustments will be made accordingly.

Mr Ramful: Thank you. The hon. Vice-Prime Minister stated that should the need arise, then other possibilities will be considered. Do I therefore understand that one of the possibilities would be to include a 4th semester retaining the option for SC and HSC students to take part in the exams in May, if they feel they are ready, and consider also returning back to the normal calendar year for next academic year?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, it is a bit too early, too premature, for me to say what exactly will be the situation in a few weeks' time. But, what we are hoping is that by next year we may have full-fledged classes and students would not be penalised. We will try our very best to ensure that whatever decision is taken, it will be keeping the interest of the children foremost. So, that is what we intend to do. But, to be able to say, right now, whether we are going to shift to the former system or not is not appropriate. I will wait and see. We are monitoring, as I have said, and we are going to see whether it will be needed for us to shift back or not. But, right now, I think it is in the interest of the students for them to continue to study, *et de rester appliqués, M. le président. Je ne voudrais pas à ce stade venir semer des doutes dans la tête des élèves. Je voudrais, par contre, leur demander de continuer à bosser et essayer de travailler, et on verra si jamais la situation s'améliore, on va trouver des moyens pour assurer qu'ils puissent couvrir le programme. Autrement, comme je vous ai dit, on prendra les mesures nécessaires.*

Mr Speaker: Next question!

INTEGRITY REPORTING SERVICES AGENCY - FUNCTIONING

(No. B/1173) Mr D. Ramful (First Member for Mahebourg & Plaine Magnien) asked the Minister of Financial Services and Good Governance whether, in regard to the Integrity Reporting Services Agency, he will state if he has been apprised of the concerns raised as to the functioning thereof in its last Annual Report and, if so, indicate the actions taken in relation thereto, if any.

Mr Seeruttun: Mr Speaker, Sir, I am informed that the Integrity Reporting Services Agency (IRSA) has highlighted in its Annual Report 2019-2020 the constraints it has faced during the year 2020 due to the COVID-19 pandemic.

I am further informed that IRSA faced delays with respect to the issuing of Unexplained Wealth Orders due to the lockdown in the year 2020. In addition, Court cases were delayed due to the case load pending before the Court post lockdown, as the Court has concentrated on clearing the backlog of more urgent cases.

Mr Speaker, Sir, I am informed that in spite of the constraints, although not specific to IRSA, the Annual Report 2019-2020, specifies that both IRSA and the Integrity Reporting Board

adapted to the circumstances of the COVID-19 pandemic and were able to effectively discharge their statutory obligations. The Annual Report also highlighted that the Integrity Reporting Board commended the amendments to the Good Governance and Integrity Reporting Act 2020 to allow for the confiscation of cash of at least Rs2.5 m. seized during a criminal enquiry, thereby denying criminals both proceeds of and instrumentalities of crime.

Mr Speaker, Sir, with respect to the issues raised regarding avoidable delays in Court proceedings and abuses of process, the House would appreciate that these are matters for the vigilance of the Court and not for the IRSA or my Ministry to intervene in the spirit of separation of powers as enshrined in our Constitution.

Mr Ramful: Seriously, is the Minister satisfied with the functioning of the Agency when we have dished out *à peu près* R 44 millions of taxpayers' money yearly, and at the end of the day we see that they have confiscated only Rs12 m. since 2015, and that also in only one case?

Mr Seeruttun: Mr Speaker, Sir, if I may add, since its creation up till now, there are 155 cases that had been under investigation by the Agency. And there are a number of Unexplained Wealth Orders that are awaiting Court Orders to the tune of Rs280 m. Like I said, these have been referred to the Court and we are waiting for the orders to be granted. It is unfortunate that there have been cases where successively they have been postponed and that explain the delays. Unfortunately, we cannot do much about it. It is, like I said, at the level of the Court and we cannot intervene to expedite matters at that level.

Mr Uteem: Has the hon. Minister read the report, and if he has, what are his comments about what the agency said about the attitude of ICAC, which, instead of cooperating with the agency, is blocking information, so much so, that the agency has now seized the Supreme Court to get some order in the House of ICAC?

Mr Seeruttun: Mr Speaker, Sir, it is not at all what the hon. Member just said with what is mentioned in that report. There is the question of interpretation of the legislation and that is where the agency has sought the advice of the Supreme Court to, at least, clear out that interpretation. I know the case has been heard on 19 July and we are awaiting the ruling of the Supreme Court.

Mr Speaker: Time is over by five minutes!

MOTION**SUSPENSION OF S. O. 10(2)**

The Prime Minister: Mr 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.

(3.43.p.m.)

STATEMENT BY MINISTER**COVID-19 PANDEMIC - MANAGEMENT**

The Minister of Health and Wellness (Dr. K. Jagutpal): Mr Speaker, Sir, last year COVID-19 has taken the world by surprise and impacted adversely on the lives of people and economies globally.

Mauritius has not been spared. However, Government has from the outset taken a number of measures to curtail and cope with the pandemic. My Ministry has, in anticipation, worked on a preparedness plan months ago and this plan has been updated recently.

Treatment of Patients

Mr Speaker Sir, allow me to highlight the treatment protocol at different levels in our hospitals.

COVID Testing Centres

- The COVID testing centres also known as Flu-Clinics have been set up. They are designed to test probable cases of COVID-19.
- Triage is done at the entry by an experienced nursing officer and medical consultation followed by testing for the persons having symptoms suggestive of COVID-19, persons with comorbidities, pregnant ladies, and persons aged more than 60 years.
- Once a person is tested COVID-19 positive and if his condition is not viewed as serious, he does not require admission, and is requested to isolate at home.

- Instructions on the principles of self-isolation are explained to the patient.
- Information about the patient's household members, considered as direct contacts, are taken from the positive person.

Follow up on Self Isolation

- At regional level, a systematic triage is carried out by the Public Health Teams with regard to patients referred for self-isolation and grading of priority of visits by the Domiciliary Monitoring Units (DMU).
- The Public Health teams explain anew to the patient the principles of self-isolation, and the DMU hotline number.

Domiciliary Monitoring Unit (DMU)

- Each regional hospital has a DMU team.
- The DMU receives the list of COVID positive cases requiring domiciliary visits and classified on a priority list.
- A hotline number for the DMU is made available to every positive patient. A first consultation by phone determines whether a visit needs to be carried out. For patients requiring further medical assessment, domiciliary visit is carried out by the DMU doctor. Relevant medications are prescribed and if ever hospitalisation is required, arrangements are made for the transfer by the Rapid Response Team or the SAMU are available.

COVID treatment wards

The criteria for admission are -

- i. having a positive COVID-19 test and/or radiographic evidence of COVID-19 in the absence of a positive COVID test;
- ii. positive COVID-19 patients requiring admission for a medical reason other than COVID-19;
- iii. moderate to severe cases of COVID-19 not requiring admission to ENT;
- iv. dialysed patients;
- v. immunosuppressed patients;

- vi. any other case as identified by the DMU, RRT or SAMU doctor, and
 - vii. transfer from ENT Hospital.
- Basic baseline investigations such as Chest X-Ray, Electrocardiograms are carried out on admission;
 - Depending on the severity of cases, anticoagulant treatment (Lovenox), steroids (Dexamethasone), antivirals (Fabipiravir) are started. In aggravation of cases as depicted by clinical findings, oxygen therapy is started. Other medicines like Remdesivir, Tocilizumab and others are prescribed.
 - Transfer to ENT hospital is done when there is a deterioration of the patient's clinical status whereby there is need for intensive care.

Procurement of COVID-19 medicines

- 1,000 boxes of 17 tablets of Fabiflu have been supplied to the Ministry and delivered to all five regional hospitals and ENT Hospital.
- The quantity available as at date at Central Store Division is 51,000.

Molnupiravir

- Import authorisation has been granted to 5 pharmaceutical wholesalers for the supply of Molnupiravir (available in 200 mg, 400 mg and 800 mg).
- The total quantity approved for import is 30,000 treatment doses.
- Three other pharmacy wholesalers have expressed their intention to import the drug and their application is currently being awaited for processing.
- A Contract has been awarded for the supply of 1,200,000 Molnupiravir.

Tocilizumab 400 mg vials

- An award for the supply of 300 vials has been given to Trident Healthcare Ltd and the delivery is duly expected as it is being airlifted today.
- For the supply for the private sector, three suppliers have requested import authorisation for the total quantity of 265 vials of Tolicizumab 400 mg.

Supply of Oxygen

I would like to point out that my Ministry has at all times taken timely action so that we have a sufficient amount of oxygen readily available.

In fact, I would like to remind the House that Mauritius, through my Ministry, extended assistance to India by sending oxygen concentrators when the latter was going through an unprecedented difficult phase and was in dire need of oxygen.

Mauritius also supplied to our neighbor, Madagascar, with 100 oxygen cylinders of 300 Cubic Feet and PPEs when it was also experiencing a rise in COVID-19 cases and was in need of support for oxygen.

These countries experienced difficult situations without oxygen. We did our utmost to stay in a preparedness situation with respect to the supply of oxygen which is much needed during this pandemic.

My Ministry has always maintained a proactive and good working relationship with suppliers.

In June 2020, a contract for the supply of oxygen to public health institutions was awarded to Samlo Koyenko Steel Co Ltd for a period of 2 years for the supply of oxygen in both gaseous form, in cylinders and in liquid form. The supplier imports its bulk oxygen from Singapore and Dubai on a monthly basis to ensure a continuous supply.

In early November, it was agreed that, in order to stay ahead of demand and in a preparedness condition, a new Pressure Swing Absorption Oxygen Generator of a capacity of 1,000 to 1,500 litres per minute was required at the ENT Hospital.

After consultation with the Public Procurement Office, a market engagement and sounding was undertaken by my Ministry in collaboration with Hospital Services Consultancy Corporation (HSCC India Ltd), the Consultant for the new ENT hospital project which is responsible also for the maintenance of the equipment at ENT hospital.

Three expressions of interest were received from -

- (i) Mintvest Solutions LLP, India;
- (ii) Medical Products Service, India, and
- (iii) Proximed Ltd, Mauritius.

The Hospital Services Consultancy Corporation (HSCC) recommended the proposal for 1000 LPM Oxygen Generation System as provided by the company Medical Products Services which had installed the existing Oxygen Generation System at ENT hospital as the system meets the required specifications. The letter of award was hence issued to Medical Products Services on 10 November 2021 and the equipment is awaited and will reach Mauritius by end of this year.

Oxygen Tank

On 06 November 2021 my Ministry had also approached the three suppliers of medical oxygen in Mauritius, namely, Les Gaz Industriels Ltée, Gaz Carbonique Ltée, and Samlo Koyenko Steel Co. Ltd. to submit information on their capacity to supply oxygen on a daily basis to the ENT hospital and to all regional hospitals. Les Gaz Industriels Ltée informed that it had just received an equipment that could connect regional hospitals to a liquid supply source and that this system had been installed in Madagascar with success from May to August 2021.

Les Gaz Industriels Ltée confirmed that it could supply 20 tons of medical oxygen at the cost of Rs95 per kg and that the equipment would be supplied free of charge. It submitted its quotation on 10 November 2021 and this was approved on the same day and confirmed in writing on 11 November 2021. The installation works have been completed and the equipment is operational at ENT. On 20 November 2021, another tank of liquid gas was installed at Victoria hospital for an ICU Ward.

Oxygen Concentrators

Further, a backup supply was explored. The three suppliers of oxygen were contacted and on 10 November, a letter of award was issued to Les Gaz Industriels Ltée for 15 oxygen concentrators with maximum oxygen flow of 10 litres per minute. Moreover, the WHO procured 70 oxygen concentrators with a flow of 8 litres per minute.

Mr Speaker, Sir, in mid-November 2021, the current supplier of medical oxygen, namely Samlo Koyenko Company Ltd. informed my Ministry that the imported liquid gas for the month of November had already been utilised and that the supply of gaseous cylinders has reached its maximum supply of capacity. In fact, it informed that it had already supplied more than as per the contract conditions and it would not be possible for it to continue the increase in supply in the coming months.

In order to be able to meet the increasing demand for oxygen in case the need arises for the coming months, it was proposed that the two other suppliers of oxygen, namely, Les Gaz Industriels Ltée and Les Gaz Carboniques Ltée be approached in order to ensure a continuous supply of oxygen for the coming months.

A meeting was held accordingly at the Ministry on Wednesday 17 November with the three suppliers of oxygen in Mauritius.

Les Gaz Carboniques Ltée informed my Ministry that there was a manufacturing company, the Air Liquid Reunion (ALR) which produces liquid oxygen in Reunion Island.

After discussion, it was agreed that the assistance of the French authorities to procure liquid oxygen from Reunion Island be sought as it was the nearest supplier country to Mauritius. Arrangements were made for Barracuda to transport the liquid oxygen from Reunion Island to enable Les Gaz Industriels Ltée to fill the cylinders of Samlo Ltd and to provide liquid gas to our hospitals in the coming months.

Booster Dose

Mr Speaker, Sir, since vaccines have been developed, Government has ensured that a sufficient number of approved vaccines be required and systematically administered so as to protect the population.

In fact, Mauritius is among the first countries to have attained a high level of vaccination 89%, that is, 963,358 of the adult population has been vaccinated as at 22 November 2021.

The deployment of the booster dose is presently on. The Jansen and the Pfizer Vaccines are being used.

I would like to make an appeal to citizens to act responsibly and to abide by the decision taken by the National Vaccination Committee to the effect that Pfizer Vaccines be administered to frontliners and people with comorbidities.

I would like to inform the House and the public that measures are and will continue to be taken for the ongoing supply of approved vaccines to be available to each and every one as required.

Mr Speaker Sir, the number of deaths of COVID-19 patients not vaccinated is nearly twice to those that are vaccinated. I urge members of the public who have not yet got their first dose of vaccine to do so.

Mr Speaker Sir, the latest figures show that we have a mortality rate of 343 per 1,000,000 population since the beginning of the pandemic in 2020. This is amongst the lowest worldwide.

Just to get an indication of where we stand, I will provide the same data for some other reference countries –

- the mortality rate in US stands at 2,319 per million population;
- in UK, it stands at 2,117 per million population;
- France, 1,788 per million;
- Seychelles, 1,263;
- Switzerland, 1,308, and
- South Africa, 1,492 per million.

Fake Document

It has been brought to the attention of the Government that a dangerous and false Communiqué is being circulated by WhatsApp.

I would like to inform that measures are being taken to identify the instigator of this fake document. A complaint has already been lodged at the CCID. I wish to inform the House that propagation of false information is a threat to public health and security.

Mr Speaker Sir, I reiterate that my Ministry and the health professionals have been providing unflinching services on a 24-hour basis to the victims of this virulent pandemic for nearly two years. Their commitment and staunch dedication is to be commended.

Thank you, Mr Speaker, Sir.

PUBLIC BILLS

First Reading

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

- (a) The Independent Broadcasting Authority (Amendment) Bill (No. XVIII of 2021)
- (b) The Town Planners' Council Bill (No. XIX of 2021)

(c) The Revision of Laws (Amendment) Bill (No. XX of 2021)

Second Reading

THE CRIMINAL CODE (AMENDMENT) BILL

(No. XVI of 2021)

Order for Second Reading read.

The Prime Minister: Mr Speaker, Sir, I move that the Criminal Code (Amendment) Bill (No. XVI of 2021) be read a second time.

The object of this Bill is to amend the Criminal Code to criminalise, *inter alia*, the production, distribution, supply or marketing of any coin, stamp, official map or other official object or document, which involves certain foreign States and which, in any manner, misrepresents, or conveys misleading information to the public about the sovereignty of Mauritius over any part of its territory.

The amendment being proposed to the Criminal Code is not aimed at limiting freedom of expression which is guaranteed by our Constitution. It is intended to bring to justice those individuals and entities which engage in acts pursuant to a claim of sovereignty by another country over any part of the territory of Mauritius and which claim has been found to be invalid by an international Court or Tribunal. In fact, the application of the Bill is limited to expressions of sovereign authority on the part of a foreign State.

Mr Speaker, Sir, this is a Bill which has the objective of further strengthening our assertion of sovereignty over the whole of our territory, including the Chagos Archipelago.

The Bill falls in line with the commitment enunciated in the Government Programme 2020-2024 which reaffirms that Government will ensure that the territorial integrity and sovereignty of Mauritius are safeguarded at all times.

Mr Speaker, Sir, as the House is aware, in its Advisory Opinion of 25 February 2019 on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965, the International Court of Justice has made clear that the Chagos Archipelago is, and has always been, an integral part of the Republic of Mauritius. The Court also found that the decolonisation process of Mauritius was not lawfully completed upon its accession to independence, in view of

the unlawful excision of the Chagos Archipelago from the territory of Mauritius. The Court concluded that the United Kingdom is under an obligation to bring to an end its administration of the Chagos Archipelago as rapidly as possible, thereby enabling Mauritius to complete the decolonisation of its territory in a manner consistent with the right of peoples to self-determination. The Court further ruled that all Member States are under an obligation to cooperate with the United Nations in order to complete the decolonisation of Mauritius.

On 22 May 2019, the UN General Assembly adopted Resolution 73/295 in which it, *inter alia*, affirmed, in accordance with the Advisory Opinion of the International Court of Justice of 25 February 2019, that the Chagos Archipelago forms an integral part of the territory of Mauritius, and demanded the United Kingdom to withdraw its colonial administration from the Chagos Archipelago unconditionally within a period of no more than six months, that is, by 22 November 2019. The United Kingdom failed to meet that deadline.

More recently, on 28 January 2021, a Special Chamber of the International Tribunal for the Law of the Sea gave, in the maritime boundary delimitation case between Mauritius and Maldives, a judgment in which it held that the determinations made by the International Court of Justice in its Advisory Opinion of 25 February 2019 are legally binding and confirmed that Mauritius has undisputed sovereignty over the Chagos Archipelago. The Special Chamber also ruled that the United Kingdom's continued claim to sovereignty over the Chagos Archipelago is contrary to the determinations of the International Court of Justice to the effect that the detachment of the Chagos Archipelago from Mauritius was unlawful and that the United Kingdom's continued administration of the Chagos Archipelago constitutes an unlawful act of a continuing character.

It follows that under international law, Mauritius is the sole State lawfully entitled to exercise sovereignty and sovereign rights over the Chagos Archipelago and its maritime zones. As such, the so-called "British Indian Ocean Territory" which the United Kingdom purported to create by unlawfully excising the Chagos Archipelago from the territory of Mauritius is an illegal entity.

Mr Speaker, Sir, on 15 June 2020, I had informed the House of the change made by the United Nations in February 2020 to its official maps to clearly show that the Chagos Archipelago is part of the territory of Mauritius.

This change confirms not only the United Nations' recognition of the sovereignty of Mauritius over the Chagos Archipelago, but also the illegality under international law of the so-called "British Indian Ocean Territory" and of the United Kingdom's purported administration of the Chagos Archipelago.

Mr Speaker, Sir, on 24 August 2021, the 27th Universal Postal Congress adopted a resolution for the implementation of UN General Assembly Resolution 73/295 by the Universal Postal Union. This resolution, *inter alia*, provides that –

- (a) the Universal Postal Union formally acknowledges that, for the purposes of its activities, the Chagos Archipelago forms an integral part of the territory of Mauritius, and
- (b) the International Bureau of the Universal Postal Union should cease the registration, distribution and forwarding of any and all postage stamps issued by the so-called "British Indian Ocean Territory".

Mr Speaker, Sir, the United Kingdom has chosen to challenge the authority of the highest court of the world and of the United Nations, an institution which it helped to create 76 years ago, by failing to withdraw its unlawful administration from the Chagos Archipelago and continuing to illegally occupy the Chagos Archipelago.

Moreover, the United Kingdom has continued to have stamps and coins issued purportedly on behalf of the so-called "British Indian Ocean Territory", in total disregard of the Advisory Opinion of the International Court of Justice and UN General Assembly Resolution 73/295 and of the sovereignty of Mauritius over the Chagos Archipelago.

Mr Speaker, Sir, on 13 May 2020, the Ministry of Foreign Affairs, Regional Integration and International Trade addressed a *Note Verbale* to the British High Commission to register the strong objection of Mauritius to the issue of coins and stamps purportedly on behalf of the so-called "British Indian Ocean Territory". Mauritius also requested the United Kingdom to immediately withdraw such coins and stamps from circulation.

On 02 June 2020, by way of a *Note Verbale* addressed by the then UK Foreign and Commonwealth Office to the Ministry of Foreign Affairs, Regional Integration and International

Trade, the United Kingdom informed Mauritius of its refusal to withdraw the coins and stamps from circulation.

On 02 July 2020, the Ministry of Foreign Affairs, Regional Integration and International Trade wrote to the then UK Foreign and Commonwealth Office to reiterate the request of Mauritius to the United Kingdom that the coins and stamps be removed from circulation.

On 23 December 2020, another note of protest was sent by the Ministry of Foreign Affairs, Regional Integration and International Trade to the British High Commission, following the issue of 2020 Father Christmas 50 pence coins and Bicentenary of the Birth of Florence Nightingale 50 pence coins purportedly on behalf of the so-called “British Indian Ocean Territory”. In the note of protest, the United Kingdom was also requested to immediately take steps for the withdrawal from circulation of the coins.

Pobjoy Mint, a private mint, has continued to produce coins purportedly on behalf of the so-called “British Indian Ocean Territory”, as recently as this year.

Those coins are also available for sale on the website of Popjoy Mint.

The latest set of stamps featuring angelfishes of the Chagos Archipelago was released on 08 June 2021 purportedly on behalf of the so-called “British Indian Ocean Territory”.

Mr Speaker, Sir, there are currently no provisions in our legislation which criminalise the production of any coin, stamp, official map or other official object or document which misrepresents or conveys misleading information to the public about the sovereignty of Mauritius over any part of its territory, including the Chagos Archipelago and which has been produced, distributed, supplied or marketed by a person acting under the instructions of, or pursuant to a contract with, or with the direct or indirect financial support of, a foreign State or any organ or agency of such a State.

It is, therefore, proposed that the Criminal Code be amended to insert after section 76A, a new Section 76B, to provide for an offence in case any person who, acting under the authority or instructions of, or pursuant to a contract with, or with the direct or indirect financial support of, a foreign State or any organ or agency of such a State –

- (a) produces, distributes, supplies or markets any coin, stamp, official map or other official object or document which, in any manner, misrepresents or conveys

misleading information to the public about the sovereignty of Mauritius over any part of its territory, or

- (b) gives any instruction to any person for the production, distribution, supply or marketing of any such coin, stamp, official map or other official object or document.

It is also specified in section 76B that “foreign State” means a State which has been subject to a determination by any international court or tribunal that it has no valid claim to sovereignty over any part of the territory of Mauritius.

It is further provided in the Bill that any act alleged to constitute an offence under section 76B and which is committed outside Mauritius shall, regardless of whether or not the act constitutes an offence at the place of commission, be deemed to have been committed in Mauritius also. Such a provision would allow criminal proceedings to be initiated against any person who, being outside Mauritius and acting under the instructions of, or pursuant to a contract with, or with the direct or indirect financial support of another State or an organ or agency of such a State produces, distributes, supplies or markets any coin, stamp, official map or other official object or document on behalf of the so-called “British Indian Ocean Territory”, or gives instruction to any person for the production, distribution, supply or marketing of any such coin, stamp, official map or other official object or document.

In addition, the Bill stipulates that the Intermediate Court shall have jurisdiction to try an offence under section 76B and in view of the seriousness of the offence, the Bill provides that any person who commits such an offence shall, on conviction, be liable to a fine not exceeding five million rupees and to imprisonment for a term not exceeding ten years.

Mr Speaker, Sir, Government will continue to spare no efforts for the completion of the decolonisation of Mauritius so that it can fully and effectively exercise its sovereignty over the Chagos Archipelago and our citizens of Chagossian origin can fulfil their aspiration of returning to their birthplace.

Mr Speaker, Sir, with these remarks, I commend the Bill to the House.

The Deputy Prime Minister seconded.

(4.18 p.m.)

Mr P. Bérenger (First Member for Stanley & Rose Hill): Nous voterons bien sûr ce projet de loi et je rappellerai ici que le MMM a été le premier parti à Maurice à parler de la souveraineté de Maurice sur les Chagos, et plus tard sur Tromelin. C'est pourquoi je le répète, nous voterons bien sûr ce projet de loi mais bien des questions se posent et je les ai posées au Premier ministre dans l'espoir d'obtenir des réponses.

Une première question se pose sur le timing. Pourquoi ce projet de loi vient devant la Chambre maintenant ? Mais il faudra rappeler que c'est la troisième version de ce projet de loi. Une première version avait été circulée en juillet 2020, une deuxième version en août 2020 et nous avons devant nous la troisième version de ce texte de loi. Pourquoi maintenant, pourquoi avoir attendu un an ? Pourquoi maintenant ?

A travers le communiqué du Conseil des ministres, le Premier ministre nous a dit, qu'en Écosse, à Glasgow à l'occasion du COP26 il avait rencontré le Premier ministre britannique et la nouvelle ministre des Affaires étrangères britannique, mais le pays était en droit de savoir est-ce que les Chagos, le dossier Chagos a été évoqué, a été discuté. Pas un mot ! Pourtant le Premier ministre est friand de longs *statements*. Le pays a le droit de savoir est-ce qu'il y a eu des développements, est-ce qu'il y a eu des discussions sérieuses à Glasgow avec le Premier ministre britannique et la nouvelle ministre des Affaires étrangères britannique concernant le dossier Chagos.

Comme nous le savons tous, le Premier ministre de l'Inde aussi était à Glasgow. Je pose donc la question, est-ce que toute cette affaire a été discutée – toute cette affaire, le dossier Chagos je veux dire – après les derniers développements ? Est-ce que cela a été discuté avec le Premier ministre de l'Inde aussi ?

Car nous ne sommes pas censés savoir qu'il y a des développements - qu'il y a eu et qu'il y a des développements ces temps-ci. L'Inde s'est beaucoup rapprochée des États-Unis et de la Grande-Bretagne ces derniers temps. Nous sommes, donc, en droit de poser la question : est-ce que ce dossier a été discuté avec les représentants de la Grande-Bretagne et avec le Premier ministre de l'Inde ? Autant de questions que j'espère trouveront réponses.

Nous sommes d'accord, évidemment, avec l'amendement principal qui est apporté à la première version du texte de loi. Et je me pose la question : comment le gouvernement avec tous ses conseillers, etc. a pu faire une chose pareille. La première version de ce texte de loi créée

avec raison un délit. N'importe qui agissant au nom de la Grande-Bretagne ou financer par la Grande-Bretagne mettrait en question notre souveraineté sur les Chagos ou sur n'importe quelle partie de notre territoire. La loi, la première version, établissait un délit avec raison, toute personne qui fait cela, commet un délit et peut être condamné à des années de prison. Et pourtant cette première version de ce texte de loi - c'est presque incroyable - mais cette première version du texte de loi disait cela –

“shall commit an offence”

‘Any person’ bla-bla-bla ‘shall commit an offence’. Mais incroyable, mais vrai, les mots suivants avaient été ajoutés –

“unless he proves that he acted with the express approval of the Government of Mauritius”

Incroyable mais vrai!

Comment le gouvernement avait pu dans cette première version venir dire : ‘ceci est un délit puni par la prison.’ Mais si le gouvernement Mauricien a donné son feu vert pour commettre un délit, ce n'est qu'un délit. C'est quasiment incroyable ! Mais, en tout cas, nous sommes tout à fait d'accord que ça a *sauté*. Et, je rappelle à la Chambre, pour faire rire un peu aussi, que l'ancien ministre, Anil Gayan, quand ça avait été circulé, ce texte de loi, cette première version, avait parlé du summum du ridicule. Et c'était bien le cas ; et c'est pourquoi le gouvernement a éliminé cette partie de la loi - tant mieux. Mais, ça aurait été encore mieux si ce ridicule n'avait pas été mis dans un texte de loi de la République de Maurice un an de cela.

Ce texte de loi vise avec raison. Mais ce texte de loi vise, sans la nommer, la Grande-Bretagne. On ne nomme pas la Grande-Bretagne mais c'est clair. Le pays visé est celui qui a été blâmé par une Cour internationale, un tribunal international de Justice - et c'est la Grande-Bretagne qui est visée avec raison. Mais il est bon qu'on garde en tête que la façon que le texte de loi a été rédigé, si demain la Cour internationale de Justice dit la même chose qu'elle a dit sur les Chagos, si la Cour internationale de Justice a l'occasion de trancher que l'île de Tromelin appartient à l'île Maurice, à ce moment-là ce n'est pas seulement la Grande-Bretagne qui serait visée mais la France aussi. Tel n'est pas le cas pour le moment.

J'en viens à cette question de 'Any person', n'importe qui, qui poussé, encouragé ou financé par la Grande-Bretagne remet en question notre souveraineté sur l'archipel des Chagos commet un délit – 'Any person'. J'ai pris note que le Premier ministre a pris soin de dire que ce n'est pas la liberté d'expression qui est visée. C'est bon, c'est bon que ce soit davantage précisé parce que entre la première version et la deuxième version du texte de loi, il y avait eu changement pour faire cela. Parce que la question se posait, nous nous posions la question, vu le texte de loi tel qu'il était alors, est-ce que des universitaires ou encore plus des journalistes peuvent se retrouver pris dans les filets de ce texte de loi. Le Premier ministre, aujourd'hui, a répété que non. Nous en prenons note et nous en sommes ravis évidemment.

What next? Le Premier ministre nous a dit que le gouvernement a la ferme intention de continuer à trouver d'autres moyens après ce qui vient de se passer à l'*Universal Postal Union*, que le gouvernement - et je l'en félicite - a la ferme intention de trouver d'autres moyens de lutter pour notre souveraineté sur l'archipel des Chagos. Donc, *what next?*

Mais pour savoir '*what next*' je pense qu'il est important que nous regardions avec beaucoup plus d'attention à ce qui vient de se passer à l'*Universal Postal Union* qui vient de condamner avec raison, comme le Premier ministre vient de nous le rappeler, la Grande-Bretagne. J'entends qu'après que l'île Maurice ait été à l'*Universal Postal Union* et a obtenu la condamnation de la Grande-Bretagne, j'apprends que la possibilité que nous allions à l'*International Civil Aviation Organisation (ICAO)* pour interdire tout vol international sans l'autorisation de l'île Maurice. Ce serait bon que le Premier ministre nous donne une indication. Car si nous allons dans cette direction, si nous allons à l'*International Civil Aviation Organisation (ICAO)* pour obtenir l'équivalent en termes d'aviation de ce que nous venons d'obtenir à l'*Universal Postal Union*, à ce moment-là c'est l'affrontement direct avec les États-Unis. Ce n'est plus un affrontement avec la Grande-Bretagne mais ça devient un affrontement direct avec les États-Unis qui opèrent leur base à Diego Garcia. C'est pourquoi il faut bien examiner les choses en détail parce qu'il n'est pas sûr que demain si nous soulevons ce dossier-là à l'*ICAO*, que nous ayons la même majorité que nous avons obtenue à l'*Universal Postal Union*.

Et il nous faut regarder plus attentivement ce qui vient de se passer à ce l'*Universal Postal Union*. Oui, un vote a été pris ; oui, la Grande-Bretagne a été condamnée avec raison. Mais il faut voir nos faiblesses aussi et pas seulement nos victoires. Vive nos victoires quand il

s'agit des Chagos – bravo et il faut continuer ! Mais il faut voir aussi nos faiblesses pour voir comment *move forward*, comment aller de l'avant. C'est vrai que seulement six votes en août dernier, six votes seulement se sont exprimés contre l'île Maurice. Et encore, ces six votes c'étaient les États-Unis, la Grande-Bretagne, Israël, l'Australie, la Hongrie - cinq - mais le sixième vote, il faut qu'on y réfléchisse. Le sixième vote c'était le vote du *so-called BIOT*. Le sixième vote *registered*, enregistré comme un vote contre. Le *BIOT*, le *so-called BIOT* forme partie des *UK Overseas Territories*. Incroyable mais vrai ! Le *UK Overseas Territories* est membre du *Universal Postal Union* et a droit de vote, et a voté contre nous. Je suis, donc, en droit de demander qu'est-ce qu'on va faire concernant cela. Il faut mettre tous nos experts, tous nos hommes de loi au travail. Comment est-ce qu'on va faire pour contester le fait que les *Overseas Territories* de la Grande Bretagne sont membres de la *Universal Postal Union*, ont droit de vote et ont voté contre nous. 6 votes contre nous, en fait 5 pays, le sixième vote étant celui de *BIOT*, *so-called BIOT*, à travers le *UK Overseas Territories*.

L'Australie vote souvent contre nous ces derniers temps. Souvent ! Pas seulement dans le cas des Chagos mais prend les décisions contraire aux nôtres dans le cas de *Climate Change* aussi. Là, l'Australie a voté contre nous, un voisin de l'autre côté de l'océan Indien.

C'est vrai que 77 pays, enfin, j'inclue le *so-called BIOT* dedans. 67 pays ont voté pour Maurice contre la Grande-Bretagne. Très bien ! Mais il faut garder les yeux ouverts. 41 pays se sont abstenus et 36 pays ont choisi diplomatiquement d'être absents, de ne pas prendre part au vote. 41 plus 36, 77, exactement le même chiffre que les pays qui ont voté pour nous. 77 ont voté pour. Merci ! Bravo ! 41 pays se sont abstenus et 36 pays ont brillé par leur absence. Et ça fait mal au cœur quand on pense que parmi ceux qui se sont abstenus, il y a la France, la Russie, l'Allemagne, le Japon et les autres, mais la France, en tout premier lieu. Et il est triste aussi que parmi les abstentions et les absents, il y a les pays de la *SADC*, il y a les pays de l'Afrique, les pays membres de la *SADC*, notre *SADC*. Mais, c'est dire qu'on n'a pas fait notre travail diplomatique comme il fallait le faire.

L'Éthiopie s'est abstenue. Nous avons le siège de l'unité africaine. Alors, je demande qu'on garde les yeux ouverts, qu'on soit lucide. Oui, nous avons gagné, oui, la Grande-Bretagne a été condamnée, mais voyons nos faiblesses aussi. 77 pays ont voté pour nous, 41 abstentions, 36 absents et ça fait exactement 77, avec six qui ont voté carrément contre nous. Je dis ça pour

qu'on prépare mieux la prochaine étape d'un combat qui sera très difficile mais il faut bien sur continuer.

Et je repose la question : est-ce que le gouvernement de Maurice - il n'est pas trop tard - a vu comment est-ce qu'on peut *challenge* le fait que le *so-called BIOT* soit membre du *Universal Postal Union* à travers les *Overseas Territories* de la Grande-Bretagne, qu'il soit un membre, qu'il a un droit de vote, qu'il ait voté et qu'il ait voté contre nous. Il faut agir là, prendre conseil légal et agir de ce côté-là, M. le président.

Les Maldives, malheureusement, ont été parmi les absents, pas les abstentions mais les absents. Ce n'est pas la première fois que nos frères et sœurs de Maldives ne votent pas avec nous. Il faut agir. J'ai vu que le Premier ministre a dit dans le *Cabinet* communiqué qu'il a rencontré le président de Maldives à Glasgow. Bravo ! Est-ce que cela a été discuté ? Quels ont été les résultats? Le pays est en droit de le savoir, M. le président. Je l'ai dit, nous allons voter pour ce texte de loi et le passé du MMM est glorieux. Ce n'est pas seulement nous qui avons, le premier parti à Maurice, qui a soulevé toute cette question de la souveraineté de Maurice sur les Chagos, et plus tard sur Tromelin, mais nous avons été tout le temps à l'avant-garde de ce combat patriotique.

Je conclurai, M. le président, en souhaitant un vote unanime aujourd'hui dans la Chambre. Ce sera important vis-à-vis de nos adversaires, de nos amis avec lesquels nous nous n'entendons pas à ce sujet mais il sera important de *record* un vote unanime aujourd'hui en faveur de ce projet de loi. Mais ayant fait cela, préparons la prochaine étape. Il faut débloquent la situation. Je l'ai dit, moi, je crois que l'Inde pourrait jouer un rôle clé pour débloquent la situation. Il est clair que la Grande-Bretagne et les États-Unis ne pourront pas continuer longtemps à bafouer la loi internationale, à se donner en exemple de par le monde et puis à faire le contraire de l'exemple qu'ils sont supposés donner. C'est pourquoi je pense que l'Inde peut nous aider à débloquent la situation, à sortir de l'impasse actuelle. Mais pour aujourd'hui, ce que je souhaite avant tout, c'est un vote unanime en faveur de ce projet de loi.

Merci, M. le président.

Mr Speaker: Hon. Members, I suspend the Sitting for 30 minutes.

At 4.39 p.m., the Sitting was suspended.

On resuming at 5.30 p.m. with Mr Speaker in the Chair.

Mr Speaker: Please be seated! Hon. Ganoo!

(5.29 p.m.)

The Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade (Mr A. Ganoo): Mr Speaker, Sir, I would like to express my full agreement with what the hon. Prime Minister has lengthily argued as to the desirability of this piece of legislation before the House and its adoption by the House.

Mr Speaker, Sir, as long as full sovereignty over the Chagos Archipelago is not fully and effectively under the control and authority of Mauritius, the colonial legacy will continue to exist and historical injustice will persist.

In fact, Mr Speaker, Sir, today marks two years, a period of two years, during which the UK Government is still acting in utter disregard and in defiance of the United Nations General Assembly ordering the UK administration to withdraw from the Chagos Archipelagos. We are today 23 November. It was on 22 November 2019, that is, two years ago exactly, that the General Assembly issued this Order to withdraw from the Chagos Archipelagos. This is why this Bill today is important for us and, of course, we are very pleased to hear the previous orator, who has just intervened before me, highlighting that this Bill should carry a unanimous vote today because as we are all aware, Mr Speaker, Sir, the issue of exercising effectively sovereignty over the Chagos Archipelago is a State policy, which transcends political party lines and we believe that there is no room for party politics on such an important issue.

Our Government remains, therefore, Mr Speaker, Sir, strongly committed and determined as ever to ensure that Mauritius does effectively exercise its sovereignty over the Chagos Archipelago and that the territorial integrity and sovereignty of our country are fully respected and safeguarded.

Therefore, it is in this perspective that we have to look at this Bill. Mr Speaker, Sir, it is important to ensure that the laws of Mauritius are sufficiently robust to guard against the undermining, whether intentionally or recklessly, of the sovereignty of our country, especially by

foreign adversaries, by, *inter alia*, conveying misleading information and misrepresentations of undeniable facts.

Given this continuing refusal to allow Mauritius to effectively exercise its sovereignty over the Chagos Archipelago and the former inhabitants of the Archipelago to return, we have no other option than to keep up as we are doing, Mr Speaker, Sir, the international pressure and also take measures as we are doing right now in the country, to advance the cause; to keep up the pressure and to take all measures as we are doing for the UK to withdraw its colonial administration over the Chagos Archipelago.

Mr Speaker, Sir, it has been a long and arduous struggle. We all are aware of the many landmark dates which all of us who have been here in this House for a long time remember: 1982, the law was amended, a Select Committee was set up; 1991, the Constitution was amended to make of Mauritius a Republic. In 1991, Government amended the Constitution when SAJ was the Prime Minister of this country, and in the definition of State, we included the Chagos Archipelago and in the Constitution also in 1991, the Select Committee was set up. All these were landmark dates, Mr Speaker, Sir. Unfortunately, time constraint will not permit us to go through all this. Even last year, the Prime Minister came with a Motion to include the Chagos Archipelago in one of our Constituencies. This is what I mean. All these measures that were taken locally, Mr Speaker, Sir, and also on the international level, to which I will come in a few minutes, to pursue this struggle.

We have been using, in fact, every opportunity to internationalise this issue and to get support from friends and the regional organisations. The African Union, the Non-Aligned Movement, as you will remember, expressed unanimous support for us on the Chagos issue, Mr Speaker, Sir.

We started with the famous judgment in 2015. The Marine Protected Area, you will remember, Mr Speaker, Sir, the Permanent Court of Arbitration ruled that this Marine Park was created in violation of international law. It started in 2015.

Then, in 2016, when Sir Anerood Jugnauth, for the first time, publicly announced his determination to pursue the struggle and bringing this matter at the United Nations General Assembly, and the years went by, Mr Speaker, Sir.

Subsequently in 2017, by a margin of 94 to 15 countries and 65 abstentions, the UN General Assembly asked the International Court of Justice to give an Advisory Opinion on the legal consequences arising from the separation of the Chagos Archipelago from Mauritius before our country's independence.

Mr Speaker, Sir, on 25 February 2019, in its Advisory Opinion, the ICJ's ruled that the Chagos Archipelago is and has always been part of our country and had been unlawfully excised from our territory.

The UNGA adopted by an overwhelming majority of 116 to 6 votes A/RES/75/295 to give effect to the Advisory Opinion of the ICJ.

So, Mr Speaker, Sir, what I mean to say when I am going through history a little is that it is clear that under international law, Mauritius is the only State lawfully entitled to exercise sovereignty and sovereign rights over the Chagos Archipelago.

Therefore, the UK is neither in a position to claim any rights nor to act as the authority to approve visits to the Archipelago or to issue stamps or coins, Mr Speaker, Sir. And as the hon. Prime Minister rightfully reminded us in February 2020, the UN published this updated world map where the Chagos Archipelago is clearly depicted as part of Mauritius and no longer as the so-called British Indian Ocean Territory, in line with this resolution of the General Assembly.

And then came this Universal Postal Union case of 27 August of this year, Mr Speaker, Sir, when this specialised body held its congress in Abidjan and adopted by a majority, as the hon. Leader of the MMM just said before me, of 77 votes a decision, according to which the UPU will no longer register, distribute or forward postage stamps issued by the so-called British Indian Ocean Territory. This decision is in compliance, of course, with the UNGA regulations, which instructs the UN and the Special Agencies to recognise Mauritius' sovereignty over the Chagos Archipelago and refrain from recognising or implementing any measure taken by or on behalf of the so-called British Indian Ocean Territory.

So, it is the Resolution of the UN General Assembly, Mr Speaker, Sir, which instructed the United Nations and all the Agencies to recognise our sovereignty over the Chagos Archipelago and refrain from recognising any measure or implementing any measure taken by the so-called British Indian Ocean Territory.

As a matter of fact, Mr Speaker, Sir, many UN Specialised Agencies, including the FAO, have taken a range of significant measures in line with the UN General Assembly Resolution and in the days, in the weeks, in the months to come, there will be other international bodies which will continue to go along this line and to take decisions in line with the UN General Assembly Resolution, which, in fact, will mean the weakening, the isolation of the United Kingdom on the international claim.

Mr Speaker, Sir, it is unfortunate that the UK continues to remain in a denial mode despite our several requests to bring itself into full compliance with international law and terminate its unlawful occupation of the Chagos Archipelago, which the International Court of Justice, the International Tribunal for the Law of the Sea (ITLOS), has determined to fall exclusively within our sovereignty.

What is, therefore, the situation today? We have a defiant, anachronistic and increasingly isolated resistance to relinquish control over the Chagos Archipelago and, in fact, this is tantamount to double standards, Mr Speaker, Sir. UK will be continuingly and knowingly in breach of international law and its reputation continues to be damaged in a strategically vital part of the world.

Mr Speaker, Sir, to come to the Bill itself, I will agree with the hon. Member who before me said that there have been pre versions of this Bill. But in fact, all this has been done *dans le souci de perfectionner ce projet de loi*, Mr Speaker, Sir. There is nothing wrong. We have all been in this House. We have seen how many bills have been withdrawn and a fresh version has been presented to the House. *Mais tout ceci, dans le souci*, with the aim of coming before the House with a better legislation, which will avoid in the future other criticisms or even other challenges before higher jurisdiction.

So, Mr Speaker, Sir, the Bill is a logical sequence to the resolutions of the General Assembly, the determination by the ICJ and the ITLOS tribunal. It is consistent with the international moves made by our country as I said, particularly with the UN specialised agency for ensuring the implementation of these revolutions, because we cannot, Mr Speaker, Sir, on one hand invest an enormous amount of diplomatic capital in advancing our just and legitimate sovereignty, internationally we keep pressurising without respite the UK on all possible international fronts in relation to the Chagos Archipelago. We cannot do this on one hand and on

the other hand, we condone, we tolerate, we ignore activities which seek to weaken this very cause, including the high moral and legal grounds, which underpin it.

The Bill in effect, Mr Speaker, Sir, is creating a new offence as abundantly elaborated upon by the Prime Minister under the Criminal Code Act. It targets the activities of a person who acts at the behest of a foreign State. "Foreign State" has been defined as you can see in the Bill - who produces, distributes supplies or markets any coin, stamp, official map and so on as we can see in the law, which in any manner misrepresents or conveys misleading information to the public about the sovereignty of Mauritius over any part of its territory, which adds in fact to the denialism strategy of the administrative power.

Mr Speaker, Sir, it is in fact necessary to introduce such a punitive system on this type of denialism and ensures the end, the cessation of all actions intentionally or recklessly which promotes it.

The revised version of the Bill, Mr Speaker, Sir, has in fact been narrowed to ensure it is primarily and foremost directed against the administrative power, which is the UK and towards conduct that would intentionally or otherwise, mislead or misinform public opinion, and cause harm or be prejudicial to the sovereignty of our Republic. And as the Prime Minister took the pain to underline, Mr Speaker, Sir, the high importance, the fact that this Bill has no incidents whatsoever on our traditional rights and freedom which as we know, are a prized element of our democracy.

Sovereignty, Mr Speaker, Sir, goes to the heart of what it means to be independent. Sovereignty is indivisible and neither can be traded or negotiated. And precisely, Mr Speaker, Sir, the main object of this Bill is therefore to make powers available for dealing with certain activities directed against the integrity and sovereignty of Mauritius over the Chagos Archipelago.

This Bill when passed, Mr Speaker, Sir, will safeguard the sovereignty and the integrity of Mauritius and ensure that no prejudice is caused to its sovereignty. This Bill will ensure the initiation of criminal proceedings against persons or entities acting on behalf of a foreign country which issue stamps or coins or other objects on behalf of the so-called BIOT and map publishers which purport to misrepresent the Chagos Archipelago as a British territory.

Mr Speaker, Sir, it is my considered view also that this Bill passes the test of necessity and proportionality. I fully support this Bill and I hope this House will by general consent see that it is passed as we agree with the Opposition unanimously.

Before I conclude, Mr Speaker, Sir, it is my duty to thank all those who have advanced the cause of the Chagos Archipelago and who have been by the side of the Chagossians, Mr Speaker, Sir. Many of them are no longer here, Mr Speaker, Sir, the Michel brothers, the previous orator himself and many others, Mr Bancoult and these old Chagossians ladies, Mr Speaker, Sir, whom we still remember although there are no longer with us.

But, I would like to specifically acknowledge the leadership of the hon. Prime Minister in his relentless pursuit against odds of this vital question until real progress is achieved. Unfortunately, we cannot say ‘has been achieved’ because there is still some way to go, Mr Speaker, Sir. And the hon. Prime Minister, as we all know follows in the footsteps of his beloved father, the former Prime Minister, Sir Anerood Jugnauth, whose decades-long stewardship in advancing our Chagos Archipelago struggle has been instrumental in reaching where we are today and whom history will remember and revere as the Father of the complete decolonisation of Mauritius.

I have done. Thank you, Mr Speaker, Sir.

(5.48 p.m.)

Mr D. Ramful (First Member for Mahebourg & Plaine Magnien): Thank you, Mr Speaker, Sir. Let me right from the very outset state in very clear terms, Mr Speaker, Sir, that we, the Labour party, we are going to vote for the amendment. I think there is consensus in the House that this is a legitimate move that would render illegal and unlawful any Act that would in one way or the other undermine the sovereignty of our territory as defined under the Constitution.

Just for the purposes of the record, Mr Speaker, Sir, we know that in 1992 our Constitution was amended to make it clear that Tromelin Island and the Chagos Archipelago, including Diego Garcia forms part of our territory and therefore, it is only legitimate to hold that any official document or object be it stamp, coins or map that misrepresents our territory is not within the spirit of our Constitution, and therefore ought to be declared illegal.

The hon. Prime Minister has extensively elaborated on the circumstances which have led to the proposed amendment. He talked about the UK persistently, producing stamps and coins, undermining our sovereignty on Chagos. And I therefore, fully endorse the purport of amendments that are being brought by the hon. Prime Minister.

Hon. Paul Bérenger, who is very well versed on the *dossier* of Chagos has also made certain pertinent questions, which I believe requires serious consideration by Government as well.

However, Mr Speaker, Sir, we also have to bear in mind that our Constitution also guarantees the freedom of expression. And I see *avec raison* that this Bill, which was introduced on two previous occasions, on 10 July 2020 and 24 August 2020 had to be withdrawn, readjusted, and amended so that the Section that we are today introducing does not infringe someone's freedom of expression.

However, I see that the definition of a foreign State has been restricted to a State which has been the subject of a determination by an International Court or tribunal holding that it has no valid claim to sovereignty over any part of the territory of Mauritius. The only two foreign countries, as far as I can remember, against whom we have had disputes about sovereignty and where determinations have been made by international tribunals are the United Kingdom and recently the Maldives. For the UK, we have had the UN Arbitral Tribunal Ruling on 18 March 2015 which is binding and which the UK has recognised declaring the Marine Protected Area incompatible with the United Nations Convention on the Law of the Sea.

In fact, history will recall and it is important that we place on record that this ruling was, in fact, the turning point in our claim to sovereignty over Chagos. This was the first time that an international tribunal where two dissenting Judges ruled that the excision of the Chagos from the territory of Mauritius was unlawful. This was the first time in our long fight over sovereignty of Chagos that we felt some hope and I heard the hon. Vice-Prime Minister who intervened just before me, expressing his gratitude to everyone but he forgot unfortunately to recognise here the contribution of the then Prime Minister, Dr. Navin Ramgoolam, who was the one behind this case that we brought before the UN Arbitral Tribunal. With the arbitral ruling, the then Prime Minister laid the stepping stone in our struggle for Chagos. The proceedings and records produced before the tribunal bears testimony, Mr Speaker, Sir, of the circumstances in which the

Mauritian leaders at that time were arm twisted into the deal to detach Chagos for the independence of Mauritius.

Then, we had the Advisory Opinion of the ICJ issued on 25 February 2019, stating in no uncertain terms that the occupation of the Chagos Archipelago by the UK was unlawful. And here, we have to place on record the determination and passion of late Sir Anerood Jugnauth for his participation and contribution in the proceedings and deliberations before the ICJ. So, these were, Mr Speaker, Sir, the two instances where so far as the UK is concerned, tribunals of the UN have recognised our legitimate and unquestionable claim for sovereignty on the Chagos Archipelago.

As far as the Maldives is concerned, we have had the ruling of the International Tribunal for the Law of the Sea, setting aside the preliminary objection raised by the Maldives that the UK was an interested third party and the tribunal went on to reaffirm the sovereignty of Mauritius over the Chagos Archipelago in line with the Advisory Opinion of the International Court of Justice.

There have been – I think the hon. Prime Minister mentioned it - further important and recent developments as well that would justify, in my opinion, the amendments that are being brought to our law, firstly, in February 2020, the UN cartographic designation, the new map of the world which recognises the Chagos Archipelago as forming part of the Mauritian territory. I remember, in fact, the hon. Prime Minister announced this on the National TV *en plein confinement*, the decision of the UN cartographic. Secondly, more recently, in August 2021, we have had the specialised UN agency, the Universal Postal Union formally acknowledging that the Chagos Archipelago is an integral part of the territory of Mauritius and that it will no longer register, distribute or forward postage stamps issued by the BIOT.

Therefore, as far as the UN is concerned, Mr Speaker, Sir, mails from the Chagos Archipelago can only bear the stamps of Mauritius. My only qualms, Mr Speaker, Sir, – with regard to this amendment – is that we have restricted the definition of foreign state to those countries where there has been an award against them but we also have to think about the issue concerning Tromelin. The co-management agreement of the island is yet to be ratified by the French National Assembly and therefore, as far as Tromelin is concerned, we still have some unfinished businesses.

To finish, I will also stress on one last point before I conclude. Today, it is commendable that Government has decided to come before the Legislative Assembly to seek approval to criminalise an action by a foreign State that seeks to undermine our sovereignty and rightly so because when it comes to sovereignty and territory, this is an issue of national interest. In the same spirit, I think it is also advisable that in a democracy like Mauritius, Government should also seek the approval of the Legislative Assembly when it makes any kind of dealing with any foreign country, be it a friendly country with regard to any part of our territory.

Any dealing with regard to our territory - and obviously I am here referring to Agalega - behind the back of our people, is an act which is as much reprehensible as misrepresenting our sovereignty.

Thank you, Mr Speaker, Sir.

Mr Speaker: Hon. Mrs Koonjoo-Shah.

(6.00 p.m.)

The Minister of Gender Equality and Family Welfare (Mrs K. Koonjoo-Shah): Mr Speaker, Sir, allow me to thank you for granting me the opportunity to bring my contributions to the debates on the Criminal Code (Amendment) Bill. Mr Speaker, Sir, the first paragraph of our Constitution states that, I quote –

“Mauritius shall be a sovereign democratic State, which shall be known as the Republic of Mauritius.”

The significance of this sentence is that we have achieved our independence and we take decisions for our country in a democratic manner. This is how we are recognised throughout the world as the Republic of Mauritius, Mauritius being the main island. Mauritius being the main island and according to our Constitution, Mauritius includes Rodrigues, Agalega, Tromelin, Cargados Carajos and the Chagos Archipelago, including Diego Garcia.

Mr Speaker, Sir, everybody would remember having seen a set of very pretty postal stamps depicting sea slugs and angelfish and, indeed, it did look very nice. But what some might not have paid attention to was the literature on stamps and its implications. Similarly, there could be a chance that this Criminal Code (Amendment) Bill 2021 is being brought to the Assembly today for debates. Some might just see a three-page Bill with an insert of only one new section,

that is, Section 76B. This piece of legislation, especially the amendment being brought, goes far beyond and deeper than a three-page Bill, Mr Speaker, Sir.

The House will recall that the Universal Postal Union referred to as the UPU, which is the United Nations' agency in charge of the world's postal policies, voted to block the use of UK stamps from the Chagos Archipelago in August this year, implying thereby that all posts from the Chagos Islands must now bear stamps of the Republic of Mauritius and not those of the so-called British Indian Ocean Territory. Following this ruling by UPU, BBC's correspondent, for Africa, Mr Andrew Harding, said that, and I quote –

“The near unanimous vote by the UPU to make those stamps illegal worldwide, is a blow to Britain, and another sign of its growing isolation over its claim to the Chagos Islands.”

This ruling, Mr Speaker, Sir, by the UPU that Mauritian stamps and postcodes will, now, henceforth, be used for postal dealings of the Chagos Archipelago is yet another landmark ruling. And commenting on the latter to the international Press, our hon. Prime Minister stated that, and I quote again –

“This is another big step in favour of the recognition of the sovereignty of Mauritius over the Chagos.”

The matter at hand was, and is, about recognition of the sovereignty of Mauritius. Very few would have observed this, Mr Speaker, Sir, and I am allowing myself to strongly stress upon this point in case the enormity of this ruling would have escaped the attention of some.

Sovereignty, Mr Speaker, Sir, in essence, under international law, is a power and right to govern, recognise or effectively assert in respect of a defined part of the globe. A fundamental principle of international law is that a State can generally control activities within the territory over which it has sovereignty. The Criminal Code (Amendment) Bill 2021 refers to, and I quote –

“Misrepresenting the sovereignty of Mauritius over any part of its territory...”

Mr Speaker, Sir, in my very humble opinion as a fairly new parliamentarian, I have to admit that I feel rather disappointed by the very timid participation from the other side of the House to what can only be termed as one of the historical outcomes of our arduous fight for the sovereignty as a nation.

Mr Speaker, Sir, one of the main objectives of this Bill is to criminalise any act that misrepresents or provides misleading information about the sovereignty of Mauritius over any part of its territory. And to appreciate the significance of this Bill, we should understand the circumstances in which this Bill has been brought to the House by the hon. Prime Minister today. We should recall the circumstances in which we achieved independence and the fights of successive governments as far as our territories are concerned.

Mr Speaker, Sir, this Government does not recognise the British Indian Ocean Territory created in 1965 to excise the Chagos Archipelago from the territory of Mauritius. Thousands of inhabitants were shamefully, forcefully uprooted from their homeland. Despite the promise that they would be allowed to return, they have repeatedly been barred through many subterfuge from returning to their homeland, which, in effect, amounts to a basic human right violation.

Mr Speaker, Sir, the Chagos Archipelago forms an integral part of the territory of Mauritius under both the Mauritian law and the international law. This Criminal Code (Amendment) Bill is therefore another logical; it is a natural step in the fight of an entire nation in ascertaining the rights of our beloved Republic over its territories.

And, Mr Speaker, Sir, while we are on the topic of patriotism, I believe it is most befitting at this juncture to pay tribute to late Sir Anerood Jugnauth, Queen's Counsel, who, as the only surviving participant of the 1965 negotiations in London, donned his lawyer's gown in February 2019 and opened the oral hearings before the International Court of Justice in Hague. Late Sir Anerood Jugnauth unambiguously demonstrated at the International Court of Justice (ICJ), how Mauritian representatives were threatened not to be granted independence should they not agree to the dismemberment of Mauritius. I quote –

“It was real blackmail.”

And he also quoted what Mr Harold Wilson told the Mauritians –

“If you do not agree to what I'm proposing about the Chagos Islands, then forget about independence.”

Mr Speaker, Sir, late Sir Anerood Jugnauth in a style unique to himself captured the essence of this human tragedy and the top Court at the United Nations ruled that the Archipelago is legally a part of Mauritius and also advise Britain to hand over the islands, and I quote –

“as rapidly as possible.”

This advisory opinion has been a tremendous victory against this injustice. The fight for sovereignty over our territories requires a perpetual, a sustained, a relentless engagement of our political leaders, irrespective of party politics. And, Mr Speaker, Sir, giving credit where it is due, the House will recall that it was the then former Prime Minister, Navinchandra Ramgoolam, in 2010, who initiated a case against the UK before the Permanent Court of Arbitration.

Mr Speaker, Sir, hon. Paul Bérenger earlier started his intervention by saying that he will be encouraging a unanimous vote for this piece of legislation, and also stated that his Party was the first political party that set the ball rolling as far as discussions on sovereignty of Chagos is concerned. Mr Speaker, Sir, logic and perhaps etiquette would demand that the hon. Member, Paul Bérenger, at least, congratulated the Prime Minister for bringing this historical piece of legislation today. And I would like to reassure the hon. Member, Paul Bérenger, that this Government, with the support of an entire nation, will carry on forward on this journey while ensuring that our diplomatic relations are preserved. In fact, the Government has been congratulated by international instances for the courteous and diligent manner with which we have handled this delicate matter so far, and we shall carry on our fight very respectfully.

Mr Speaker, Sir, our journey to complete sovereignty over our territories has been in fact even, more so, now, it has been riddled with adversity, sometimes with very thinly veiled threats. We all need to be warriors when it comes to our claim of sovereignty over the Chagos Archipelago and that is why we have to salute, we have to command the determination of our Prime Minister as the Leader of the Government, but also as the Leader of the MSM Party to carry forward the legacy left by late Sir Anerood Jugnauth in his quest for complete decolonisation and sovereignty over our territories and restoration of the rights of the Chagossian people.

Mr Speaker, Sir, I will conclude by saying that this Bill is one of the many testimonies of our Prime Minister’s unflinching, his relentless commitment to fight for a just cause that goes beyond party politics. It is all about patriotism and love for our Motherland. Over the past decade, we had recourse to all international instances in our fight for the truth and righteousness.

Mr Speaker, Sir, during our intervention and speeches, we have this habit, this good habit, I should say, of quoting famous figures in this Assembly. But, with your permission, Mr

Speaker, Sir, I would like to end with a statement by none other than our Prime Minister, and I quote –

« *Je suis déterminé malgré l'adversité. Je continue à voir comment organiser une visite sur l'Archipel. Aussi longtemps que je vivrai, nous regagnerons le territoire.* »

Allow me to put on record, Mr Speaker, Sir, my admiration and my pride to our Prime Minister for bringing this historical piece of legislation to the House.

Long live the Republic of Mauritius. And I thank you for your attention.

Mr Speaker: Hon. Ramchurrin!

(6.12 p.m.)

Mr P. Ramchurrin (Third Member for Savanne & Black River): Thank you, Mr Speaker, Sir.

Mr Speaker, Sir, it is with immense honour and gratitude that I am addressing this august Assembly on this very important piece of legislation. The Bill presented will certainly mark a major step towards consolidating our lawful claim around our territorial sovereignty and I will endeavour to contribute constructively to today's debates. From the very outset, let me commend the hon. Prime Minister for presenting this Bill which will aim to further protect our nation's sovereignty.

Mr Speaker, Sir, until 1810, Mauritius was a French colony called *Isle de France*. When the Island was ceded to the British, the Commander of the French forces quite generously agreed to introduce Article 8 in the Act of *Capitulation* which stated -

« *Les habitants de l'Île de France pourront conserver leurs lois, coutumes et religions.* »

Most of those laws dealt with criminal law and procedure. The majority laws that were enacted in Mauritius between 1810 and 1840 were set out in two columns; one in French and one in English and the most noteworthy being the Penal Code Ordinance of 1838 which is now our Criminal Code.

In 1968 when Mauritius gained independence, it was endowed with a written Constitution which is the Supreme Law. The existing laws Order in Council was to the effect that the existing laws would continue to remain in force unless inconsistent with the

Constitution. After independence, the Penal Code has been re-enacted as the Criminal Code. The Criminal Code has undergone a number of amendments but the changes in the criminal law have been made by special laws such as the Dangerous Drugs Act. Quite often, the changes effected in the criminal law have been influenced by a standard-setting at the international level.

Over the years, the Criminal Code has been subjected to a number of amendments with a view to keep up with the development in the maintenance of law and order. The law is a dynamic discipline and not static. So it needs to be amended to reflect contemporary challenges. But, unfortunately, some of the Members of this House seem to be static and old fashioned and some are even criticising the changes that have been proposed in this Bill as an attempt to our Freedom of Expression.

Mr Speaker, Sir, today, we are facing testing times and there is a historical cry for the law to be revisited in order to protect our territorial sovereignty. The decision of the International Court of Justice on the Chagos Islands has in fact completed our independence and reinstated our sovereignty over the territories which were previously occupied by the British under the cloak of what they termed as the British Indian Ocean Territories (BIOT) which quite rightly Mauritius never agreed to.

It has been noted with concern that recently some enemies, I would say, the enemies of the State, have tried to distort the truth about our territorial sovereignty and some have taken the liberty to insult our Statehood. Others are trying to print documents to mislead the world about our geographical characteristics.

For 50 years, the United Kingdom has sheltered itself in a series of parliamentary debates, internal discussions, bilateral meetings and English Supreme Court or High Court judgements with the ultimate view to delay the truth coming out.

However, in 2019, following a long fight undertaken by the Government under the Prime Ministership of hon. Pravind Kumar Jugnauth, the International Court of Justice (ICJ) Advisory Opinion and UN General Assembly resolution have ended this long standing litigation by advising that the UK claim to sovereignty was not valid and that Chagossians would have to be granted the right to abode and settlement, hence ending the process of decolonisation of Mauritius, which started in 1968.

Mr Speaker, Sir, following long periods of Dutch and French occupation from 1638 to 1810, there followed 157 years of British colonial rule. Throughout that period, the Chagos Archipelago was always an integral part of Mauritius and was treated as such by successive administering powers.

Let me reiterate, Mr Speaker, Sir, the aim is sole and specific, namely to protect the sovereignty of our Republic from any misinformation. They have been shouting loud that there is a hidden agenda or coming up with frivolous conspiracy theories as being aired by certain from the Opposition side. Mr Speaker, Sir, one argument that the Opposition keep using by airing on any platform they can, be it on social media platforms, newspapers, radios or even international news, is that through our Government's actions, their freedom of expression is under attack.

Indeed, it has been their favourite argument for many years now and for some more experienced Opposition Members, for many decades now. Many Governments in other countries have found it difficult to deny that they have been, in fact, suppressing the freedom of expression of their people and press to the point that not even a single person would dare to express an opinion. However, what we observe here in Mauritius is that for years and sometimes decades, some Members have been voicing out their opinions even more vehemently through even more varied communication platforms.

The honest fact, Mr Speaker, Sir, is that they have an almost daily and sometimes hourly presence on certain radios, newspapers or even social media. In fact, the Opposition has only been using the argument of freedom of expression as a rhetorical argument without any substance. The very fact that they are louder outside this Assembly and on so many platforms without any disturbances or issues is the proof that their freedom of expression is in fact increasing.

What this Government has not done, unlike a certain former Prime Minister, well, this is to curtail the press freedom to the extent of arresting journalists in 2009, 2010 and 2012 and some private radios of course and newspapers on which they are now enjoying plenty of coverage.

Moreover, Mr Speaker, Sir, what I also find appalling is that some Opposition Members keep referring to the fundamental rights of freedom of individual. Indeed, the freedom of expression is enshrined in our Constitution and gives –

“Freedom of conscience, of expression, of assembly and association and freedom to establish schools.”

Perhaps, some Members can stop reading selectively or maybe to ensure that they actually read and understand that the paragraph of Chapter 2, Section 3 of the Constitution ends as follows -

“The provisions of this chapter shall have effect for the purpose of affording protection to those rights and freedoms subject to such limitations of that protection, as contained in those provisions, being limitations designed to ensure that the enjoyment of those rights and freedoms by any individual does not prejudice the rights and freedoms of others or the public interest.”

Indeed, as I mentioned earlier in my intervention, the purpose of this legislation is to protect our public and the Republic’s interest by ensuring that at no moment any information of our sovereignty is deliberately negatively altered in the prescribed formats by the legislation.

Mr Speaker, Sir, the Exclusive Economic Zone spans over 2.3 million square kilometres, and I would like to refer to hon. Lobin who mentioned on a radio programme that the legislation should specify that it will only be applicable from the UK's claim of the existence of the BIOT.

Mr Speaker, Sir, this does not stand as an argument. Any legislation cannot be passed with a specific mention that is only applicable for the UK's claim on the BIOT.

As a reminder, in addition to the main island, the Republic of Mauritius includes –

- The islands of Cargados Carajos, the Saint Brandon group of 16 islands which lie 402 km North;
- Rodrigues Island, situated 560 km at the North-East;
- Agaléga located on 933 km to the North, and
- Tromelin to the North West.

If we are agree to this argument, it would mean having a legislation which does not allow misleading information on our sovereignty of the Chagos Archipelago but plainly accepting a misleading statement over our other islands such as Rodrigues and Agaléga.

Hence, anyone could print a map mentioning that Rodrigues is an American or British territory and we would not be able to legally act upon it. The Constitution also defines clearly the Republic of Mauritius and I quote –

“(...) the islands of Mauritius, Rodrigues, Agaléga, Tromelin, Cargados Carajos and the Chagos Archipelago, including Diego Garcia and any other island comprised in the State of Mauritius.”

Hence, this legislation protects our whole EEZ, the Exclusive Economic Zone and the territorial sovereignty by not excluding any territory unlike what some Members would have done, which demonstrates their illogical approach.

Mr Speaker, Sir, I would urge Members not to indulge in fear-mongering campaign within the population as they so often have done with previous legislations.

Hence, by virtue of Section 10 of the Constitution, every person charged with a criminal offence is recognised the following rights among others –

- Right to be afforded a fair hearing within a reasonable time by an independent and impartial tribunal;
- Right to be informed of the nature of the offence;
- Right to Freedom;
- Right to be presumed innocent, and
- Right to be given adequate time and facilities for the preparation of his defence.

Mr Speaker, Sir, the right to equality with the Court and to a fair trial is guaranteed by our Constitution. The judiciary is underpinned by the core values of independence, impartiality and integrity which are vital for the effectiveness of the right to a fair trial, even if an individual is arrested for an offence under the proposed legislation.

Mr Speaker, Sir, it is a matter of great pride for our Republic that on February 2020, the United Nations released its revised map where it clearly states that the Chagos Archipelago is under the territorial sovereignty of the Republic of Mauritius.

Mr Speaker, Sir, it is indeed a huge historical milestone. In fact, Mauritius was between 1638 and 1810 under both Dutch and French population followed by British colonial rule between 1810 and 1968 where the country gained independence. Throughout 1638 to 1967, that

is, for 329 years, the Chagos Archipelago had always been an integral part of Mauritius on any maps and was treated as such by successive administering powers.

However, following an incision in 1967 and after 53 years of a long arduous fight led by late Sir Anerood Jugnauth and now by hon. Pravind Kumar Jugnauth, the Chagos Archipelago are now back on the United Nations' map as a territory of Mauritius.

Mr Speaker, Sir, history is the sole witness that when the Labour Party was in power, the Chagos Archipelago were rescinded from the newly formed Republic of Mauritius. However, we are proud that this side of the House, the MSM Party, of course, is now gradually changing the course of history mainly through the bold actions of late Sir Anerood Jugnauth and now the Prime Minister, hon. Pravind Kumar Jugnauth in their struggle of the Chagos Archipelago to be returned to Mauritius.

This legislation is the further consolidation of our claim and that nobody can be allowed to misinform with regard to the supreme issue of our Republic's territorial sovereignty.

As very famously said by Mark Twain and I quote -

“In the beginning of a change, the patriot is a scarce man, and brave, and hated and scorned. When his cause succeeds the timid join him, for then it costs nothing to be a patriot.”

The hon. Prime Minister, a patriot to the core, has demonstrated throughout the years, his courage in taking the bold but necessary initiatives to protect the nation. He has been and is still being unjustly and illogically criticised by certain Members who have never demonstrated a sense of purpose and audacity to do the right thing however difficult it might be. Hence, I invite timorous Members to join us as the cause has succeeded and it costs nothing to be a patriot.

M. le président, la souveraineté d'une nation est difficilement éradicable. Elle existe tant qu'il existe des hommes et les femmes prêts à lutter pour la préserver. Si isolés soient-ils, nous ne sommes à mon avis pas isolés mais je pense que sur ce sujet de loi, l'Opposition doit faire cause commune et merci de le faire, d'entendre certains membres à être positif pour cette cause. L'effort est aussi amené pour prévenir toute limitation interne de la souveraineté, toute soumission rampante et on peut compter sur le Premier ministre à ce sujet.

Mr Speaker, Sir, on this side of the House, we are resolute, however difficult it is and however long it takes, we will work the long way towards full sovereignty together with our population.

With this, Mr Speaker, Sir, I will say long live Mauritius. I am done, Mr Speaker, Sir. Thank you.

(6.30 p.m.)

Mr R. Uteem (Second Member for Port Louis South & Port Louis Central): Mr Speaker, Sir, this Bill reinforces the sovereignty of Mauritius over its territory. I am glad that this Bill is supported by MP's from all parties on all sides of this House.

The object of the Bill, Mr Speaker, Sir, is to criminalise the production, and distribution of objects, maps, coins, and documents which misrepresent the sovereignty of Mauritius over any part of its territory.

Mauritius is defined in our Constitution to include the island of Mauritius, Rodrigues, Agaléga, Tromelin, Cargados Carajos and the Chagos Archipelago, including Diego Garcia.

I did not know myself what was Cargados Carajos. In fact, this is what we call Saint Brandon. So, one would have expected, Mr Speaker, Sir, that when we are bringing a Bill which will criminalise misrepresentation of the sovereignty of Mauritius over any part, that this Bill will have to cover misrepresentation of the sovereignty of Mauritius over the island of Mauritius, of Rodrigues, Agaléga, Saint Brandon, Chagos Archipelago and also Tromelin. I single out Tromelin because there is a dispute between Mauritius and France over the sovereignty of Tromelin.

However, when we turn to the provisions of the Bill, the proposed new section 76B (2) of the amendment to the Criminal Code defines "foreign State" as 'a State which has been subject to a determination by any international court or tribunal that it has no valid claim to sovereignty over any part of the territory of Mauritius.'

So, this definition of "foreign State" is very limitatively defined as a State which has been the subject of an adverse decision by a Court, and as at now, there is only one such State, which is Great Britain. This definition does not cover France. This definition does not cover any other State, including the United States of America, or all the States that vote against us, be it

Australia, Israel, Hungary, and the lot which consistently vote against Mauritius. So, the Bill only will criminalise the production and distribution of stamps, maps, coins and other documents which are funded by the UK.

Now, I hope in his summing-up, the hon. Prime Minister will tell us why Tromelin has been left out of the Bill. And also what the hon. Prime Minister intends to do to assert Mauritius sovereignty over Tromelin.

Mr Speaker, Sir, on 08 November 1965, the British Indian Ocean Territory Order in Council was made. It detached the island of Chagos Archipelago from Mauritius, and Aldabra, Farquhar and Desroches from Seychelles. It created a new territory known as the British Indian Ocean Territory.

The British have always claimed that in September 1965, during the Constitutional Conference at Lancaster House on the forthcoming independence of Mauritius, there was a meeting between representative of the Mauritian Government and the Colonial Secretary, at which the detachment of the Mauritius Islands was discussed. The British have always claimed that the Mauritian Ministers present in London agreed to the detachment of Chagos Island in return for up to three million pound in compensation. The agreement was formalised in February 1966. Between 1968 and 1971, the United Kingdom Government secured the removal of the population of Diego Garcia mostly to Mauritius and to the Seychelles. A small population remained on Peros Banhos and Solomon Islands, but they were evacuated by the middle of 1973. The Chagossians were never consulted. They were uprooted and deported. And in the word of Lord Hoffmann, the removal and resettlement of Chagossian was accomplished with a careless disregard of their interest.

In fact, the UK Government refused to acknowledge that there was any indigenous population for which the United Kingdom had a responsibility although they knew full well, because there was a survey prepared by Mr Robert Newton from the Colonial Office in 1964. So, the British knew full well that in 1964, there was a total population of 1,364 Chagossians living principally on Diego Garcia, Peros Banhos and Solomon. The UK Government lied about the existence of the Chagossian population. They lied because they were afraid of the Soviet Union and other non-aligned supporters who could use the presence of Chagossians to block the constitution of a military base on Diego Garcia.

Indeed, Mr Speaker, Sir, Article 73 of the United Nations Charter imposes an obligation on the Member State which has assumed responsibilities for the administration of territories whose people have not yet attained a full measure of self-government, to promote the well-being of the inhabitants of these territories and act in their utmost interest. Therefore, if there were Chagossians, the British authorities had a responsibility under Article 73 of the United Nations Charter to look after the best interests of these people and, therefore, they could not have uprooted them and handed over Diego Garcia to the Americans to build a military base. So, the United Kingdom lied and pretended that there were no permanent inhabitants on Chagos Archipelago.

To just give you an example of how the Chagossians were treated in those days by the colonial masters, allow me, Mr Speaker, Sir, to quote how the then Permanent Under-Secretary of the Foreign Office, Mr Greenhill, in a correspondence, referred to the natives of the Chagos Archipelago. He said, and I quote –

“Unfortunately along with the birds [referring to Chagos], go some few Tarzans or Man Fridays whose origins are obscure, and who are hopefully being wished on to Mauritius (...).”

This is how our brothers and sisters from Chagos were treated by the colonial masters. And when the Chagossians arrived in Mauritius, they lived mostly in slums of Port Louis in considerable poverty. Their conditions were miserable.

As hon. Paul Bérenger stated, it was only in the mid-seventies that the MMM brought the whole issue of sovereignty of Chagos on the agenda again. And, Mr Speaker, Sir, we are very proud that in 1982, a daughter of Chagossian was elected under the banner of MMM-PSM alliance; hon. Arianne Navarre-Marie who sits in this august Assembly remains the youngest ever MP to have been elected to this august Assembly, and we are very proud to have her among our midst.

Mr Speaker, Sir, Mauritius has continuously contested UK's sovereignty over the Chagos Archipelago. We were coerced. We were coerced into giving up our Islands. We acted under duress. It was the price to pay for our independence. The separation of the Archipelago was in violation of several UN Resolutions on decolonisation, including Resolution 1514 passed on 14 December 1960, which banned the breaking up of colonies before independence.

Our quest for the recognition of our sovereignty over the Chagos took a twist for the better when, in December 2010, Mauritius initiated proceedings under Article 287 of the United Nations Convention on the Law of the Sea to challenge the legality of the Marine Protected Area, which the UK had purported to establish around Chagos Archipelago. The arbitral tribunal unanimously held that that Marine Protected Area violated international law. But two judges, although minority in that arbitral tribunal award, also referred to the illegal excision of the Chagos Archipelago from Mauritius, and this led to the events that unfolded after that. The Government took the bold decision to go along with the advice of Prof. Philippe Sands QC and requested an Advisory Opinion from the International Court of Justice on the legal consequences of the separation of Chagos Archipelago from Mauritius in 1965.

In 2017, the United Nations General Assembly voted to refer the Advisory Opinion to the International Court of Justice. On 25 February 2019, the International Court of Justice issued its historical opinion by 13 judges to 14, telling us that Chagos Archipelago was and has always been an integral part of the territory of Mauritius.

A few months later in May 2019, the United Nations General Assembly adopted a Resolution to give effect to the Advisory Opinion and requested the United Kingdom to withdraw its colonial administration within a period of six months, which ended on 27 November 2019. Unfortunately, Mr Speaker, Sir, the United Kingdom has shamelessly refused to implement the Resolution of the United Nations.

It is also very important, Mr Speaker, Sir, to note that the United Nations General Assembly called upon the United Nations and all its specialised agencies as well as all other international, regional and intergovernmental organisations to recognise that Chagos Archipelago forms an integral part of the territory of Mauritius.

After that landmark decision, the United Nation published its new map, map number 4170 and for the first time under the islands Chagos Archipelago there was the word ‘Mauri’, short for Mauritius. Previously, instead of Mauritius there was a note saying which read: “Chagos appears without prejudice to the question of sovereignty.” So, that was a landmark decision that for the first time the United Nation in the world map recognised that Chagos Archipelago belongs to Mauritius and this is why in the Bill today before the House it is being

made a criminal offense for anyone to pretend otherwise, for any map of the world sponsored by the Government of England to portray that Chagos is not the territory of Mauritius.

Some more good news, Mr Speaker, Sir, on January earlier this year, the Special Chamber of International Tribunal for the Law of the Sea delivered its judgment on the preliminary objection raised by the Maldives on the case brought by Mauritius under the United Nations Convention of the Law of the Sea for the delimitation of the maritime boundary between Mauritius and the Maldives. The special chambers ruled that the UK's continued claim to sovereignty over Chagos Archipelago was contrary to the advisory opinion of the International Court of Justice and against the United Nations Assembly Resolution.

In August 2021, the Universal Postal Union adopted by a majority of 77 votes to 6 with 41 abstentions that UPU will no longer register, distribute or forward postage stamps issued by the so-called British Indian Ocean territory. This decision is also very important for the purpose of this Bill because this Bill is going to criminalise any person sponsored by the British Government, including those who print stamps in trying to assert that the Chagos Archipelago belongs to the British Indian Ocean Territory because only Mauritius can print stamps to be used over Chagos Archipelago.

Mr Speaker, Sir, I would like to here place on record our deepest appreciation and gratitude for the legal team who has been representing us before the various Courts and tribunals led by the abled Professor Sands but also our local lawyers and in particular Mr Dheeren Dabee, Senior Counsel former Solicitor General and his team as well as our permanent representative to the United Nations Mr Jagdish Koonjul who is in this House today and his team for all the good work that they have been doing for the recognition of the sovereignty of Mauritius over Chagos Archipelago and which they will continue to do until the Chagos are returned to Mauritius.

Mr Speaker, Sir, the Bill before this House makes it an offence as I stated to print, distribute stamp, coins which misrepresent the sovereignty of Mauritius. Any lawyer will tell you that it is extremely difficult to enforce a law with extraterritorial effect. You need to prove that it was the Government of England who has given instruction to print the map, to mint the coin, to print the stamp and the offence most probably is committed outside of Mauritius. So it is very difficult for Mauritius to enforce a law with extraterritorial effect, it is very difficult to convict and punish a criminal who has committed an offence outside of our borders.

Yet, with this Bill we are sending a strong signal. We are sending a strong signal to the British Government and all its contractors that we will spare no effort to enforce our sovereign rights over Chagos Archipelago. Mr Speaker, Sir, passing this Bill is important but not enough. We should continue our diplomatic effort for all States to recognise our sovereignty. Like hon. Paul Bérenger pointed out the fact that there were 41 abstentions during the vote taken at the level of the Universal Postal Union, including some of our closest allies, some people with whom we have very ancestral relationship like France, strong diplomatic relationships show that we still need to convince our allies to enforce our legal rights over the Chagos Archipelago.

In this respect, Mr Speaker, Sir, as I have stated the issue of sovereignty over Chagos is an issue which cut across party lines. When Sir Anerood Jugnauth – who I salute his contribution in getting Mauritius to where we are in terms of sovereignty over the Chagos especially his very abled submission before the International Court of Justice – when Sir Anerood Jugnauth was Prime Minister, he setup an All Parliamentary Party Committee which discussed strategy and action with regard to the sovereignty of Mauritius over Chagos Archipelago. I was privileged to be part of that committee together with hon. Paul Bérenger for the MMM. There were also representatives from all parties represented in Parliament in that Committee.

Unfortunately, we no longer have such a committee and yet, Mr Speaker, Sir, the issue of sovereignty is a national issue above party politics. It is not too late, there on both sides of the House people who master the subject, who have ideas, who can definitely assist Government in asserting sovereignty over Chagos Archipelago and Tromelin and I make an appeal to the Prime Minister to reconstitute this All-Party Parliamentary Committee.

Mr Speaker, Sir, I would end by paying tribute to all the Chagossians and well-wishers who have been struggling for the right to return to the Chagos Archipelago. They have gone on strike, they have been persecuted, they have challenged the mighty Great Britain before the English Courts, many have lost their lives along the way. I have in mind, the likes of Mrs Aurélie Talate, Mrs Rita Bancoult, Mrs Charlesia Alexis, Mrs Anzie Jaffar, Rita Issou, Liseby Elysé, Mimose Furcy, Ti Frère Saminaden and Fernand Mandarin to cite just a few.

The struggle continues under the abled leadership of Olivier Bancoult, their fight for a return to Chagos Archipelago has been systematically frustrated by the British Government and unfortunately by a majority of Law Lords in the House of Lords. Today, Mr Speaker, Sir, we

take a pledge that it will be a Mauritius Government who will allow them to visit their place of origin, the land of their ancestors Chagos Archipelago an integral part of the territory of the Republic of Mauritius. Thank you.

Mr Speaker: Hon. Balgobin!

(6.50 p.m.)

The Minister of Information Technology, Communication and Innovation (Mr D. Balgobin): Thank you, Mr Speaker, Sir, at the very outset I welcome the amendments to the Criminal Code which have been brought to the House by the hon. Prime Minister which is yet another effort of this Government to establish the sovereignty of the Republic of Mauritius. I seize this opportunity to congratulate the hon. Prime Minister for his relentless efforts to win this long-standing battle which Mauritius has engaged with a view to completing our decolonization process by restoring our sovereignty over the Chagos Archipelago and as history has shown, it was the warhorse of late Sir Anerood Jugnauth. *D'ailleurs M. le président, feu Sir Anerood Jugnauth avait en 2018 choisi de se revêtir de sa toge d'avocat pour son plaidoyer en faveur de la souveraineté de Maurice sur les Chagos devant la Cour Internationale de Justice à La Haye.*

Mr Speaker, Sir, in his address before the International Court of Justice on 03 September 2018 for an advisory opinion on the unlawful excision of Chagos Archipelago from the territory of Mauritius to create the so-called British Indian Ocean Territory, late Sir Anerood Jugnauth stated, and I quote –

“Today Mauritius is a peaceful and stable democratic State. It has maintained excellent relations with all States concerned with the questions referred to the Court. However, I am sorry to say that more than 50 years after independence, and more than 50 years after I travelled to London for the Constitutional Conference, the process of decolonisation of Mauritius remains incomplete as a result of the unlawful detachment of an integral part of our territory on the eve of our independence.”

These efforts have led to the Advisory Opinion on 25 February 2019 by the ICJ, which found, *inter alia*, that the process of decolonisation of Mauritius was not lawfully completed when the country acceded to its independence in 1968 when the Chagos Archipelago was

detached from Mauritius, and where the ICJ concluded that UK is under the obligation to bring to an end to its administration over the Chagos as rapidly as possible.

This was followed by the United Nations General Assembly resolution on 22 May 2019 to give effects to the Advisory Opinion of the ICJ. In its resolution, the United Nations General Assembly called upon all its member states and its specialised agencies to recognise that the Chagos Archipelago form an integral part of the territory of Mauritius. In this context, the Universal Postal Union adopted a resolution at its 27th Congress, held in August this year on the implementation of the United Nations General Assembly resolution which is, yet, another international support to the fight for the recognition of the Chagos Archipelago as a Mauritian territory.

Mr Speaker, Sir, allow me to elaborate on the Universal Postal Union (UPU), which was established in 1874, that long ago. And UPU is the second oldest international organisation worldwide after the ITU, which is the International Telecommunication Union. The UPU currently has 192 members and after our independence, Mauritius became a member on 29 August 1969. The organisation fulfils an advisory, mediating and liaising role and provides technical assistance where needed. It sets the rules for international mail exchanges and makes recommendations to stimulate growth in mail, parcel and financial service volumes and improve the quality of service of customers. As a United Nations specialised agency, the UPU is required to cooperate with and assist the UN and its principal and subsidiary organs and therefore brought the matter to its primary governing body, that is the congress for a decision.

Mr Speaker, Sir, the Chagos Archipelago was previously recognised as a part of the overseas territory of the United Kingdom. Let me highlight it again, that in May 2019, following the Advisory Opinion of the ICJ, the United Nations General Assembly instructed the UN and all the specialised agencies to recognise Mauritius sovereignty over the Chagos Archipelago and refrain from recognising or implementing any measures taken by or on behalf of the so-called British Indian Ocean Territory (BIOT).

According to a UPU document of Council of Administration that was published in March 2021, there are two International Mail Processing Centres (IMPCs) that have been established on the Chagos Archipelago and the so-called British Indian Ocean Territory. One established by the designated operator of Australia, Australia Post, in 2021. The other one was established by the

Royal Mail, the designated operator of the United Kingdom in 2003. Moreover, in the past UPU had registered and distributed postage stamps under the postal operator known as the so-called British Indian Ocean Territory.

Mr Speaker, Sir, the resolution adopted by the UPU at its 27th Congress held in August, provides for the following –

- (a) the UPU formally acknowledge henceforth that, for the purpose of its activities - so all activities relating to the post - the Chagos Archipelago forms an integral part of the territory of Mauritius;
- (b) the International Bureau of the UPU should cease the registration, distribution and forwarding of all postage stamps issued by the so-called BIOT, and
- (c) no UPU documentation should include any reference to the so-called BIOT or to the Chagos Archipelago as part of a member country of the UPU known as the overseas territory of the United Kingdom of Great Britain and Northern Ireland.

So, Mr Speaker, Sir, this decision was taken by member countries and pass with 77 votes in Abidjan, in August. And as mentioned by many orators before me, only 6 votes went against those resolutions.

It is imperative to underline that the UPU has now stopped registration, distribution and transmitting stamps bearing the word ‘BIOT’. Following this resolution, Mauritius has now, the duty to ensure the implementation and therefore as part of the resolution to report to the UPU on the international postal operation in the Chagos Archipelago, what is happening there, because they are not allowed anymore to use any stamps except those from Mauritius.

An article published on the BBC website on 25 August of this year, stated and I quote –

“the near unanimous vote by the UPU to make those stamps illegal worldwide, is a blow to Britain, and another sign of its growing isolation over its claim to the Chagos Islands.

All indications so far show that the Chagos issue Britain has almost no allies left - and is alone in this battle.”

Mr Speaker, Sir, it is very clear today that we have important international instances, as I mentioned earlier, ICJ, the United Nations and through its specialised postal agency, the UPU,

that have firmly stated their position to support Mauritius against the so-called British Indian Ocean Territory. They no longer recognise the BIOT; the more by the UPU, the second oldest International Organisation is in recognition of Mauritian sovereignty over the strategically important islands of the Indian Ocean.

This is why the amendments brought to the Criminal Code before the House today by the hon. Prime Minister, which will criminalise any action resulting to the production, distribution, supply or marketing of any document or object, including stamps, which gives a misrepresentation of the sovereignty of Mauritius, are therefore in line with the decision and action taken by these international instances.

As I mentioned earlier, Mr Speaker, Sir, this fight to restore our sovereignty over the Chagos Archipelago, was one which late Sir Anerood Jugnauth had at heart, and it is our duty to honour his legacy for the fight of all the Chagossians, for the fight of all the citizens of Mauritius, for the fight of the Republic of Mauritius and for the fight of the sovereignty of our territory. And this reminds me of the words of Nelson Mandela, who said, and I quote -

“To deny people their human rights is to challenge their very humanity.”

Mr Speaker, Sir, this Government, under the very able leadership of the Prime Minister, will never give up this fight for the sovereignty of our territory and for the justice to be given to the Chagossians, our people, and we all, here, in this House, we tell the hon. Prime Minister: ‘You will never walk alone.’

Thank you, Mr Speaker, Sir.

Mr Speaker: Hon. Lobine!

(7.04 p.m.)

Mr K. Lobine (First Member for La Caverne & Phoenix): Thank you, Mr Speaker, Sir.

Mr Speaker, Sir, the PMSD will vote for this Bill. I have listened very passionately to the speech of hon. Paul Bérenger, former Prime Minister. Thank you for sharing your vast experience and knowledge to this House on this very important issue which concerns all Mauritians and also I have listened to the elegant speech of the hon. Prime Minister on this Bill, and I must say that we are all united in this august Assembly to support all efforts being put in by

the Government, by the hon. Prime Minister to vindicate our sovereignty on the Chagos Archipelagos.

As it has been the case in the past, Mr speaker, Sir, when the people of this country have been united in supporting the efforts of previous Governments, former Prime Minister, hon. Paul Bérenger, former Prime Minister, Dr. Navin Chandra Ramgoolam, former Prime Minister, late Sir Anerood Jugnauth, in their quests to go the extra mile to take legal actions before international forum against the UK and, at this stage, it must be pointed out that the game-changer, in my humble opinion, Mr Speaker, Sir, is the legal struggle that was the initiative of the former Prime Minister, Dr. Navin Chandra Ramgoolam, to challenge the setting up of the marine park by the British Government by taking the issue to the International Tribunal For The Law of the Sea, as established by the United Nations Convention on the Law of the Sea (UNCLOS). This victory, Mr Speaker, Sir, gives hope that the larger battle could be won as a window of opportunity had been opened for the Mauritian State to explore to the full all legal avenues for completing the decolonisation process. Thereafter, Mr Speaker, Sir, successive Governments continued the fight, and the unflinching determination and the moves that were made by the former Prime Minister, late Sir Anerood Jugnauth, and the current hon. Prime Minister to obtain a UN resolution, which was successful, and has led to the International Court of Justice, giving an advisory opinion in favour of Mauritius. And, Mr Speaker, Sir, the results are now indicative as to what we can achieve as a nation when we all join hands together to defend our Motherland and stand and support our Chagossian brothers and sisters.

The backdrop to this Bill, Mr Speaker, Sir, are the various legal battles that we, as a nation, have won against the UK. For instance, it is also worth pointing out that, in 2019, an advisory opinion by the International Court of Justice (ICJ), endorsed by the UN General Assembly, found the UK in breach of international law by seeking to maintain its claim to the Archipelago of Chagos. The UK ignored the ICJ and the UN opinions dismissing them as purely advisory which prompted our country to go to the International Maritime Court to press its claim. We did so by asking the Maritime Court, Mr Speaker, Sir, to resolve its separate maritime dispute with the Maldives, the other nearest island to the waters around our Chagos Archipelago. The Maldives, Mr Speaker, Sir, most probably, under the influence of the United Kingdom, had tried to fend off the involvement of the Maritime Court, by saying there was an existing sovereignty dispute between the UK and Mauritius over the Chagos Islands, which meant it did

not need to negotiate with Mauritius but, Mr Speaker, Sir, by 8 votes to 1, the Maritime Court, in a one-hour judgement, ruled in favour of Mauritius, rejecting all the jurisdictional objections the Maldives had raised.

The UK has been urged, Mr Speaker, Sir, to end its unlawful occupation of the Chagos Islands after Britain's claim to sovereignty over the Chagos Archipelago was comprehensively rejected by the United Nations special International Maritime Court in Hamburg. The rejection of the UK's claim, Mr Speaker, Sir, was made by the special Chamber of the International Tribunal for the Law of the Sea which ruled that Mauritius was right to claim the Chagos Islands in line with previous international Court rulings. The judgement also determined that the Maldives could not avoid negotiating its maritime boundaries with Mauritius by saying there was a valid live dispute over the sovereignty of the Chagos Islands between UK and Mauritius. And, Mr Speaker, Sir, if the UK persists in its current position, it will be knowingly in breach of International Law and its reputation damaged. The more so, Mr Speaker, Sir, the UK being a permanent member of the United Nations Security Council, the UK should, first and foremost, have set the good example of following international law. The best thing it could do was to facilitate negotiations between Mauritius and the United States of America over the future of the US base on Diego Garcia. I take it that the hon. Prime Minister, during his meeting at the COP26 Conference in Glasgow, with the Prime Minister of the UK, has made this point very clear and, Mr Speaker, Sir, the International Tribunal of the Law of the Sea would now delimit the maritime boundary between Mauritius and Maldives on the basis that the Chagos Archipelagos was Mauritius territory. So, Mr Speaker, Sir, this revised and third version of the two previous Criminal Code (Amendment) Bills now brings clarity and certainty as to our continued effort to explicitly cement our sovereignty on Chagos Archipelago.

Mr Speaker, Sir, this Bill, through the introduction of a new Section 76 (b) to our Criminal Code, as per Clause 3 of this Bill, will make it a criminal offence to produce or circulate materials that would question the sovereignty of Mauritius over any part of its territory. I am of the humble view that this version of the Bill, which has changed dramatically since the first version appeared way back in 2020, as couched now, makes it clearer about producing, supplying or marketing any coin, stamp, official map or technical report or other similar object that question the sovereignty of Mauritius over any part of its territory.

Mr Speaker, Sir, this Bill also departs completely from what were contained in the two previous Bills that were later withdrawn. The hon. Prime Minister has indeed last Tuesday, rightly, made the following statement in this august Assembly that, and I quote –

“The aspects of the Bill that did not involve any act on the part of the foreign State that could potentially adversely impact on arguably genuine exercise of freedom of expression are being no longer proceeded with.”

Instead of prosecuting individuals and persons acting on their own, this Bill, Mr Speaker, Sir, limits prosecutions to people's materials contesting the Mauritian sovereignty over any part of its territory just to those acting on behalf of a foreign State. And in this Bill, Mr Speaker, Sir, clause 3, introducing the new section 76B (2), provides the definition of foreign State as follows, and I quote –

“‘foreign State’ means a State which has been subject to a determination by any international Court or tribunal that it has no valid claim to sovereignty over any part of the territory of Mauritius.’

I would have gone a step further, Mr Speaker, Sir, by clearly inserting the United Kingdom as being the foreign State we are referring to.

As far as I recollect, the UK is the only country that has so far suffered legal reversals of such a nature, as described in the proposed clause 3 falling within the definition thereof.

But, Mr Speaker, Sir, I am also of the view that this Bill will be limited in its applicability though. How would you go about and prosecute if the offence is been committed outside Mauritius? If say, it is committed in the UK, would our country get mutual legal assistance from them to bring anyone that has offended under this law?

Be as it may though, Mr Speaker, Sir, this piece of legislation, this third and revised version of the Criminal Code Amendment Bill is commendable. Having taken into account suggestions and criticisms made with regard to the two previous versions of the Bill, we shall all as Parliamentarians and as a nation stand united to always enhance and exercise our sovereignty over the Chagos Archipelago.

I shall, thus, also on behalf of the PMSD, Mr Speaker, Sir, and from this side of the House, reiterate our support to vote for this Bill and stand united with our Chagossian brothers

and sisters in their continued fight to resettle on the Chagos islands and to stand by our country to exercise our sovereignty on the Chagos Archipelago.

I thank you, Mr Speaker, Sir. God bless our country!

Mr Speaker: Hon. Mrs Diolle!

(7.15 p.m.)

Mrs T. Diolle (Fourth Member for Belle Rose & Quatre Bornes): M. le président, le projet de loi qui a été circulé dans cette auguste Assemblée marque un moment historique de l'histoire de la souveraineté et territorialité de notre République. La République de Maurice est une jeune nation de 50 ans. Une nation qui a subi, sans contestation, avec le support justement des Nations Unies, une violation à son droit à l'autodétermination. Il est un fait que notre République a été, comme on dit en anglais, *coherced* à donner une partie de son territoire en échange de son indépendance.

Ce fait n'est plus à être établi. La Cour internationale de Justice et la résolution qui a suivi des Nations Unies juste après, le 22 mai 2019, a établi les faits. L'île Maurice compte parmi son territoire les îles des Chagos ; l'Archipel des Chagos. En tant que jeune nation, il était essentiel que notre Parlement, à l'unanimité, supporte ce projet de loi. Donc, il faut féliciter toutes les parties présentes de leur soutien et de leur patriotisme face aux géants contre qui nous devons lutter.

M. le président, ce projet de loi parle de timbres, de *coins*, de documents officiels, mais ne sous-estimons pas l'importance de ces objets quand on parle de la souveraineté et de la territorialité d'un pays. Ce sont les premiers objets qui reflètent la souveraineté d'un pays. Un pays, quand il veut affirmer son appartenance, la première chose qu'il fait, il fait des timbres, il fait de la monnaie, il imprime des documents officiels. Toutes les correspondances doivent marquer le territoire dont fait partie sa nation.

L'île Maurice, une jeune nation qui a eu le support des pays non-alignés et les pays de l'Union africaine. Fait historique, M. le président, puisque depuis que les Nations Unies ont eu comme responsabilité d'assurer la décolonisation du monde, une injustice a été faite, mais à ce moment précis, les Etats qui ont été décolonisés n'avaient pas le pouvoir politique ou militaire de s'imposer à ce moment précis.

Rappelons-nous du contexte dans lequel la décolonisation de notre pays et le démembrement des Archipels des Chagos ont été faits. C'était au lendemain de la guerre froide, M. le président ; à un moment où il y avait deux blocs politiques qui se battaient pour de l'influence. L'Organisation du traité de l'Atlantique Nord (l'OTAN) avait vu naissance. L'OTAN a été mise sur pied pour que les pays de l'Europe occidentale, avec le soutien des États-Unis, s'assurent que l'Union soviétique respecte les accords de paix mais aussi qu'elle ne succombe pas à la tentation d'aller envahir les pays européens occidentaux.

L'article 1 de la Charte des Nations Unies qui donne le droit à l'autodétermination, ce qu'on appelle le *self determination*, aux États, a été fait avec à l'esprit les pays de l'Union européenne qui ont souffert de l'invasion de de l'Union soviétique. Historique, M. le président, que 50 ans après, ce soit l'île Maurice, un pays qui fait partie du bloc des non-alignés, qui *put to task* la Grande-Bretagne quant à l'article 1 de la Charte des Nations Unies.

Ce qui est déconcertant, M. le président, c'est que la première conférence pour la paix entre les nations date de 1819. Il y a eu des évolutions. Cent ans après, 1919, ils commencent à trouver un accord ; un accord qui n'a pas pu empêcher la Seconde Guerre mondiale, M. le président.

Après la Seconde Guerre mondiale, le monde se dit ça suffit. 51 pays dit ça suffit, plus de guerre. Nous allons vers une culture institutionnaliste où tous les conflits seront résolus par des institutions, par le dialogue, où nous respecterons ce qu'on appelle l'État de droit, *the Rule of Law*, où les Etats acceptent de plier à ce qu'on appelle le *Rule of Law*, M. le président.

Cette institution devient les Nations Unies. Elle a pour une des premières tâches, la décolonisation. Maurice se sent lésé. Cette même institution qui a permis le démembrement des Chagos à l'île Maurice affirme maintenant que nous avons toute la souveraineté sur ces îles. Nous faisons face, M. le président, à une situation sans précédent. La situation est que les Nations Unies ont passé une résolution où tous ces organismes, y compris l'Union postale des Nations Unies, décident d'implémenter ce jugement de territorialité. Et nous voici dans une situation où les États-Unis et l'Angleterre, dans un climat géopolitique changeant, décident de ne plus se plier aux accords multilatéraux dont ils ont eux-mêmes été fondateurs.

Que faire dans cette situation ? L'île Maurice a pris la décision de l'institutionnalisme. Elle décide de continuer sa voie qui est d'utiliser les Nations Unies et toutes les institutions qui

ont été mises sur pied 50 ans de cela pour s'assurer que nos pays vivent en paix et que chaque partie du monde ait droit au *Rule of Law*.

À chaque fois, M. le président, qu'un État qui est jugé faible, un État qui n'a pas le dessus, fait appel aux Nations Unies, elle renfort cette institution. Ne sous-estimons pas l'apport de cette loi et l'apport de ce combat au niveau international. Par cette loi et ce combat, nous faisons que renforcer ces institutions qui sont les Nations Unies et la Cour internationale de justice. Nous mettons les pays membres fondateurs devant un fait accompli. Il est vrai que nous ne pourrions pas aller en guerre. Nous n'avons pas d'armée. Il est vrai que nous n'avons pas le temps pour forcer les autres États à se plier aux décisions de la Cour internationale de justice.

Mais sommes-nous à cette époque, M. le président? Rappelons-nous que le temps a été formé en 1949. De 1949 à 2021, n'avons-nous pas développé une culture institutionnelle suffisante pour que des États membres qu'ils soient petits ou grands puissent résoudre les conflits par la Cour internationale de justice? Ne sommes-nous pas à une époque où une simple résolution des Nations Unies qui passe à majorité 115 États? Ne sommes-nous pas à une époque où c'est suffisant pour que l'île Maurice ne se laisse pas faire et ne baisse pas les bras? Parce que nous devenons un symbole pour l'Afrique, nous devenons un symbole pour le mouvement non-aligné, M. le président.

Personnellement, j'apprécie que toutes les parties présentes dans cette auguste Assemblée se rallient derrière notre Premier ministre sans considération partisane, parce qu'il s'agit avant tout de l'histoire de notre nation qui a 50 ans et qui après 50 ans, décide de s'affirmer et réclame son droit à l'autodétermination. C'est-à-dire, elle veut pouvoir faire usage de son territoire comme bon lui semble.

M. le président, mais cependant il y a eu quelques arguments, pas pour des raisons politiques, qu'il faut quand même réfuter. Par exemple, l'honorable Paul Bérenger, - j'imagine que ce n'est pas exprès, qu'il a dû mal lire les documents - parle de la BIOT qui a voté lors du vote de l'Union postale des Nations Unies. Mais ce n'est pas vrai, M. le président. C'est l'*overseas territory*, c'est-à-dire la Grande-Bretagne et le Northern Island qui ont voté parce que la BIOT a été bannie depuis la résolution de 22 mai 2019. Si vous ne voulez pas me croire, M. le président, il ne faut que consulter le document de vote qui est devant moi et c'est un fait. Il fallait rectifier cela, parce que c'est *misleading*, parce que cela aurait impliqué qu'une agence des

Nations Unies ne respecte pas la résolution de l'Assemblée générale des Nations Unies qui est institutionnellement impossible, M. le président.

La deuxième chose, c'est cette comparaison persistante avec le Tromelin. Je pense qu'il faut clarifier certaines choses parce que c'est une comparaison qui peut amener des confusions conceptuelles. La souveraineté de Tromelin a été réclamée par la France en 1716. Le cas de l'archipel des Chagos s'est produit après que les Nations Unies soient mises sur pied et qu'il y ait eu une résolution justement de par le monde pour la décolonisation. Et les documents officiels du gouvernement anglais démontrent que tout a été fait pour masquer la vérité au niveau des Nations Unies et faire croire qu'il n'y avait pas de population indigène. Ce sont deux cas différents, M. le président. Deux cas différents, puisque le deuxième cas est une violation directe à cet Article 1. C'est une tentative malicieuse qui a été documentée de démembrer le territoire mauricien de l'Archipel des Chagos alors que Tromelin c'est une dispute qui date de 1716. Donc, institutionnellement, si on remet dans le contexte des lois de convention et des articles même de la Charte des Nations Unies, ce ne sont pas deux cas qui sont directement comparables comme le dit Osman Mahomed, *it is not apple with apple*.

Donc, j'ai pensé qu'il fallait rétablir certains faits non pas pour contredire qui que ce soit puisque les débats étaient intéressants et que cette Chambre a fait preuve de patriotisme jusqu'à l'heure. Donc à aucun moment, que ce soit les membres du gouvernement, n'a l'intention de se disputer contre une opposition qui agit de façon patriote et qui se rallie derrière notre Premier ministre dans ce combat qui ne sera pas des moindres.

Le timing, M. le président, je diffère sur cette question. La question : est-ce que c'est le bon timing ? Monsieur, c'est le meilleur timing qu'on puisse avoir parce que depuis le démembrement de l'archipel des Chagos de Maurice, il y a eu le *Brexit* où historiquement, Monsieur, c'est la première fois qu'un juge...

Mr Speaker: Vous voulez dire, M. le président ?

Mrs Diolle: Excusez-moi ! Je m'excuse, mais vous savez que je parle de vous. C'est ça qui compte. Je m'excuse. Donc pour revenir, historiquement, M. le président, c'est la première fois que la Grande-Bretagne, suivant le *Brexit*, n'est pas représentée sur la Cour internationale de Justice. M. le président, les États-Unis, sous l'administration de Donald Trump, ont tendu leurs relations avec le temps. Ces deux pays ont, en quelque sorte, tourné le dos aux accords entre

plusieurs pays. Donc, c'est historique pour nous, M. le président, parce que les forces, dont les leaders se trouvent principalement de notre côté du monde, l'océan Indien, ont monté en puissance et nous parlons des pays comme l'Inde.

Historique pour nous, M. le président, parce que la question de notre positionnement géopolitique est plus que jamais pertinente. L'action de notre Premier ministre pour la nation mauricienne aujourd'hui détermine notre positionnement géopolitique à long terme. N'ignorons pas ce qui se passe autour de nous quand il s'agit de *world order*. Les choses changent et nous nous positionnons avec ce courage, cette détermination comme une nation qui a fait 50 ans d'indépendance réclame son droit à l'autodétermination mais qui se renforce dans sa position de pays non-alignés, de ce mouvement. Nous nous positionnons comme un petit pays qui a un réseau suffisamment grand, qui est l'Afrique et les pays non-alignés qui ont voté unanimement en notre faveur. Nous nous positionnons comme un pays qui a de l'influence au niveau international. Et aussi nous nous positionnons comme un pays qui a fait que les pays européens se sont abstenus pour beaucoup de voter contre nous et ce principe d'autodétermination. Nous nous positionnons comme un pays où des pays du *Commonwealth*, M. le président, se sont abstenus et n'ont pas pris parti avec l'Angleterre. Nous nous positionnons historiquement comme ce pays. Histoire connaît l'île Maurice et son territoire pour son importance géographique et géopolitique. Dorénavant, on parlera de l'île Maurice comme symbole de l'autodétermination et le pays, petit oui, mais qui a osé rallier, rassembler derrière lui tous les pays non-alignés et l'Union Africaine pour qu'on soit respecté 50 ans après la décolonisation des différents territoires à travers le monde.

La démocratie, M. le président, est un *ongoing process*, et nous participons à la consolidation des Nations Unies et la Cour Internationale de Justice. Nous ne savons pas de quoi sera fait demain mais la question que je veux poser : est-ce que nous pensons sincèrement que les deux berceaux de la démocratie continueront de façon persistante à ne pas suivre le *Rule of Law*. Qui nous a appris le *Rule of Law*, M. le président ? C'est l'Angleterre ! C'est un principe anglais ; c'est l'Angleterre qui a inspiré Montesquieu, qui ensuite est allé inspirer les États-Unis et la Révolution française. Donc, est-ce que cette situation va perdurer, je ne pense pas, M. le président. Parce que cela voudra dire que les pays occidentaux ne sont plus fidèles à leurs principes et le premier principe est le *Rule of Law*. C'est pour cela que je félicite notre Premier ministre d'avoir été un digne représentant de la nation mauricienne et nous comptons sur cette

détermination pour continuer à donner forme à ces institutions internationales puisque le mouvement des pays non alignés, que tous les pays qui ont été colonisés sont en train de s'imposer à travers le monde.

Le *world order* est en train de changer et notre positionnement devient de plus en plus pertinent. Donc, félicitations à la nation mauricienne pour ce combat, félicitations à ce Parlement de voter unanimement pour une loi qui va nous projeter vers l'avenir.

Merci, j'en ai terminé, M. le président.

Mr Speaker: Hon. Members, I suspend the Sitting for one hour and a half hours.

At 7.34 p.m., the Sitting was suspended.

On resuming at 9.43 p.m. with the Deputy Speaker in the Chair.

The Deputy Speaker: Thank you very much. Please, be seated. Hon. Bodha, I call upon you for your debate!

(9.43 p.m.)

Mr N. Bodha (Second Member for Vacoas & Floreal): Thank you, Mr Deputy Speaker, Sir. We always say that, at the National Assembly, we write history at every moment that we discuss about the future of our country. Today, this is one of the most important dossiers in the history of Mauritius, the dossier regarding the Chagos; it spans over 50 years. It relates to our brothers and sisters in Peros Banhos, Salomon, Diego Garcia who were uprooted from their paradise island to the slums of Pointe aux Sables and Roche Bois. It relates to issues which were discussed at the General Assembly of the UN. It also relates to cases which were heard in The Hague.

It also relates to the biggest build up in modern military history with the Gulf War where the build-up was in Diego Garcia, but this is a very important piece of legislation. It is symbolical. It is simple, it is focused but it says, in a very clear and strong manner, that Mauritius is speaking with one voice in Parliament today and we are speaking in one voice to our people and to the people on the international scene.

The Chagos issue has been, I would say, one of the most important dossiers of all Prime Ministers and it is a good thing that the Prime Minister today came with this piece of legislation.

All the Prime Ministers we have had have taken this dossier at heart for the right of return of the Chagossian Community but above all for the sacred issue of sovereignty of Mauritius over the Archipelago. This dossier he has also led our leaders in 1965 to the Constitutional Conference of Lancaster. It has also taken some of our Prime Ministers to the White House with talks with the President of the United States and recently, the Prime Minister has met the Prime Minister of the UK, Boris Johnson. I sincerely hope – I will discuss this matter later – that we may have talks in Washington between the Prime Minister of Mauritius and the President of the United States of America.

Mr Deputy Speaker, Sir, it all starts with a high military officer in the 50s just after the cold war who comes with a bright idea in his mind, that islands are the most interesting places to have military bases and that is how the US Administration chooses Guam in the Philippines, Okinawa in the Far East, and then, they came to the Chagos Archipelago and to Diego Garcia. That top officer pointed to Diego Garcia and you will see that it is in the middle of the Indian Ocean and they said this is the right place for a military base, amazing build up with trillions of dollars of armament over the years.

Now, how do the British behave all through? It is a history of deceit, of misrepresentation, of flouting international law just like this Bill makes an offense for everyone who flouts international law when it comes to the sovereignty of Mauritius. The British first of all come up with the idea that on the Archipelago you do not have indigenous people; hon. Uteem mentioned it. We talked about Tarzan, Robinson Crusoe and Man Friday. And they flout two Resolutions in the 60s; the first one was about the resolution which said that no colonial power could excise any part of a colony before granting independence. So, that was a general Resolution to safeguard the territorial integrity of the colonies and there was one Resolution specifically on Mauritius, they flout out that as well. And, of course, in 1965, we have the arm-twisting conference where the Prime Minister of Britain says to Sir Seewoosagur Ramgoolam: “Either you go with independence or you go without, depending on what you decide as regard to Diego Garcia.”

Mr Deputy Speaker, Sir, then, in the 70s, we have the Nordvaer, the last boat bringing the Chagossians to Mauritius; from a paradise island where they were living a very simple and

happy life, they are dumped in the Bois Marchand small housing units and in Roche Bois and in Pointe aux Sables, Mr Deputy Speaker, Sir.

We all know the riots, demonstrations; the vigils, the hunger strikes and all those who have made this struggle have kept it alive over years. We had hon. Paul Bérenger, we had other hon. Members mentioning all those periods over years and then we are going to have the period where we are going to take the whole issue of sovereignty on the international front and my other colleagues have already mentioned this. The Prime Minister mentioned all that, we started with International Tribunal for the Law of the Sea, then, we had the UN General Assembly Resolution, we had the Ruling Advisory Opinion of the International Court of Justice who came back to the International Tribunal of the Law of the Sea and, over the years, we have to pay tribute to all the stalwarts, all the Prime Ministers, all the leaders who have made this battle the most important battle in the history of Mauritius.

Today, Mr Deputy Speaker, Sir, we are coming with a Bill which will amend the criminal code, which will criminalise the production, distribution, supply and marketing of coins and stamps, official map, and when it comes to the official map, we relate to the official map which now points to the fact that the Chagos Archipelago belongs to Mauritius. The map of 08 June, where it is written black on white that the Chagos Archipelago falls under sovereignty of Mauritius.

Mr Deputy Speaker, Sir, the Bill also relates to official map or other official object or document. Now, when it comes to document, I thought that the hon. Minister of Information Technology would mention this. We have the issue of the .iO Domain name, which also has to be challenged. He did not mention this, and I am going to address the challenges of the future, Mr Deputy Speaker, Sir. So, I believe that the Bill relates to this document when it says 'document'; so, it is the map, and then to the domain name, which has yet to be challenged because it is a British company called Internet Computer Bureau which says that it has the .iO sale rights.

Mr Deputy Speaker, Sir, a lot has been said about the Bill, about the history, about all the struggle, and I would like to say also that we have had the different resolutions and the British, as I explained, have been flouting international law since the very beginning in the 60s, in the 70s, later when we had rulings of the Court, when we had the judgements, when we had the

resolutions of the UN General Assembly; all the way, the British have been flouting international law. And this Bill comes, in fact, to criminalise the production in specific cases, that is, it relates to official object, to document, to stamp. We have to remember that the first time stamps were made was during the British Empire outside Britain. The first stamps came to Mauritius and they are the famous stamps of the Blue Penny, which have become a worldwide phenomenon. But, then, these are the stamps that are being issued now under the BIOT. These are the stamps that, in fact, flout international law, and this is why the law is being enacted, Mr Deputy Speaker, Sir. So, we had the issue of stamps and coins in total disregard of the UN Resolution 73/295. And the Prime Minister mentioned it; we had *Note Verbales* which were sent with strong objections about those coins and stamps. They were sent in May 2020, asking the UK to withdraw immediately the issues. We had them again in July 2020; we reiterated the requests. There was another note of protest and in June we again requested the UK to take steps to withdraw the stamps. But they have not done so and they continue, as I said, in total disregard of the international rulings; in total disregard of what the ICJ has said; in total disregard to what has been also decided at the level of the United Nations General Assembly.

Now, we have challenged the issue at the Universal Postal Union and there was a vote - I will address the issue of the vote a bit later - and we are thinking, most probably, to challenge the BIOT issue in other cases; for example, the International Civil Aviation Organisation, and raising the issue of international flights over Mauritian space, that is, over the Chagos Archipelago. Now, this is going to be a more complex issue because this no longer relates to the UK only; it relates to other places and in particular to the US base where we all know that there is a formidable armada which has been built up.

So, we have the ICAO, we have this issue, I mentioned, regarding the .io Domain name. We have also the issue of the presence of the BIOT in the Indian Ocean Tuna Commission, where in view of the fact that the BIOT was there, Britain was considered as a coastal State and Britain cannot be considered as coastal State anymore, and can fall under the category of European States fishing in the waters of Mauritius.

Mr Deputy Speaker, Sir, what is the state of play today? Today, we are not talking only of the Indian Ocean; we are talking about the Indo-Pacific. We had, recently, the agreement between Australia, the US, the UK, and we had this issue of the scandal of the nuclear

submarines under contract with France. We know what has happened; the Aukus. We have the China policy in the Indian Ocean and Africa and we have the new relationship between India and the United States of America in the region. I met the chargé d'affaires of the US recently and this issue, of course, was raised. My question is whether, today, Indian navy vessels berth in Diego Garcia. This is a very important question because we have now a new geopolitical situation and we do not talk, as I said, only of the Indian Ocean, but we talk of the Indo-Pacific, that is, the coast of South Africa to the Philippines. And what can be the solution? The solution can be a constructive dialogue involving the United States, the UK and Mauritius. Observers have always said that the level of trust that exists between the UK and the US is such that nobody else can give the assurances that are needed for a base as sophisticated as the base of Diego Garcia, and the UK is the only partner which can give to the United States the reassurances it needs to have this base playing the role it plays in the modern geopolitical scene.

Mr Deputy Speaker, Sir, this is true. We have this issue of the level of trust between London and Washington. But the idea of a constructive dialogue, Mr Deputy Speaker, Sir, between Washington, London and Mauritius can be canvassed, and this could be the position of Mauritius, all of us, because we are speaking with one voice, *sous le parrainage de pays amis*, and I am thinking of India. And if this dialogue can happen, bringing everybody together, it will be a way forward after all that has happened on this dossier over the years. So, I think that we should continue working. We have the Bill, now, of course, and the Bill criminalises a number of issues. It is very clear that when it mentions foreign States, we are mentioning the UK. But the solution out of this in the context of the Indo-Pacific is a constructive dialogue between Washington, Mauritius and the UK. I do not know what has been the outcome of the meeting between the Prime Minister and Prime Minister Boris Johnson in Glasgow; maybe the Prime Minister will enlighten the House on this issue. But I think that one of the ways forward could be this constructive dialogue amongst the States that I have mentioned. I think that our Ambassador in New York is here, and he has done a remarkable job, just like the job that Professor Sands has done over the years to fight our case. I think we can canvass this idea and work with India to be able to find a common initiative so that we can have a solution.

Has there been a change in the US foreign policy with the new President Biden? We know that on the UK side, all the way through, they have said that the sovereignty issue is not an issue for the UK. For them, the Archipelago falls under the jurisdiction of Great Britain. They

have said that all the way. Now, can there be a difference in the way President Biden can consider the presence of the military base, the fact that we have assured the United States that the base can continue?

In the new Atlantic Charter where Joe Biden proclaimed his foreign policy, he said that he would adhere to a rule-based order, that is, he will uphold universal rights and respect the rule of law and that the United States, for him, the difference in the way it will conduct its foreign policy would be to uphold universal rights, respect the rule of law and this will be the abiding advantage of the US. And then, there is a sentence which, I think, is extremely interesting. He declared that, I am quoting -

“The US will again lead not just by the example of our power but the power of our example.”

That is why I am saying that constructive dialogue could be the way forward, Mr Deputy Speaker, Sir. Now, before ending, I would like to mention the vote at the Universal Postal Union.

The Deputy Speaker: Hon. Member, I will just humbly request you to watch your time. I allow you some more time.

Mr Bodha: Yes, I am coming to the end. Mr Deputy Speaker, Sir, it has been mentioned that there was a vote, that 77 countries were supportive of Mauritius; 6, we know *les irréductibles*, the 6 who voted against, then you have 41 abstained and we have 36 which were absent. And, we also mentioned that some of our friends who have been with us all the way, have either abstained or were absent. I have here the list, the way the votes were done. In July 2017, for the First Resolution, in May 2019, for the Second Resolution, where in fact, the Advisory Opinion was proclaimed and you have the resolution of 21 August. So, the first time we got a majority of 94, the second time a majority of 160 and the third time a majority of 77.

What I am saying is that as far as our diplomacy is concerned, we should be able to be more proactive, more active; we should nurture the friendship of Member States. And I will take one example, Mr Deputy Speaker, Sir. In 2003-2004, we had the G90 which was a group of the least developed countries. The ACP and the developing countries, most of them, and Mauritius was the country which was in fact leading the G90 at the WTO talks at the Doha round. We were there, very dynamic and we had 90 countries behind us. We, in fact, had a conference of the

G90 in Mauritius where the Ministry of Commerce of India, the Ministry of Commerce of the US came. So, we were leading there and we had a majority of 90, but then that majority dropped.

What I am saying is we have to continue nurturing the relationship at the level of the ACP, at the level of the African Union, at the level of the Non-Aligned Movement, at the level of regional organisations so that this issue of Diego Garcia and the Chagos is allied up and until we find a solution so that we can exercise our sovereignty over the Archipelago.

Mr Deputy Speaker, Sir, the Prime Minister came with a piece of legislation and it has united all of us. It is a very good thing. It has united our people and it is also time for us to pay tribute to all the Chagossians, the leaders, all those who are not here and to the Prime Ministers, Sir Anerood Jugnauth, Dr. Navin Ramgoolam, all the hon. Prime Ministers, hon. Paul Bérenger, who have had the opportunity to uphold the flag of Mauritius so that one day we will be able to go there and say that this is our land and we are very happy to have it.

Thank you, Mr Deputy Speaker, Sir.

The Deputy Speaker: Thank you. Hon. Dhaliah, please!

(10.07p.m.)

Mr R. Dhaliah (Second Member for Piton & Rivière du Rempart): Mr Deputy Speaker, Sir, it is a privilege for me to add my voice to the debates on the Criminal Code (Amendment) Bill.

At the very outset, I would like to commend the hon. Prime Minister for coming forward with the introduction of this important piece of legislation into the National Assembly. But I must also say, at the very outset, that it is nice to hear speeches in this Assembly about all the Opposition parties saying that they are in favour of the Criminal Code (Amendment) Bill. Hopefully, apart from criticising, they will also lend their support in terms of actions, not only in terms of words, in the sense that we need to progress on this important decolonisation of our Republic.

So, going back to my speech, the object of the Bill, as stipulated in the Explanatory Memorandum is to, I quote -

“amend the Criminal Code to criminalise, *inter alia*, the production, distribution, supply or marketing of any coin, stamp, official map or other official object or

document, which involves certain foreign States and which, in any manner, misrepresents, or conveys misleading information to, the public about the sovereignty of Mauritius over any part of its territory.”

And as rightly pointed out by the Prime Minister, it would not have been appropriate to go ahead with the presentation and debates on this Bill without taking into consideration the latest developments regarding the Chagos Archipelago.

Mr Deputy Speaker, Sir, British Authorities issued a series of stamps in February this year that featured the head of her Majesty, Queen Elizabeth II and depicted sea slugs in the Indian Ocean. Nonetheless, as a result of this near unanimous vote by the Universal Postal Union to make these stamps illegal worldwide, Britain received a major blow. This is yet another sign of its ever-growing isolation over its claim to the Chagos Islands.

In its fight for its full decolonisation, the Republic of Mauritius, Mr Deputy Speaker, Sir, is moving slowly but surely. Time is proving that the MSM and its partners were right in engaging in a historical, international battle for its sovereignty over the Chagos Archipelago. True it is that little Mauritius’ endeavour to make Great Britain understand that it is high time for the restitution of the Chagos Archipelago, is a herculean task.

Mais, nous sommes, comme David, qui ne s’est pas laissé influencer par la taille et la force de Goliath.

Mr Deputy Speaker, Sir, it is not my intention to be nasty but I cannot refrain from going back to the comments and pessimism of some people. Unfortunately, local political leaders and Members who thought and said that our fight for our sovereignty was useless because we would lose the battle. Today, when we see the results of our determination, I am tempted to ask: where are they, these *prophètes de malheur*?

Allow me, Mr Deputy Speaker, Sir, to take only one example of pessimism or should I say *complexe d’infériorité*?

Lors d’une conférence de presse, il y a quelques temps de cela, l’honorable leader de l’Opposition avait, je cite –

« condamné l’attitude adoptée par Pravind Jugnauth envers les États-Unis et le Royaume Uni. »

Il avait même soutenu, je cite –

« Comment est-ce possible qu'un si petit pays comme Maurice aille chercher la bagarre avec l'Amérique, qui est la seule superpuissance qui reste ? Ce n'est pas une façon de faire. Il faut penser qu'aujourd'hui, Maurice ainsi que de nombreux autres pays, sont à genoux face aux États-Unis et à l'Angleterre. Il faut savoir de quelle façon s'approcher pour avoir les Chagos. Je suis surpris que Pravind Jugnauth a une attitude comme celle-ci. Critiquer et insulter ouvertement dans les forums internationaux est dangereux pour nous. »

Avec une telle réaction, un tel complexe d'infériorité et le fait de voir les autres plus grands et plus forts que soit, on comprend mieux toute l'histoire de béquilles.

But, Mr Deputy Speaker, Sir, Members of Government replying to such comments could be perceived as doing politics. Fortunately, the reaction came from a professional of international repute who is not a Member of Government and who has neither been appointed by this Government. I am here referring to Professor Philip Sands, who has been by the side of Mauritius since more than a decade in the fight towards the full sovereignty of Mauritius over the Chagos Archipelago.

At the beginning of this present month, Professor Sands delivered a speech to brief Members of the National Assembly on the Chagos Archipelago. He clearly stated that Mauritius is a well-functioning democracy which has shown to the judges of the world that our country is one that has to be taken seriously, that proceeds with diligence, with care, with integrity and professionalism.

Professor Sands even went further in affirming that many of the judges would have been highly appreciative and impressed by the quality, diligence, respect and courtesy with which Mauritius has proceeded on the Chagos Archipelago issue. Respect and courtesy, Mr Deputy Speaker, Sir!

Mr Deputy Speaker, Sir, the International Court of Justice agreed that though Mauritius gained independence from Britain in 1968, the decolonisation process had not been legally completed because the Chagos islands remained under British control. The Court also ordered

that Britain was obliged to end its administration of the islands as soon as possible. However, this has not yet been complied with.

While the British authorities have turned a deaf ear to the United Nations and are embarrassingly acting in non-compliance with the International Court of Justice's judgment, I am sure that with continuous international pressure, that day is not far when the British administration over the Chagos islands would end.

M. le président, le monde est conscient de la façon scandaleuse dont les Chagossiens ont été traités par le Royaume-Uni et les États-Unis. Ces personnes ont été déracinées de leurs îles, simplement pour faire place à une base militaire. Ces compatriotes ont été abandonnées et pratiquement oubliées. Il y a une myriade d'injustices qui doivent encore être réparées. Ce projet de loi n'éliminera pas les injustices subies par ces personnes mais aiderait considérablement à déterminer ce qui leur revient de droit et qui leur a été refusé à travers les événements scandaleux de la fin des années 1960 et au début des années 1970.

The fight is on, and as the saying goes: 'no retreat, no surrender.'

Mr Deputy Speaker, Sir, earlier on, I quoted the objective of the Criminal Code Amendment Bill, which relates to –

“the production, distribution, supply or marketing of any coin, stamp, official map or other official object or document, which involves certain foreign States and which, in any manner, misrepresents, or conveys misleading information to, the public about the sovereignty of Mauritius over any part of its territory.”

Is it not a step in the right direction for Mauritius when the Universal Postal Union, which is a specialised agency operating under the United Nations for postal matters, officially recognises that the Chagos Archipelago is an integral part of the territory of Mauritius?

In another historic vote at the level of the United Nations, the Universal Postal Union at the 27th Universal Postal Congress in Abidjan, Côte d'Ivoire, decided that it will immediately stop to register, distribute or forward postage stamps issued by the British Indian Ocean territory.

The Chagos Archipelago was formally recognised as being part of the Overseas Territories of the United Kingdom. Following the bold steps undertaken by our former Prime

Minister, late Sir Anerood Jugnauth, and which is being continued by our current Prime Minister, Mauritius has once again made a quantum leap internationally.

Earlier on, several hon. Members already referred to the decision at the Universal Postal Union with 77 votes for; 6 votes against and 41 abstentions. While Mauritius is a Small Island Developing State with limited resources, the political acumen of our Prime Minister and our resolve to fight the prejudice meted out to our Chagossians brothers has finally borne its fruits.

We must not forget, Mr Deputy Speaker, Sir, that in May 2019, following advice from the International Court of Justice, the UN Assembly had already instructed the UN and all of its Specialised Agencies to recognise Mauritius sovereignty over the Chagos Archipelago.

Moreover, all its institutions were also instructed to refrain from recognising or implementing any measure taken by or on behalf of the British Indian Ocean Territory. This landslide victory on the international platform has only been possible due to the relentless effort of this Government and let me assure this House that we will not stop until we succeed in this fight against injustice.

Mr Deputy Speaker, Sir, the fight for the total decolonisation and the full sovereignty of Mauritius over the Chagos Archipelago is not the battle of this Government or the Chagossians and their descents only. *C'est le combat de toute la population de la République de Maurice.*

Since these people have been uprooted from their native land and brought to mainland Mauritius, there has been no difference between them and the people born in Mauritius. Chagossian culture and traditions are part and parcel of our diversity. They have benefited from the same rights and privileges as Mauritians. I have personally been witness to that having myself grown up in the region of Roche Bois, where many Chagossians were part of the community. This has been the case over the years and it will not change.

Likewise, the Chagossians battle for the right to return to their native land is the fight of every one of us. There have been favourable outcomes till now, as rightly said by Professor Sands. We have succeeded in terms of the law and as regards setting the foot on the Chagos Archipelago; it is not a question of whether it will happen, but a question of when it will happen.

So, let us not lose hope that the decolonisation will be complete very soon and that our property rights will prevail. This is supported by the legal framework being provided for in the Criminal Code Amendment Bill.

Mr Deputy Speaker, Sir, with these words, I fully support amendments brought in the Criminal Code Amendment Bill.

Long live the Republic of Mauritius!

Thank you, Mr Deputy Speaker, Sir.

The Deputy Speaker: Thank you very much. Hon. Minister Seeruttun, please!

Mr Seeruttun: 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 Prime Minister: Mr Deputy Speaker, Sir, I beg to move that this Assembly do now adjourn to Friday 26 November 2021 at 3.00 p.m.

The Deputy Prime Minister seconded.

Question put and agreed to.

The Deputy Speaker: Adjournment matters!

Hon. Uteem, who is more senior!

(10.22 p.m.)

MATTERS RAISED

SERGE BARDOTIER STADIUM, TRANQUEBAR - LIGHTING

Mr R. Uteem (Second Member for Port Louis South & Port Louis Central): Je voudrais soulever un problème qui concerne le ministère des Collectivités locales d'une part et le ministère des Sports. Il s'agit du stade de football Serge Bardotier à Tranquebar. Ce terrain sert de centre d'entraînement pour de nombreux clubs de foot de la région de Tranquebar. Les

entraînements se font généralement après les heures de travail jusqu'à huit heures du soir. Cependant, il n'y a plus de spot qui marche. Jusqu'à tout récemment, il y avait 7 tubes qui marchaient sur 18 mais depuis quelques jours il n'y a plus de spot lumineux qui marche. Je fais donc un appel au ministère de s'assurer avec la municipalité de Port Louis pour que le terrain soit éclairé à nouveau. Et, j'en profite aussi pour faire un appel au ministre des Sports pour la construction des vestiaires ou du moins des toilettes qui a été promise à maintes reprises mais jamais concrétisée. Merci.

The Deputy Speaker: Thank you. Hon. Minister, please! Who will take it?

The Minister of Youth Empowerment, Sports and Recreation (Mr S. Toussaint): M. le président, je vais passer le message à mon collègue, le ministre des Collectivités locales.

The Deputy Speaker: Thank you very much. Hon. Fabrice David!

(10.24 p.m.)

MORCELLEMENT SOOBRAH, POINTE AUX SABLES – BUS TRAFFIC

Mr F. David (First Member for GRNW & Port Louis West): Merci, M. le président. Ma requête s'adresse au ministre des Transports terrestres et ce veut être le suivi d'un point que j'ai soulevé à l'ajournement du 03 novembre 2020. À savoir la déviation du trafic de bus à travers le Morcellement Soobrah à Pointe aux Sables. Ce trafic incessant est souvent à vive allure de bus dans une rue trop étroite et en plein quartier résidentiel est une source d'angoisse pour les habitants, d'insécurité pour les piétons, et désormais d'accident pour les automobilistes sans parler de la nuisance sonore de poteaux électriques endommagés ou de la chaussée déformée. Cette déviation qui devait être temporaire dure désormais depuis plus de deux ans et je ne sais plus quoi répondre aux habitants du Morcellement Soobrah. Puis-je demander au ministre où en est ce dossier un an après ma question ? Merci.

The Deputy Speaker: Minister, please! Who will take note?

The Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade (Mr A. Ganoo): Thank you, Mr Deputy Speaker, Sir. I have queried from the officers responsible for the issue which has just been raised by the hon. Member. I am informed that the initial bus route along the coastal road, Pointe aux Sables was diverted along Prison Road into *Morcellement Soobrah*. This was done in view of the

construction of the Pointe aux Sables Traffic Centre and construction of footpaths and drains by the National Development Unit along the Coastal Road, Pointe aux Sables. I am further apprised that the construction of the Traffic Centre has been completed and handed over to the Black River District Council in July 2020. However, the construction of footpaths and drains by the NDU has not been completed as at date. The NDU was contacted and I am given to understand that the contractual date of completion of the contract of the construction of footpaths and drains has been scheduled for 15 December 2021. I am further informed that the bus stops have already been relocated along the diverted route via *Morcellement* Soobrah.

Finally, Mr Deputy Speaker, Sir, the bus route will be reverted along the Coastal Road Pointe aux Sables once the works by the NDU are completed, and following a road test carried out jointly by the TMRSU and the National Land Transport Authority. I am sure the hon. Member will have information now to give to his electors.

The Deputy Speaker: Thank you. Hon. Mrs Luchmun Roy!

(10.26 p.m.)

RELIGIOUS PLACES - ROBBERY

Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue): Thank you, Mr Deputy Speaker, Sir. My request is addressed to the hon. Prime Minister. Myself and both my colleagues, hon. Tour and hon. Lesjongard we have been receiving several complaints from religious places being subject to robbery, and the recent one being in Trishuldhari at Sainte Croix which is next to the Abercrombie Police Station. There are some requests on behalf of those religious places if the hon. Prime Minister could use his good office to arrange for regular police patrol and also for safe city cameras? Thank you.

The Deputy Speaker: Hon. Prime Minister, please!

The Prime Minister: Mr Deputy Speaker, Sir, of course, I will relate to the Ag. Commissioner of Police the matter that has been raised today at adjournment.

The Deputy Speaker: Thank you. Hon. Mrs Foo Kune-Bacha, please!

(10.27 p.m.)

COVID -19 RAPID TESTS - FREE DISTRIBUTION

Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière): Merci, M. le président. Ma requête s'adresse au ministre de la Santé et cela concerne les mesures pour briser la chaîne de transmission du variant Delta. Nous savons qu'une personne sur trois infectée au Covid-19 est asymptomatique mais peut toujours infecter les autres, et c'est de même pour les personnes vaccinées qui peuvent attraper le virus et être contagieuses. Et, un *Rapid Test* c'est un moyen efficace et pratique pour qu'une personne sache si elle est infectée et potentiellement contagieuse surtout si elle est asymptomatique et puisse s'isoler au plus vite et limiter la propagation du virus. Et, acheter ces tests en pharmacie pour se faire tester régulièrement représente un coût pas nécessairement accessible à tout le monde. Et, se déplacer et faire la queue dans un centre de dépistage n'encourage guère se faire tester de manière régulière et résultat, beaucoup de personnes surtout celles sans symptômes peuvent contaminer plusieurs autres sans même le savoir. Par exemple, il serait souhaitable de faire un test rapide...

The Deputy Speaker: Request!

Mrs Foo Kune-Bacha: ...avant d'aller à un mariage. C'est important. Je finis.

The Deputy Speaker: Je suis sûr que c'est important de faire une requête et non pas un discours.

Mrs Foo Kune-Bacha: Non. C'est important de - je finis. *I am getting there.*

The Deputy Speaker: Pour que tous les parlementaires puissent avoir du temps.

Mrs Foo Kune-Bacha: C'est le pourquoi des choses. *I am getting there.* Par exemple, ce serait souhaitable de faire un test rapide avant de rendre visite à une personne qui serait vulnérable. À l'exemple de la stratégie qui est en vigueur au Royaume-Uni, je demande à l'honorable ministre de bien vouloir considérer que les *home rapid tests* puissent être mis à la disposition du public gratuitement dans des points de distribution partout dans l'île afin que ce soit à la portée de tous de se faire tester de manière régulière.

The Deputy Speaker: Thank you very much.

Mrs Foo Kune-Bacha: Merci.

The Deputy Speaker: Hon. Minister!

The Minister of Health and Wellness (Dr. K. Jagutpal): Mr Deputy Speaker, Sir, the hon. Member will agree with me that doing vaccination and taking all the precautions, especially knowing that those who are vaccinated may be asymptomatic. So, all the emphasis is being laid on taking all the precautions. The tests, be it the rapid tests, are already being done at all the COVID testing centres. Now, to distribute rapid tests individually to the whole population, Mr Deputy Speaker, Sir, we have to be reasonable. And then the volume of tests that would be required, I think at this point of time, it is more important to lay emphasis on booster dose vaccination and taking all the sanitary precautions.

The Deputy Speaker: Thank you very much. Hon. Ms Anquetil!

(10.30 p.m.)

DIOLLE & GLEN PARK - ROAD JUNCTIONS - TRAFFIC

Ms S. Anquetil (Fourth Member for Vacoas & Floréal): Je vous remercie, M. le président. Ma requête s'adresse au ministre du Transport terrestre. Circuler en voiture, à moto ou en autobus sur le trajet de la Croisée de Diolle à la Croisée de Glen Park dans les deux sens est devenu un véritable calvaire aux heures de pointe du matin et de l'après-midi. En attendant de trouver une solution, je sollicite l'intervention du ministre pour que des dispositions nécessaires soient prises afin de déployer des officiers de police pour améliorer la circulation aux heures de pointe. Je vous remercie, M. le président.

The Deputy Speaker: Thank you. Hon. Minister, please!

The Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade (Mr A. Ganoo): I have taken good note of the request of the hon. Member, Mr Deputy Speaker, Sir. I will do the needful.

The Deputy Speaker: Hon. Ms Joanna Bérenger!

(10.31 p.m.)

SANITARY RESTRICTIONS – BEACH & PICNIC

Ms J. Bérenger (First Member for Vacoas & Floréal): Merci, M. le président. Ma requête s'adresse au Premier ministre. Dans le dernier communiqué émis par le *PMO* et qui fait part des nouvelles restrictions sanitaires, il est dit que les plages sont ouvertes mais que les

pique-niques sont interdits. Cependant, le terme « pique-nique » n'est pas défini et par conséquent on a pu témoigner sur les réseaux sociaux des vidéos où des Mauriciens sont pris en contravention parce qu'ils sont sur la plage mais qu'ils ne sont pas en train de boire ni de manger, ou alors ils sont carrément chassés des plages avec interdiction de s'asseoir. Des touristes également se disent persécutés, ce qui évidemment nuit à l'image de notre pays. J'en appelle donc au bon sens du Premier ministre afin que soient recadrés ceux qui ont besoin de l'être ou que soient données des directives claires pour éviter tout excès de zèle. Merci.

The Deputy Speaker: Hon. Prime Minister, please!

The Prime Minister: Je n'ai pas personnellement vu ces vidéos que l'honorable membre est en train de faire référence. Si...

(Interruptions)

The Deputy Speaker: Order!

(Interruptions)

The Prime Minister: Pardon?

(Interruptions)

The Deputy Speaker: Continue!

The Prime Minister: You want to add something?

(Interruptions)

The Deputy Speaker: Order!

(Interruptions)

The Deputy Speaker: Hon. Prime Minister!

The Prime Minister: I am replying and the hon. Member wants to add something.

The Deputy Speaker: That is what I am telling. Please reply to me !

The Prime Minister: Si l'honorable membre a, bien sûr, des informations concernant ces cas spécifiques dans des endroits spécifiques, on peut me les faire avoir et je vais, bien sûr, passer au Commissaire de Police ces informations pour qu'il puisse agir.

The Deputy Speaker: Thank you very much, hon. Prime Minister! Hon. Osman Mahomed!

(10.32 p.m.)

WARD IV – ‘ÉCOLE DE LA MONTAGNE’ – ILLICIT ACTIVITIES

Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central): Thank you, I would like to address the hon. Minister of Education but she is not here. Instead, I would like to address the hon. Deputy Prime Minister, former Minister of Education and also Minister of Housing and Land Use Planning. It is regarding an old school in my constituency ‘*École de la Montagne*’ in Ward IV, opposite Marie Reine de la Paix, which is in ruins now and is no longer used as a school but instead used by drug addicts for their business and other illicit activities. I am not too sure whether it is still vested in the Ministry of Education or has it been returned to the land bank of the Ministry of Housing and Land Use Planning.

The Deputy Speaker: Your request!

Mr Osman Mahomed: So, my request to the hon. Ministry tonight is to kindly look into this *malaise*, this state of affairs which is causing a lot of nuisance and hardship to the people of the locality.

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

The Deputy Prime Minister: Mr Deputy Speaker, Sir, I shall speak to my colleague, Minister of Education and look into the matter.

The Deputy Speaker: Hon. Nuckcheddy, please!

(10.33 p.m.)

DR. BRUNO CHEONG HOSPITAL – FLU CLINIC – CATCHMENT AREA

Mr S. Nuckcheddy (Third Member for Flacq & Bon Accueil): Thank you, Mr Deputy Speaker, Sir. My request tonight is addressed to the Minister of Health and Wellness and it concerns the flu clinic found at Dr. Bruno Cheong Hospital. Actually, the Dr. Bruno Cheong Hospital has got a catchment area which is quite large. It covers the whole of Constituencies No. 9 and No. 10, part of No. 7, 8 and 11. So, I will request the hon. Minister to see if another flu clinic can be set at Bel Belvédère Mediclinic so that it can serve more patients. Thank you.

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

The Minister of Health and Wellness (Dr. K. Jagutpal): Thank you, hon. Member. I will look into the matter and see that if we can extend the other testing centres in that region.

The Deputy Speaker: Thank you very much, hon. Minister! Hon. Quirin!

(10.34 p.m.)

**POPE HENNESSY & COLONEL MAINGARD – ROAD SECURITY ISSUES –
TRAFFIC JAM**

Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière): Merci, M. le président. Ma requête ce soir s'adresse au ministre des transports et du métro léger et concerne un sérieux problème de sécurité routière notamment la jonction des rues Pope Hennessy et Colonel Maingard à Beau Bassin, ce qui a poussé les habitants de la région à adresser une pétition officielle au ministre concerné et également à son collègue, ministre des infrastructures publiques, au Commissaire de Police par intérim et à la municipalité de Beau Bassin-Rose Hill.

En effet, M. le président, les habitants de la région dénoncent une augmentation considérable du trafic routier à longueur de journée, incluant des autobus qui circulent et aussi un stationnement sauvage devant les nombreux commerces du quartier. Beaucoup empruntent cette route venant de Rose Hill vers Port Louis car c'est un raccourci mais principalement pour éviter la circulation du centre-ville. Donc, dans leur pétition dont je dépose une copie à l'attention de l'honorable ministre, les habitants ont expliqué que cette circulation abondante provoque une pagaille quasi quotidienne et sans aucun respect pour les piétons qui n'ont pas un passage dédié qui leur permettrait des mouvements en toute sécurité. De ce fait, M. le président, je lance un appel au ministre Ganoo afin de considérer cette demande des habitants des rues Pope Hennessy et Colonel Maingard ainsi de la région de Barkly pour une révision complète de la circulation à cette jonction en y mettant bon ordre avant qu'un accident grave ne s'y produise. Je vous remercie.

The Deputy Speaker: Thank you. Hon. Minister, please!

The Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade (Mr A: Ganoo): I will do the needful, Mr

Deputy Speaker, Sir. I will get in touch as soon as possible with the officers of the TMRSU and with the Police also to look into the request of the hon. Member.

The Deputy Speaker: Thank you, hon. Minister! Short, direct request so that I am able to get all Members, hon. Nagalingum!

(10.36 p.m.)

LATE FRANCE JONAS – PLAISANCE FOOTBALL PLAYGROUND – RENAMING

Mr D. Nagalingum (Second Member for Stanley & Rose Hill): Ma requête est adressée à l'honorable ministre des collectivités locales. M. le président, le décès de France Jonas cette semaine a été un coup dur tant pour des milliers de mauriciens, fans de football local, de Tamil Cadets, passant par le Cassis United et le Fuel Youth. Il est principalement connu pour être le milieu de terrain phare de Fire Brigade de 1986 à 1996 et du Scouts Club de 1996 à 1999. On se souviendra encore des buts signés par lui le 3 janvier...

(Interruptions)

The Deputy Speaker: Hon. Member, this is *un discours*. Request please, so that I can get all Members' requests out! Please!

Mr Nagalingum: Je vais être bref.

The Deputy Speaker: Yes.

Mr Nagalingum: Pour honorer sa mémoire, je fais une demande à la mairie de Beau Bassin-Rose Hill d'octroyer le nom de France Jonas au terrain de foot de Plaisance. France Jonas restera à tout jamais un fleuron de notre football local. Merci.

The Deputy Speaker: Thank you very much, hon. Member! Hon. Minister!

The Minister of Youth Empowerment, Sports and Recreation (Mr S. Toussaint): M. le président, je vais faire passer le message à mon collègue, le ministre des Collectivités locales.

The Deputy Speaker: Hon. Khushal Lobine!

(10.37 p.m.)

VACOAS-LA MARIE ROAD – TEMPORARY CLOSURE

Mr K. Lobine (First Member for La Caverne & Phoenix): Thank you, Mr Deputy Speaker, Sir. My request is addressed to hon. Hurreeram, Minister of National Infrastructure and Community Development. It concerns the temporary closure of Vacoas-La Marie Road, the B64 Road, Mr Deputy Speaker, Sir, since yesterday in the context of the reconstruction of the Takamaka Bridge at la Caverne. May I request the hon. Minister to use his good office to request the RDA to have a more concerted approach with the inhabitants and also the small entrepreneurs working in that region to explain to them and also to take onboard their suggestions with regard to the closure and diversions being proposed thereof?

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

The Minister of National Infrastructure and Community Development (Mr M. Hurreeram): Thank you, Mr Deputy Speaker, Sir. I thank the hon. Member for giving me advanced notice of this issue. In fact, as from yesterday, the Government has undertaken quite lots of work to upgrade rivers and bridges so as to avoid flooding problems. In fact, PPS Bablee, myself and the RDA are looking into the issue. We understand it might cause some inconveniences because the road has been blocked. So, we are looking into it. Thank you very much.

The Deputy Speaker: Hon. Aadil Ameer Meea, please!

(10.39 p.m.)

Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East): Yes, Mr Deputy Speaker, Sir, I would kindly draw your attention that for adjournment time we have 30 minutes. We still have 14 minutes to go and we have three Members to intervene. The issue I am raising tonight...

(Interruptions)

The Deputy Speaker: Hon. Aadil Ameer Meea, with all due respect, you cannot come lecture me as to my job!

(Interruptions)

Order! You are not watching everybody in this House, I am! I am carefully looking at each and every Member who wants to have a chance to make a request. Mind you next time making such comments! Please your request, just your request please!

Mr Ameer Meea: I was just reminding you of our rights as Members for adjournment time.

(Interruptions)

The Deputy Speaker: Hon. Dhunoo, wait!

(Interruptions)

Mr Dhunoo: Thank you!

The Deputy Speaker: I will give you last.

Mr Dhunoo: Thank you, Mr Deputy Speaker!

The Deputy Speaker: Stop! Order, please! Please!

(10.40 p.m.)

LES CASERNES CLUB HOUSE – THEFTS – SAFE CITY CAMERA

Mr S. Dhunoo (Third Member for Curepipe & Midlands): Thank you, Mr Deputy Speaker, Sir. My request tonight is addressed to the hon. Prime Minister, Pravind Kumar Jugnauth. It concerns the region of les Casernes, more specifically at the Club House of les Casernes. Recently, there have been many thefts reported by the Municipal Council of Curepipe in this region and many items have been stolen in the Club House and many thefts also have been reported by the inhabitants. The Safe City Camera has been very helpful in this constituency and I will ask the hon. Prime Minister if he can use his good office to ask the Acting Commissioner of Police, Mr Chandra Prakashsingh Dip, if they could consider this region for Safe City Camera installations. Thank you.

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

The Prime Minister: First of all, if the hon. Member will communicate to me some information with regard to those thefts that he has mentioned and secondly, obviously, I will pass on this request to the Commissioner of Police since the Police is doing a survey with regard to these additional cameras that have to be affixed at certain regions so that he will consider same.

The Deputy Speaker: Thank you very much. Hon. Mrs Navarre-Marie!

(10.41 p.m.)

SCHOOL CERTIFICATE – EXAM FEES

Mrs A. Navarre-Marie (Fourth Member for GRNW & Port Louis West): Merci. Ma requête s'adresse à la vice-Première ministre et ministre de l'éducation et concerne le paiement des frais d'examen du *School Certificate*. En effet, les étudiants ont reçu un message durant le week-end dernier leur demandant de se rendre dans leurs établissements scolaires respectifs, c'est-à-dire hier, lundi. Sur place, on leur a demandé de remplir un formulaire et d'effectuer le paiement des frais d'examens ce jeudi, c'est-à-dire, après-demain – jeudi avant-midi. Grande était la surprise des parents pour ce *very short deadline*. Certains parents ne sont pas préparés car c'est difficile de réunir cette somme en si peu de temps.

Je fais un pressant appel à la ministre pour que plus de temps soit accordé pour le paiement de ces frais d'examens et que le délai pour ce paiement soit étendu.

Merci.

The Deputy Speaker: Hon. Deputy Prime Minister!

The Deputy Prime Minister: Yes, I shall pass on the request to the Minister of Education.

(Interruptions)

The Deputy Speaker: In fact, hon. Aadil Ameer Meea, I want to tell you, I have been able to take thirteen requests in those times, and I still have one request left. Hon. Dr. Aumeer!

(10.42 p.m.)

COVID-19 VACCINATION - PREGNANT WOMEN & HANDICAPPED PEOPLE – SPECIFIC MEASURES

Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central): Thank you, Mr Deputy Speaker, Sir. My request is addressed to the Minister of Health and Wellness, whether he could use his good office so that specific designated areas in each of our Regional Hospital can be allocated to pregnant women and handicapped people in the context of COVID vaccination, being primary or booster, so that they can avoid the burden of standing in long queues, which obviously is not helpful to these two categories of people.

Thank you.

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

The Minister of Health and Wellness (Dr. K. Jagutpal): Mr Deputy Speaker, Sir, for the category of pregnant women planning to do their booster dose, I will arrange with the Officer in Charge for the vaccination to see how they can allot specific time for this category. And concerning the handicapped people, the Ministry of Health is working with the Ministry of Social Security to see if the vaccination can be done at their place specially, and that has been conducted since the last six months. The Ministry of Health is attending the residents of the handicapped people.

The Deputy Speaker: You can make request number fifteen for tonight!

(10.44 p.m.)

VACCINATION DATES - EXTENSION

Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East): I shall address my request to the hon. Minister of Health and Wellness in relation to the *cafouillage* caused at the vaccination centres since yesterday. We all have witnessed it.

Mr Deputy Speaker, Sir, this has been the case because the first dose and also the booster jab were being administered and this was due to the fact that this was planned for only a few days. If I am not wrong, this was planned for only two days. So, a large number, if I can say, a thousand of people have turned out to these centres and the consequences were numerous. There were no social distancing, people who came earlier and in the evening they were told to go home, and this has been the case in my Constituency, that is, at Plaine Verte Youth Centre yesterday and today. I took cognizance that this evening the alphabetical order has been reintroduced, which is a good thing.

So, my request to the hon. Minister of Health is that if he can extend the dates to not only one or two days, but for weeks because for booster jab and even for dose, there are thousands of fellow Mauritians who have not done their booster jab. If he can extend the days or, if not, for weeks, and also to ensure that these communiqués are being well circulated in advance. And lastly, also to ensure that social distancing is being respected.

Thank you Mr Deputy Speaker, Sir.

The Deputy Speaker: I am glad you had a pertinent request and it is straightforward. Hon. Minister!

The Minister of Health and Wellness (Dr. K. Jagutpal): Mr Deputy Speaker, Sir, there is no *cafouillage* between those who are attending for their first dose and their booster dose. The hon. Member will agree with me that the first dose has been there since more than 11 months now and people are coming for the first dose now. I think we should understand that now it is time to do the booster dose.

Secondly, as from yesterday - the Ministry of Health - we do not know how many people will turn up in a vaccination centre. So, as from yesterday, the number of people turning up to the vaccination centres has gone up. We should not forget that the booster dose is available since two months now; we are encouraging people to come since two months. Now, if tomorrow, 10,000 people will turn up in the different vaccination centres, definitely, there would be queues, and definitely we will not be able to arrange for social distancing and all that. That is why, as from tomorrow, there will be the alphabetical order. It is also the responsibility of the public. In a vaccination centre, the number of vaccination that can be done, it is around 500 to 600. Now, if thousands of people turn up that will cause some inconvenience. We should all agree with that. Had we known one week before that, today, there would be more than 10,000 people turning up to the vaccination centres, we would have arranged for the alphabetical order. I believe we should understand this situation. We have already done whatever has to be done to control the number of people turning up to the vaccination centres.

The Deputy Speaker: Thank you very much. We are done with 30 minutes! Have a safe journey back!

At 10.48 p.m., the Assembly was, on its rising, adjourned to Friday 26 November 2021, at 3.00 p.m.

WRITTEN ANSWERS TO QUESTIONS**FISHERS (ARTISANAL) - REGISTRATION**

(No. B/1175) Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien) asked the Minister of Blue Economy, Marine Resources, Fisheries and Shipping whether, in regard to the fishermen community, he will state where matters stand as to the implementation of the budgetary measure to provide additional 500 fisherman cards thereto, indicating if discussions have been held with the *Syndicat des Pêcheurs* in connection therewith and, if not, why not.

Reply: For the implementation of the budgetary measure to provide additional 500 Fisher Cards, my Ministry is proceeding as per the established procedures to register artisanal fishers, which includes the criteria to be met by the applicant fishers.

With your permission, I am tabling the conditions that have to be fulfilled by an applicant fisher to become a registered artisanal fisher.

The main stages involved in the processing of applications are –

- (1) Applicant fishers satisfying the criteria of being unemployed; having a clean character certificate; and participating actively in fishing activities are sent for a Medical Examination;
- (2) Applicant fishers found medically fit to work at sea and are vaccinated against the COVID-19 pandemic have to undergo a Swimming Test carried out by the Coast Guard Training School;
- (3) Applicant fishers who are successful in the Swimming Test are dispensed with a six-week General Training Course for Fishers, and
- (4) Applicant fishers who successfully follow the Training Course for Fishers are registered as artisanal fishers.

It is to be noted that the applications of applicant fishers who are involved in drug trafficking are rejected by my Ministry, which is in line with Government policy to fighting against drugs in Mauritius.

As at 22 November 2021 –

- (i) 203 applicant fishers have already undergone Medical Examination and have been found to be medically fit to work at sea;
- (ii) the request for Medical Examination of 522 applicant fishers have been made to the Ministry of Health and Wellness;
- (iii) 109 applicant fishers have already undergone the Swimming Test, and
- (iv) 107 applicant fishers have completed their swimming assessment successfully.

The Fisheries Training and Extension Centre (FiTEC) in collaboration with the Mauritius Maritime Training Academy (MMTA) of my Ministry have already made the necessary arrangements to dispense the six-week General Training Course for Fishers to the 107 applicant fishers who have successfully completed the swimming assessment. However, we cannot have online General Training Course for Fishers and as classes have been temporarily forbidden due to the COVID-19 pandemic, the training exercise has been kept in abeyance.

My Ministry will start the training course as soon as the temporarily restriction is removed.

As regards discussion with the *Syndicat des Pêcheurs*, I have been personally having frequent consultative meetings with its representatives since I was entrusted the portfolio of the Ministry.

It is upon their request that the lists of applicant fishers have been affixed at the Fisheries Posts.

METRO EXPRESS PROJECT – EXTENSION – FUNDS DISBURSED

(No. B/1177) Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien) asked the Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the extension of the Metro Express Project from Rose Hill to Réduit, he will, for the benefit of the House, obtain from Metro Express Limited, information as to the quantum of funds disbursed as at to date, indicating –

- (a) the revised cost thereof, if any;
- (b) the expected completion date thereof, and
- (c) if consideration is being given for an extension thereof to Côte d'Or.

Reply: This Government has a vision to improve and regenerate the transport system of this country by providing a reliable, comfortable, safe and rapid mode of transport.

In that respect, the Phase 1 of the Metro Express Project from Port Louis to Rose Hill and Phase 2 of the Metro Express Project from Rose Hill to Curepipe have been extended from Rose Hill to Reduit via Ebene as Phase 3 of the Metro Express Project. The works for that extension would cost around Rs4.555 billion and are being undertaken by the contractor Larsen and Toubro Ltd. I am informed by Metro Express Ltd that it has disbursed a total amount of Rs1,006 billion as at date to the Contractor.

In respect of part (a) of the question, I am informed by Metro Express Ltd that there is no revision of the cost thereof.

In reply to part (b) of the question, I wish to inform the House that Larsen and Toubro Ltd has started Phase 3 works as from May 2021 and as at date, the project has been completed at around 9%. The completion date is expected by end of December 2022.

In reply to part (c) of the question, there are many regions which are expected to generate new infrastructure developments in the near future, which will in turn generate additional demand for a fast, rapid and safe mode of transport.

In that respect, studies are being carried out by the Metro Express Ltd to investigate the possibility of an extension of the Metro Express network to other regions of the island, including the regions of Moka, St Pierre, Côte d'Or, amongst others.

COVID-19 PANDEMIC – NURSING STAFF

(No. B/1182) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Health and Wellness whether, in regard to the COVID-19 pandemic, he will state the number of nursing staff posted at each public hospital, including the ENT hospital, indicating if a lack of nursing staff thereat is noted and, if so, indicate –

- (a) the reasons therefor, and
- (b) if consideration will be given for a redeployment thereof.

Reply: I wish to inform the House that, presently, the number of Nursing Staff posted at each public hospital is as follows –

- 889 at Victoria Hospital;
- 864 at Dr. A. G. Jeetoo Hospital;
- 731 at SSRN Hospital;
- 643 at Dr. Bruno Cheong Hospital;
- 508 at J. Nehru Hospital;
- 236 at Brown Sequard Mental Health Care Centre;
- 160 at Subramania Bharati Eye Hospital;
- 119 at New Souillac Hospital;
- 81 at Poudre D’Or Hospital;
- 75 at ENT Centre at Victoria Hospital;
- 53 at the New Cancer Centre;
- 53 at Mahebourg Hospital;

- 32 at ENT Hospital;
- 31 at Long Mountain Hospital, and
- 6 at Yves Cantin Hospital

With regard to part (a) of the question, I am informed that there is indeed a lack of Nursing Staff in all Regional Hospitals.

At present, there are 178 funded vacancies in the Nursing Cadre. Recruitment to the Nursing Cadre is presently made by enlistment of Trainee Nurses. The Trainee Nurses are required to follow a three-year National Diploma in nursing prior to their appointment as Nursing Officer. There are currently 138 Trainee Nurses who are still following the National Diploma at the Central School of Nursing. 124 of these trainees will complete their course by November 2022 and 14 Trainee Nurses will complete by November 2023.

As regards part (b) of the question, my Ministry has made the following arrangements to palliate the lack of Nursing Staff –

- Nursing Staff are being requested to perform excess hours and are being compensated by a bank allowance.
- A total number of 44 retired nurses have been employed on a sessional basis in November 2020 and March 2021.
- On 19 March 2021, following an Expression of Interest, 7 Nursing Officers were enlisted on a contract basis for an initial period of 6 months, which was renewed up to 31 December 2021.
- On 04 August 2021, 32 Nurses have been employed, on contract basis, to give assistance at Nursing Officer level on a month to month basis.

Given that the services of additional Nursing Officers were still required, establishment and financial clearances have been obtained for the employment of additional 40 Nursing Officers on a month to month basis. An Expression of Interest was launched on 03 November

2021 to that effect and an interview has been scheduled on Thursday 25 November 2021 to assess suitability of candidates.

COVID-19 - BOOSTER DOSE

(No. B/1183) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Health and Wellness whether, in regard to the COVID-19 pandemic, he will state if consideration will be given for the administration of either the Pfizer or Janssen Booster Dose to those having been administered two doses of the Sinopharm Vaccine and, if not, why not.

Reply: As from 22 November 2021, all staff of the public and private health sector and vulnerable persons suffering from renal diseases, Down Syndrome, cancer or severe respiratory diseases, persons with compromised immune system or having undergone organ transplant as well as pregnant women who received their second dose of COVAXIN vaccine, Covishied/AstraZeneca and Sinopharm vaccines four months ago, are being administered a booster dose of the Pfizer vaccines.

Moreover, arrangements have also been made in the 11 vaccination centres across the island for administration of a booster dose of Johnson & Johnson vaccine to all other persons having received their second dose of COVAXIN vaccine, Covishied/AstraZeneca and Sinopharm vaccines four months ago.

INDIAN OCEAN TUNA COMMISSION – MEETINGS & FADs LIMITATION

(No. B/1194) Mr K. Lobine (First Member for La Caverne & Phoenix) asked the Minister of Blue Economy, Marine Resources, Fisheries and Shipping whether, in regard to the Indian Ocean Tuna Commission, he will, for the benefit of the House, obtain therefrom, information as to the –

- (a) number of meetings held since 2015 to date, giving the list of attendees thereto, and
- (b) position of Mauritius regarding the limits on the use of fish aggregating devices by foreign industrial fishing fleets.

Reply: With regard to part (a) of the question, I assume that hon. Lobine is referring to the IOTC Commission meetings.

I am informed that since 2015 to date, 7 meetings of the IOTC Commission were held.

A list of attendees is being placed in the Library of the National Assembly.

With regard to part (b) of the question, I am informed that the first IOTC Resolution (15/08) on the limitation on the number of Fish Aggregating Devices (FADs) was adopted in 2015.

According to this resolution, a maximum number of 550 FADs can be operated by a purse seine vessel at any one time and the number of FADs that can be acquired annually for each purse seine vessel should not be more than 1,100.

Mauritius has always supported conservation and management measures aiming at the sustainable exploitation of the tuna stocks. In 2016, conscious of the fact that juvenile yellowfin and bigeye tuna are mostly caught around FADs, Mauritius submitted a proposal to amend Resolution 15/08 and asked for a reduction in the number of active FADs from 550 to 200 and the number that could be acquired annually from 1,100 to 500.

Unfortunately, the proposal to amend resolution 15/08 was not adopted in 2016.

However, in 2017, the Resolution 15/08 was amended and the maximum number of active FADs was set at a maximum of 350 at any one time per vessel and the annual purchase for each purse seiner at 700.

The members of the IOTC agreed for a further reduction on the number of FADs in 2019 and as at date, as per the Resolution 19/02, a maximum number of 300 active FADs at any one time is allowed per vessel and not more than 700 FADs can be acquired annually by a purse seiner.

Based on the outcome of the Special Session of the Commission which will be held in the last week of November, the actual limit may be revised to 250 operational FADs per vessel and an annual purchase of 400 FADs for one purse seiner.

OVERFISHING - REMEDIAL MEASURES

(No. B/1200) Mr R. Woochit (Third Member for Pamplemousses & Triolet) asked the Minister of Blue Economy, Marine Resources, Fisheries and Shipping whether, in regard to fish, he will state if a depletion of many species thereof in our territorial waters due to overfishing has been observed and, if so, indicate the species affected therewith and the steps taken by Government to increase the stock thereof.

Reply: I am informed that a depletion of fish species, as such, has not been observed in our territorial waters. However, according to statistical catch data compiled by my Ministry, an over-exploitation has been noted in the past years in the lagoon and outer reef regions.

The Maximum Sustainable Yield (MSY) in the lagoon and off-lagoon of Mauritius (territorial waters - 12 nautical miles) is estimated at 1,699 tonnes, combined.

As per estimates, in 2020, some 606 tonnes have been fished by registered Fishers, 650 tonnes in the recreational/sport Fishery, and 300 tonnes by amateur Fishers, that is, a total of 1,556 tonnes, representing 91% of the MSY.

The catch from Artisanal Fishery includes Vieille, Capitaine, Mullet, Cateau, Cordonnier, Corne, amongst others.

The House may wish to note that my Ministry is taking several measures to encourage sustainable fishing with a view to reducing fishing pressure in our lagoon. To this end, my Ministry is encouraging fishers to operate in the off-lagoon, targeting demersal and pelagic species through the following measures –

The first measure is the buying back scheme of nets. With a view to minimising damage caused to the lagoon ecosystems through net fishing and to contribute to the rehabilitation of the marine ecosystems and the resources therein, a buy-back scheme was introduced in 1996 to encourage net licence holders to voluntarily surrender their net licence. A compensation is paid to the net licence holders accordingly.

The second measure relates to fishing around FADs. Fish Aggregating Devices (FADs) have been set up around Mauritius and incentives for off-lagoon FAD Fishery are given to encourage fishers to fish around FADs.

In this respect, my Ministry is providing training and safety equipment to registered fishers for a sustainable and profitable resources utilisation.

Thirdly, a closed season for 'Net Fishing' from October in a year to February of the next year is in force and this measure allows mature fish to reproduce and also provide new recruits for restocking of the lagoon around Mauritius.

The fourth measure relates to a ban on fishing of sea cucumbers. The Moratorium for 'fishing of sea cucumber' has been extended to 31 December 2023 to allow restoration of sea cucumber stocks in the lagoon of Mauritius.

The fifth measure in place relates to a closed season for fishing of oysters. Fishing and possession of fresh oysters is not allowed from 01 October in a year to the last day of March of the following year.

Additionally, my Ministry is providing financial assistance to fisherman cooperative societies to enable them to acquire semi-industrial fishing vessels as a means to fish on the fishing banks. A financial assistance in the form of a grant of 50%, up to a maximum of Rs4 m. for the acquisition of semi-industrial fishing boats, is given to eligible Fisherman Cooperative Societies.

Another measure implemented by my Ministry is the restocking of the lagoon through the marine ranching project. This project is an ongoing process and is carried out by the Albion Fisheries Research Centre of my Ministry.

Moreover, with regard to the Octopus fishery, in 2016, my Ministry came with the "Fisheries and Marine Resources (Fishing of Octopus) Regulations 2016, prohibiting the fishing of octopus from 15 August to 15 October in a year, as it was observed that the catch was decreasing.

My Ministry has further showed its dedication to the conservation of the Octopus population in the coastal waters by proclaiming a second closure from 15 January to 15 March in a year, as from this year.