



SEVENTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

(UNREVISED)

FIRST SESSION

TUESDAY 21 NOVEMBER 2023

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(Formed by Hon. Pravind Kumar Jugnauth)

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| 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, GCSK | Minister of Land Transport and Light Rail |
| Dr. the Hon. Renganaden Padayachy | Minister of Finance, Economic Planning and Development |
| Hon. Georges Pierre Lesjongard | Minister of Energy and Public Utilities |
| Hon. Mrs Fazila Jeewa-Daareewoo, GCSK | Minister of Social Integration, Social Security and National Solidarity |
| Hon. Soomilduth Bholah | Minister of Industrial Development, SMEs and Cooperatives |
| Hon. Kavydass Ramano | Minister of Environment, Solid Waste Management and Climate Change |

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| Hon. Mahen Kumar Seeruttun | Minister of Financial Services and Good Governance |
| Hon. Maneesh Gobin | Attorney General, Minister of Foreign Affairs, Regional Integration and International Trade |
| Hon. Jean Christophe Stephan Toussaint | Minister of Youth Empowerment, Sports and Recreation |
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| Hon. Darsanand Balgobin | Minister of Information Technology, Communication and Innovation |
| Hon. Soodesh Satkam Callichurn | Minister of Labour, Human Resource Development and Training |
| 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 Agro-industry and Food Security |
| Dr. the Hon. Mrs Marie Christiane Dorine Chukowry | Minister of Commerce and Consumer Protection |
| Dr. the Hon. Anjiv Ramdhany | Minister of Public Service, Administrative and Institutional Reforms |

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| | |
|---|-------------------------------------|
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| Deputy Speaker | Hon. Mohammad Zahid Nazurally |
| Deputy Chairperson of Committees | Hon. Rameswar Doolub |
| Acting Clerk of the National Assembly | Ramchurn, Ms Urmeelah Devi |
| Adviser | Dowlutta, Mr Ram Ranjit |
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MAURITIUS

Seventh National Assembly

FIRST SESSION

Debate No. 30 of 2023

Sitting of Tuesday 21 November 2023

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

The National Anthem was played

(Mr Speaker in the Chair)

ANNOUNCEMENT**SADC PF – 54TH PLENARY ASSEMBLY – OBSERVERS**

Mr Speaker: Hon. Members, I have an announcement to make.

As you may recall at the Sitting of Tuesday last, I informed the House that the National Assembly will be hosting the 54th Plenary Assembly of the SADC PF in the Sir Harilal Vaghjee Memorial Hall from 22 to 26 November 2023.

The Parliament of Mauritius has the responsibility to provide the Officers of the SADC PF with an office space to set up their secretariat during the event.

In this context, I have exceptionally authorised that the two Committee Rooms of the National Assembly be used for that purpose.

Moreover, I wish to inform the House that I have nominated the following hon. Members to attend the Plenary Assembly Session as Observers –

- Hon. Dhunoo, Parliamentary Private Secretary;
- Hon. Mrs Mayotte, Parliamentary Private Secretary;
- Hon. François, Parliamentary Private Secretary;
- Hon. Armance, Opposition Whip, and
- Hon. Nagalingum.

Hon. Members, in view of the fact that hon. Armance will not be able to participate in the Plenary Assembly, I have nominated hon. David as Observer in his stead.

I thank you for your kind attention.

PAPERS LAID

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

A. Ministry of Education, Tertiary Education, Science and Technology

- (a) The Annual Report and Report of the Director of Audit on the Financial Statements of the Mauritius Qualifications Authority for the year ended 30 June 2022.
- (b) The Annual Report and Report of the Director of Audit on the Financial Statements of the Open University of Mauritius for the year ended 30 June 2022.

B. Ministry of Finance, Economic Planning and Development

- (a) The Financial Services (Framework for the Imposition of Administrative Penalties) (Amendment) Rules 2023. (Government Notice No. 170 of 2023)
- (b) The Report of the Director of Audit and the Financial Statements of the National Arts Fund for the year ended 30 June 2021.

C. Ministry of Agro-Industry and Food Security

The Annual Report and Report of the Director of Audit on the Financial Statements of the Small Farmers Welfare Fund for the year ended 30 June 2018.

ORAL ANSWERS TO QUESTIONS

CALENDAR YEARS 2022 & 2023 - 14TH MONTH BONUS

The Leader of the Opposition (Mr X. L. Duval) (*by Private Notice*) asked the Minister of Labour, Human Resource Development and Training whether, in regard to the rise in the cost of living over calendar years 2022 and 2023, he will state if Government proposes to legislate for the payment of a 14th month bonus in December 2023 to all employees of the private and public sectors, earning less than Rs50,000, whilst providing for a mechanism to assist those employers facing financial difficulties.

Mr Callichurn: Mr Speaker, Sir, I would like to thank the hon. Leader of the Opposition for this PNQ as it gives me an opportunity to highlight the different measures that this Government has taken to improve the living conditions and livelihood of the population since we came in power in December 2014.

It is a known fact that in many countries across the world, employers are legally mandated to pay a 13th month or 14th bonus in addition to an employee's standard monthly salary. However, this may differ from one country to another. In some countries it is mandatory whereas in others it is customary. The 13th month salary is generally paid as a bonus by the employer to the employee at the end of the year, and not to compensate for the rise in the cost of living.

It would be appropriate to recall the history of the payment of a 13th month bonus, both in the public and in the private sector.

Mr Speaker, Sir, in the wake of the rise of the price of sugar on the international market, a phenomenon known as the Bonanza, trade unions started claiming 13th month salary but companies in the sugar industry, the sugar barons, were reluctant to pay this additional salary.

It was under such pressure that the Sugar Industry Staff Employee's Association (SISEA) signed a collective agreement to the effect that a 13th month salary or bonus would be paid based on an annual profit. However, the non-agricultural and agricultural workers were not entitled to same. The workers of other sectors of the economy were also not concerned and this led to massive demonstrations and protests on part of trade unions and workers.

Subsequently, in 1975, the then Government decided that a 13th month salary/bonus would have to be paid to every employer. The End of Year Gratuity Act was therefore introduced in 1976, and provided for payment of end-of-year Gratuity for the year 1976 only. However, it is apposite to point out here that similar provisions were not

made for the years 1978, 1979, 1980, 1981, 1983, 1984 and 1985 due to the phenomenon commonly known as *les années de braise*.

Mr Speaker, Sir, following the enactment of the End of Year Gratuity Act in 2001, the payment of end-of-year bonus was made mandatory under an MSM-led Government and this has led to a guaranteed payment of end-of-year bonus every year, irrespective of the economic situation.

Mr Speaker, Sir, in order to consider the payment of a 14th month bonus, we will have to hold wide consultations with different stakeholders to ensure its Sustainability, as we have always been doing for salary compensation and minimum wage, etc.

Mr Speaker, Sir, this Government has always been on the side of the workers, and has always showed compassion and consideration, irrespective of the economic situation. Let me remind the House that during the worst crisis this country has ever faced, this Government, to maintain the livelihood of the workers, has –

- paid salaries of employees and self-employed workers for 21 months to the tune of Rs21 billion, or more than 600 million dollars, therefore which amounts to 5% of GDP;
- we have also countered the rise in prices of basic products by allocating subsidies to the tune of Rs7 billion, or more than 12% of our GDP;
- we have paid a one-off subsidy to self-employed for an amount of Rs2 billion, and
- we have supported payment of salary compensation for SMEs.

During the recovery process, as from 2022, we have continued to support the purchasing power of our population, and allow me to indicate the following measures that were taken –

- The CSG Income allowance was introduced to alleviate the financial pressure faced by the population caused by the pandemic. In the 2022/23 budget, it was announced that the CSG income allowance of Rs1,000 would be given to those earning less than Rs50,000.

Additionally, in Budget 2023/24, the CSG income allowance of Rs1,000 has been maintained for those earning less than Rs50,000, with an additional Rs1,000 for those earning less than Rs25,000. This means that around 200,000 workers have seen their CSG income benefit doubled to Rs2,000 per month.

- A special allowance to supplement the national minimum wage and ensure a “Guaranteed Minimum Income” was set at Rs15,000 in the last budget.

- The CSG Child allowance of Rs2,000 per month was put in place to financially support young parents.
- Now, free pre-primary education was introduced this year, and this in itself represents an additional burden of Rs5,000 per child.

Mr Speaker, Sir, there is another mechanism whereby the rise in the cost of living is compensated in Mauritius and it is known as the salary compensation which is calculated by the Annual Tripartite Committee.

I wish to inform the House that for 2024 salary compensation, I am chairing the Technical Committee on 04 December 2023 and my colleague, the hon. Minister of Finance, will chair the Annual Tripartite Committee on 07 December 2023 and Government will decide on the quantum of the compensation.

Furthermore, there is another mechanism to look into the review of the National Minimum Wage. Let me inform the House that in the last Budget, I amended, through the Finance Bill, the National Wage Consultative Council Act for an early review of the National Minimum Wage.

As I speak, Mr Speaker, Sir, the National Wage Consultative Council has already embarked on the review of the National Minimum Wage and the report is expected to be submitted by the end of this month; after which, Government will decide on the quantum of the National Minimum Wage to be payable to the workers of this country as from January 2024.

Mr X. L. Duval: Mr Speaker, Sir, every week, we have the same song of what Government has given here and there to various categories of workers in the population. However, there is also another side to the equation and that side of the equation talks about huge inflation of 10% last year, 9% so far this year, the huge increase in interest rates hitting the population very hard, the huge increase in taxes being collected by the MRA and Government generally, and an unprecedented depreciation of the rupee of 48% since you took Government.

Mr Speaker, Sir, I would like to ask the Minister whether he is aware of the last Opinion Survey made by Synthèse, widely published? In that survey, 82.4% of the working population considered that inflation and the diminishing purchasing power was their major concern in life. 82.4%, that is official! This is why I am asking the Government to legislate to provide for a 14th month salary to compensate for whatever has happened this year, leaving salary compensation, as we know, is for next year.

Mr Callichurn: Mr Speaker, Sir, I must say that I have not taken cognizance of the report that the hon. Leader of the Opposition has just mentioned, but one thing I can say, I have just listed an array of measures that the Government took to compensate the loss of purchasing power of the working class.

Mr Speaker, Sir, talking about inflation, last year, the inflation rate was high. This year, it has gone down, and I am sure the upcoming exercise will take into consideration the inflation rate and we will determine the annual salary compensation to be given accordingly.

It is good that the population and the House know, Mr Speaker, Sir; I refer to the inflation rate that was prevailing in 2007. Whilst the inflation rate was 8.8% in 2007 and 9.7% in 2008, the salary compensation that was given by the then Government was, for the year 2007 when inflation rate was 8.8%, Rs135 only.

Mr Ganoo: *Kisann-la ti finans?*

Mr Callichurn: For the year 2008, when the inflation rate was 9.7%, it was Rs400 only and at that time, Mr Speaker, Sir, the country was experiencing an average growth of 10%.

Mr X. L. Duval: Mr Speaker...

Mr Callichurn: Mr Speaker, Sir, I have not finished.

Mr X. L. Duval: Please be quick!

Mr Callichurn: As a responsible Government, Mr Speaker, Sir, in order to legislate for any payment of a 14th month bonus, a lot of consideration will have to be taken into account; for example, the capacity to pay of the enterprises, and I am sure the Leader of the Opposition will agree with me that not all enterprises have the same capacity to pay. But, as we have always been saying, Mr Speaker, Sir, we have never let the workers of this country down when it comes to upgrading their living conditions, their work conditions and...

Mr X. L. Duval: Okay!

Mr Callichurn: What do you mean by 'okay'? I am answering.

Mr X. L. Duval: We don't have a chance to ask questions at all.

Mr Callichurn: Mr Speaker, Sir...

(Interruptions)

Mr Speaker: Order!

Mr Callichurn: Mr Speaker, Sir, we just cannot decide without holding consultations on whether we will introduce a 14th month bonus for the workers or not. We have given enough consideration by giving additional income support for the working class of this country to support them and counter the loss in purchasing power.

Mr X. L. Duval: Mr Speaker, Sir, perhaps you will ask him to be shorter in his replies to give a chance to the population...

(Interruptions)

... to get some answers out of this Government!

Mr Speaker: Hon. Member!

(Interruptions)

Hon. Member, I am on my feet! You have to shorten your questions.

Mr X. L. Duval: But he does not have to shorten his reply?

Mr Speaker: Your question was about five lines.

Mr X. L. Duval: He does not have to shorten his reply?

Mr Speaker: Specific question!

Mr X. L. Duval: Mr Speaker, Sir, all of the persons surveyed of the lower income group, all of them, said that the minimum wage was insufficient. So, it is good news if there is going to be some increase.

At the same time, the Minister may not be aware that my predecessor, his boss, gave only Rs120 compensation when he was Minister of Finance in 2010 for 2011. So, you need to be careful when you speak.

Now, Mr Speaker, Sir, I want to ask the hon. Minister whether, on the other side of the equation, he has taken a look at company profits. I have taken the 20 big companies that have published their profits recently. Will he be surprised to note that profits this year, compared to last year, have increased by about 80% for these companies and over 250% compared to pre-COVID year, 2019, and this is mainly due to your Government's policy of depreciating the rupee that helps the Minister of Finance, helps companies to the detriment of the whole population? Have you taken into account the recent publications of company profits? That is the question.

Mr Speaker: Let the Minister reply!

Mr Callichurn: Mr Speaker, Sir, it is a good thing that companies in Mauritius are making profits, and this will eventually benefit the workers of this country. This has

always been the case whenever companies make profit. Even though it is not mandatory, they customarily do provide 14th month bonus, 15th month bonus. This is nothing new.

As regards the figure he mentioned, when the hon. Prime Minister was Minister of Finance, Mr Speaker, Sir, at that time, the inflation rate was only 2.9%.

Mr X. L. Duval: No, no, no.

Mr Speaker: Order!

Mr Callichurn: And the salary compensation ...

Mr Speaker: Order!

Mr Callichurn: ...the salary compensation that was given was Rs420.

An hon. Member: *Sa to pa dir sa!*

Mr Callichurn: Rs420. I have the figures. If you want me to table, I can table it.

Mr Hurreeram: Table, table!

An hon. Member: Table *li!*

Mr Speaker: Order!

Mr X. L. Duval: The fact is Rs120 for...

Mr Callichurn: Rs420.

Mr Speaker: No, no!

Mr Callichurn: It was Rs420.

Mr X. L. Duval: Mr Speaker, Sir, there was Rs120. That is not true. Mr Speaker, Sir, people will laugh because I will publish the figures later.

Mr Speaker: No, put your question! Put your question!

Mr X. L. Duval: Give me a minute!

Mr Speaker: This is...

Mr X. L. Duval: Be patient!

Mr Speaker: Let me...

Mr X. L. Duval: Be patient!

Mr Speaker: Let me give my ruling!

Mr X. L. Duval: It should be fair.

Mr Speaker: Let me give my ruling! This is Question Time! Leader of the Opposition, you have the right to put questions – no debate, no comments. Questions, direct questions!

Mr X. L. Duval: When they raise points, I have to answer. I can't just leave it as a fact when points are raised. I cannot!

Mr Speaker: This is what I want to inform the House; that there is no debate in this House right now.

Mr X. L. Duval: It should be fair in this House!

Mr Speaker: It is on the Order Paper – Question Time.

Mr X. L. Duval: Yes!

Mr Speaker: Questions should come from the Leader of the Opposition; questions should come from the Leader of the Opposition. No statement! No debate!

Mr X. L. Duval: And answers should come from the Government, not take 2007, 2008. Is that an answer for today?

(Interruptions)

Mr Speaker: Again, I can't! Hon. Members, I can't prevent any Minister from the Executive; I can't prevent them to explain their policies, but Question Time is regulated, the way of putting questions is regulated by the Standing Order, and I hope the Leader of the Opposition who has been an acting Prime Minister knows more than me.

Mr X. L. Duval: I do know more than you. I have never seen Question Time like this!

Mr Speaker: You put it into practice!

Mr X. L. Duval: In my whole career, I have never seen Question Time like this!

Mr Speaker: You put it into practice!

Mr X. L. Duval: Never! This is the first time in my life that I see Question Time like this! First time!

Mr Speaker: Let us proceed! Let us proceed. Direct questions!

Mr X. L. Duval: Thank you, I will proceed. Thank you, I will proceed.

Mr Speaker: Direct questions!

Mr X. L. Duval: I do have more experience than you. I will proceed. Now, Mr Speaker, Sir, on the other hand, Government revenues, which have been boosted by

depreciation of the rupee and inflation, have increased by Rs70 billion a year compared to pre-COVID. Rs70 billion! MRA just published the figure Rs23 billion more money than the previous year, Mr Speaker, Sir. This is why I am saying company profits are huge...

Mr Speaker: Put your question! What is your question?

Mr X. L. Duval: If you are patient, maybe I will get a chance.

Mr Speaker: Put your question!

The Prime Minister: *Ramgoolam p dir ...*

Mr X. L. Duval: Company profits are huge. Money representing taxes from the people of Mauritius have jumped and boosted, Mr Speaker, Sir, and the people are suffering. 82% of workers are complaining about the purchasing power under this Government. This is why I am saying to the Government ...

Mr Speaker: No, now you are making a statement. You are making a speech!

Mr X. L. Duval: I am! Thank you.

Mr Speaker: I have to regulate the business of the House. I am asking you to put your direct question to the Minister; as many questions as you have.

Mr X. L. Duval: Thank you.

Mr Speaker: No statement! No debate!

Mr X. L. Duval: I will put the questions as I see I have to put the question, Mr Speaker, Sir. Now, given that huge increase in Government revenue, Rs70 billion; given huge increases of company profits, and loss of purchasing power of the population, 9% inflation up to September 2023, I am going to ask the Minister will he not consider making it mandatory - because the increase in prices is for everyone, not just large company employees - for every employer to pay and provide for some mechanism like the WAS for companies which cannot afford it?

Mr Speaker: Let the Minister answer, we got your question!

Mr Callicurn: Mr Speaker, Sir, whenever there is an amendment to the Workers' Rights Act or any other legislation, they themselves come to this very House and say whether there has been consultation and what will be the impact of this measure on companies. They are always vocal about this. Ask hon. Uteem; ask his colleague Mr Baloomoody - in all his speeches, whether they have been consulted. I have made it clear earlier. For us to legislate on the issue, we will have to hold proper consultations because we are a responsible Government.

Mr X. L. Duval: Mr Speaker, Sir, I am happy that at the request of the Opposition, the Government will hold consultations on the 14th month! I am extremely happy...

Mr Speaker: Put your question! Put your question!

Mr X. L. Duval: ... that this will happen. Mr Speaker, Sir, I would like to ask...

Mr Speaker: Your happiness is not important! Put your question! Your question as Leader of the Opposition is very important!

Mr X. L. Duval: This is a constitutional right. Thank you very much.

Mr Speaker: Yes.

Mr X. L. Duval: Thank you for reminding us. Now, I would like to ask the hon. Minister whether he has taken note of the rise in interest rate. Most people in this country owe money to the bank. Interest rate increases amount to Rs2,000 per month, to Rs4,000 per month for the average household. Now, that also needs to be taken into consideration by giving a 14th month, which you will now, we understand, hold consultations with the private sector. Thank you for that.

Mr Callichurn: Mr Speaker, Sir, obviously we will take these into consideration when we will hold the annual salary compensation committee, which is due for next week and the week after. We will take all the parameters, the imperative of the economy to decide on the amount to be decided as quantum for the salary compensation which is given to compensate loss in purchasing power.

Mr Speaker: Question!

Mr X. L. Duval: As you will know, compensation is for next year, ...

Mr Callichurn: January!

Mr Speaker: Don't explain! Put your question!

Mr X. L. Duval: Not this year! If you look at Statistics Mauritius...

Mr Speaker: No, put your question!

Mr X. L. Duval: If you look at Statistics Mauritius, the Minister will see that salaries have increased by 5.7% only compared to about twice the inflation in 2023. What you are talking about, salary compensation, is for next year. For this year, what are you going to do to give people some breathing space at the end of this year, given that official figures from the Government show that salary increases are far less than inflation?

Mr Speaker: Let the Minister answer!

Mr Callichurn: Mr Speaker, Sir, at the beginning of this year, it was decided to give a salary compensation of Rs1,000. In the last Budget that was presented in June, the *CSG* Allowance that was given last year was maintained for those drawing less than Rs50,000, and for those earning less than Rs25,000, we gave an additional Rs1,000 as *CSG* Allowance. These are facts. These are amounts that this Government has disbursed to come to the help of the working class, and Mr Speaker, Sir, we should not forget, we have helped SMEs to pay salary compensation to their employees. We have done this last year and we are continuing to support these SMEs.

Mr X. L. Duval: Mr Speaker, Sir, I would like to ask the Minister whether he has read his own survey of employment and earnings. Yes or no? Because it says clearly at paragraph 3.71, and I read it for the Minister's knowledge, he doesn't seem to know about that –

“Overall average monthly earnings increased by 5.7% from March 2022 to March 2023.”

So, it's clear that average earnings are rising far less, whatever else you are giving by way of this or the other, that is another issue. These are the figures of the Statistics Mauritius and, therefore, I would ask the Minister. It is the PMSD which in 1975, from Sir Gaëtan Duval, brought a Motion to bring the 13th month. So, I will ask the Minister again: this year being an exceptionally difficult year for the country because of the deliberate policy of depreciation by Government, will he not, therefore, legislate for the 14th month, giving a Wage Assistance Scheme type help to those small companies that are unable to pay? Because the Government has collected billions upon billions of additional revenue from depreciation and inflation.

Mr Callichurn: Mr Speaker, Sir, I am not saying that we will or we will not. I maintain, we will have to hold consultations.

Mr X. L. Duval: When will your consultations be? I am talking about compensation, not salary compensation but on the 14th month. When will that be?

Mr Callichurn: I am talking about salary compensation.

Mr X. L. Duval: Don't repeat what you are saying. Don't play on words. We are talking about the 14th month bonus. I am not that stupid not to understand between 14th month and salary compensation. You have said it repeatedly that you cannot do it without talking to people and consulting. I am asking you formally: when will you be having salary consultation?

Mr Callichurn: Mr Speaker, Sir, when we decided to introduce the National Minimum Wage, we did not just decide on the quantum just like this. We had put a Council to determine the quantum of the National Minimum Wage and that Council consists of different stakeholders, be it trade union, business community, civil society, the Government, and all. We cannot just, *à la va-vite, prendre une décision sur la question.*

Mr X. L. Duval: Mr Speaker, Sir, the people will note that the Opposition is on the side of the employees and the workers and the Government is taking the side of the employers!

Mr Speaker: No, this is not a question! This is not a question! Put your question, Leader of the Opposition.

Mr X. L. Duval: The people will note, and you are doing politics!

Mr Speaker: You are doing politics!

Mr Callichurn: Cheap! Cheap! Cheap! Cheap! Cheap!

Mr Speaker: You are doing politics now!

Mr Callichurn: Cheap! Cheap!

Mr X. L. Duval: I will ask the hon. Minister this question. I have looked at increases in prices since COVID. You will be interested too, Mr Speaker, Sir, –

- Canned tuna has increased by 67%;
- Macaroni - the famous macaroni - 79%;
- Rani oil – 67%;
- Colgate toothpaste – 43%;
- Palmolive soap – 48%;
- pilchards tomatoes - that is what the poorest people here in this country eat. Pilchards tomatoes! Surely, you will have to give it for free – 56%;
- Sardines, Mr Speaker, Sir,...

Mr Speaker: Put your question!

Mr X. L. Duval: Sardines - you won't eat sardines, may be - 57%.

Mr Speaker: Put your question!

Mr X. L. Duval: This is a question.

Mr Speaker: The population is waiting for you.

Mr X. L. Duval: I have just taken, Mr Speaker, Sir, the most basic commodities that people consume; pilchards, sardines, tuna, oil, etc., have increased by an average of 50% or more since COVID and the Government is talking about holding consultations to see who can pay, who cannot pay. I say, Mr Speaker Sir, I will allow the hon. Minister one last time; it is time to forget your friends the employers, and think about the people ...

Mr Speaker: Do you have a question, Leader of the Opposition?

Mr X. L. Duval: ... who have voted for us.

Mr Speaker: Leader of the Opposition, do you have a question?

(Interruptions)

Mr Callichurn: We have always been on the side of the workers, Mr Speaker, Sir. It is us who have introduced the Workers' Rights Act! It is us who have introduced the PRGF! It is us who have introduced the National Minimum Wage! Let me remind the House what his mentor, the then hon. Leader of the Opposition, Paul Raymond Bérenger, said on 26 May 2016 when we were negotiating, when we were holding consultations with different stakeholders for the introduction of the National Minimum Wage. What he said is the following –

“When you have, as I said, 29 members of the Council, it would be difficult for them to perform and come with concrete proposals. Therefore, I hope that the hon. Minister will tell what the trade unions have told him. If no one is prepared to sit on the Council, as amended, *c'est mort-né*, and when it is *mort-né*, forget about *salaire minimum, minimum vital*.”

Where is *salaire minimum, minimum vital*? It is applicable in this country! And he went on to say, Mr Speaker, Sir, that the Small and Medium Enterprises have specific problems and will directly be impacted upon fixing of National Minimum Wage. For National Minimum Wage, his mentor was saying this. What will he say about 14th month bonus? What will he say, Mr Speaker, Sir? We are killing businesses in Mauritius. That's what he will say, I presume.

He tends to forget when he was in Government, when he was the Minister of Finance, some poor cleaners of this country were earning Rs1,500. Now, they earn ten times more than what they were earning. Ten times more, Mr Speaker, Sir!

(Interruptions)

Hon. Members: *La honte!*

Mr Speaker: Order!

Hon. Members: *La honte!*

(Interruptions)

Mr Speaker: Order!

(Interruptions)

Order! Order! Order, on both sides of the House! Order! Time is over! Prime Minister's Question Time! The Table has been advised that PQ B/1513, B/1517, B/1518, B/1523 have been withdrawn.

FENTANYL DRUG – CONSUMPTION – REPORTED CASES

(No. B/1512) Mr N. Bodha (Second Member for Vacoas & Floréal) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the drug Fentanyl, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if any case of consumption thereof has been reported and, if so, indicate the number and date thereof.

The Prime Minister: Mr Speaker, Sir, according to the World Drug Report 2023, the scope and harm of the illicit drug markets are continuing to grow across the world with the increasing availability of cocaine, the sale of drugs on social media, and the persistent spread of synthetic drugs, which are relatively inexpensive, simple to make, and, in the case of fentanyl, lethal in even small dosages.

Fentanyl was first developed in 1959 and is a narcotic analgesic with a potency of at least 30 to 50 times more than heroin. The World Drug Report 2023 has highlighted that in 2021, over 80,000 people died from opioid overdoses in the United States, out of which, 70,000, were attributed to pharmaceutical opioids mostly fentanyl. Similar to other commonly used opioid analgesics, fentanyl produces effects such as relaxation, euphoria, pain relief, sedation, confusion, drowsiness, dizziness, nausea, vomiting, urinary retention, pupillary constriction and respiratory depression, amongst others.

The drug can be injected, snorted/sniffed, smoked, taken orally by pill or tablet and spiked onto blotter paper. Fentanyl patches are usually abused by removing its gel contents which is used for injecting or ingesting. The patches can also be frozen, cut into pieces and placed under the tongue or in the cheek cavity. In several countries, fentanyl is clandestinely manufactured and sold alone or in combination with heroin and other substances. It has been identified in counterfeited pills and mimicking pharmaceutical drugs. Fentanyl and its derivatives are used as anaesthetics and analgesics and are subject

to international control. Fentanyl is a well-controlled drug in Mauritius and is listed in the Second Schedule of the Dangerous Drugs Act. I wish to highlight that according to the Ministry of Health and Wellness, pharmaceutical fentanyl is prescribed by doctors for anaesthesia purposes, to treat severe pain, especially after surgery and for advanced stage of cancer.

Mr Speaker, Sir, I am informed by the Commissioner of Police that as at 17 November 2023, no case of consumption or possession of fentanyl in violation of the Dangerous Drugs Act has been reported or detected in Mauritius. I am also informed that as at 16 November 2023, the Drugs Unit of the Forensic Science Laboratory has not received, tested or confirmed the presence of fentanyl in any drug case submitted by the Mauritius Police Force or the Customs Anti-Narcotic Unit. Although cases related to the illegal consumption of fentanyl have not been reported in Mauritius, a plethora of measures have been put in place to prevent the illegal entry of this deadly substance in the territory of Mauritius.

Mr Speaker, Sir, on multiple occasions, I have conveyed the unflinching determination of my Government to fight the drug scourge and to that purpose, we have been deploying every resource at our disposal to pursue this battle relentlessly and effectively so that the population and future generations live in a better and safer environment. Thank you.

Mr Bodha: I didn't have the opportunity to put the question, Mr Speaker, Sir. Anyway, I thank the Prime Minister for the answer. May I ask the hon. Prime Minister whether he is aware that in Reunion Island, there were three cases of overdose of fentanyl a few months back and whether the Mauritian authorities have been liaising with the Reunion people or Reunion authorities to see whether there is import of fentanyl from Reunion Island to Mauritius?

The Prime Minister: Well, your information is not correct as at date because they are still examining this sample to find out whether there were any traces of fentanyl and in the meantime, the Office of the Commissioner of Police has been in touch with their counterpart in Reunion and the Reunion authorities have confirmed that so far – I am talking of maybe till yesterday –, no cases of fentanyl have been detected on the island.

Mr Bodha: May I ask another question, Mr Speaker, Sir?

As regards the rave parties which have been held in Mauritius and the arrests and seizures which have happened recently, may I ask the hon. Prime Minister whether any

traces of fentanyl have been found in the drugs which have been seized during those rave parties?

The Prime Minister: Mr Speaker, Sir, the hon. Member must be realistic. I have been informed that when a search was carried out at a recent rave party, some people have been arrested, some suspected drugs have been seized, but we need to send them to the FSL for them to analyse and then to give a report so that we will know what kind of drug it is. This cannot be done in a day or two. So, I cannot say what kind of drug, if ever, has been seized. It is only after analysis from the FSL that we will be able to say so.

Mr Bodha: Thank you, Mr Speaker, Sir. The Under Secretary of State from the United States, Mr Bradley, came here and made a statement saying that 1 kg of fentanyl can kill 500,000 people. We can understand the power of this drug. May I ask the hon. Prime Minister whether he is aware that this drug is already on the market in select clienteles?

The Prime Minister: Again, Mr Speaker, Sir, I have replied to say that, so far, we have not had any reported cases of consumption in Mauritius. Now, if the hon. Member has evidence - we cannot just come and say anything like that in this House or anywhere else - yes, provide me with the evidence, I will ask the Police to enquire and we will do the needful.

Mr Bodha: Mr Speaker, Sir, we know how powerful the Mafia is and we know that social workers who are working with drug addicts are aware that traces of fentanyl have been found in Mauritius. So, this is why I am asking this question, Mr Speaker, Sir.

Mr Speaker: Do you have evidence? This is the issue. It is an issue of evidence. Hon. Prime Minister!

The Prime Minister: If the social worker has evidence, he can provide it to the Police, provide it to us. So far, I have not seen any case which has been reported. I do not need to repeat again, Mr Speaker, Sir.

Mr Speaker: I judge this question has been sufficiently canvassed; we move to the next question.

Hon. Abbas Mamode!

CITADELLE FORT – 21 OCTOBER 2023 CONCERT – INCIDENT

(No. B/1513) Ms J. Tour (Third Member for Port Louis North & Montagne Longue) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether

following the incident which occurred in the late evening of Saturday 21 October 2023 during a concert at the Citadelle Fort, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the measures being envisaged to avert any recurrence of such incidents during the holding of similar events.

(Withdrawn)

PRIVY COUNCIL - JUDICIAL COMMITTEE - JUDGMENT

(No. B/1514) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in the light of the Judgment in the Appeal before the Judicial Committee of the Privy Council in the case of Surendra Dayal v Pravind Kumar Jugnauth & others and following the dismissal and/or withdrawal of the 14 electoral petitions lodged since the 2019 General Election, he will state the measures he proposes to take following the comments and recriminations made on the reputation and credibility enjoyed by the Office of the Electoral Commissioner and the Electoral Supervisory Commission with a view to repairing the damage caused to the public trust and confidence therein.

The Prime Minister: Mr Speaker, Sir, as the House is aware, following the 2019 General Election, the Opposition entered 12 election petitions, one application for Judicial Review and one application for Constitutional Relief before the Supreme Court, contesting the results of the election.

Mr Speaker, Sir, we know that, as at date, seven petitions, out of the 12, concerning the following constituencies, have been withdrawn by the petitioners themselves –

No. 1 – Navarre Marie v/s Chuckowry & Ors.;

No. 8 - Khadarun v/s Jugnauth & Ors.;

No. 9 - Bachoo v/s Maudhoo & Ors.;

No. 10 - Ramgoolam v/s Hurdoyal & Ors.;

No. 13 - Bundhoo v/s Jagutpal & Ors.;

No. 15 - Sayed Hossen v/s Bablee & Ors.;

No. 19 - Seewoochurn v/s Collendavelloo & Ors.

We are also aware that four petitions, concerning the following Constituencies, have been heard and dismissed by the Court with Costs –

No. 14 - Jhuboo v/s Ganoo & Ors.;

An hon. Member: *Penkor gagne costs!*

The Prime Minister: No. 8 - Dayal v/s Jugnauth & Ors.

I have also not yet received costs in this case;

Hon. Members: *Paye!*

The Prime Minister: No.16 - Sooredoo v/s Ittoo & Ors.;

Hon. Members: *Paye!*

The Prime Minister: No. 17 - Duval v/s Electoral Commissioner & Ors.

Hon. Members: *Paye!*

The Prime Minister: Mr Speaker, Sir, in one petition case concerning Constituency No. 19, namely, Adebiro v/s Collendavelloo, following a statement of the Electoral Commissioner to the effect that he had no objection that a recount be granted, and there being also no objection from the Electoral Supervisory Commission, the Supreme Court made an order on 21 January 2022 for a recount. The exercise for the recount was carried out on 01 February 2022 and the initial election results were maintained.

In regard to the Judicial Review case of Sudarshan Bhadain v/s The ESC & Anor, as the House is aware, the Applicant's request for leave had been turned down by the Supreme Court on 20 October 2020, while in the Constitutional Relief case of Vishwadev Sunnasy v/s The State of Mauritius & Anor, judgment is reserved.

Mr Speaker, Sir, in their petitions and applications, the Opposition made numerous unfounded, unsubstantiated, frivolous and even ridiculous allegations and accusations against, *inter alia*, the returned candidates, the Electoral Supervisory Commission, the Office of the Electoral Commissioner, the Returning Officers and other election staff, and the Mauritius Broadcasting Corporation. They also staged public demonstrations to vent out their frustrations and discredit our electoral management bodies.

It is essential to note that, despite the serious allegations made in public, calling into question the integrity of the election process as a whole, in eight of the petitions, the petitioners were only praying for a recount of votes.

Mr Speaker, Sir, if the Opposition was in presence of precise information to the effect that substantial electoral fraud had occurred, as they had been claiming, the only logical prayer they should have sought from the Supreme Court would have been for an

order to declare the elections null and void. What they chose to do was to ask for a mere recount! In fact, all the averments of the Opposition hinged on conjecture or speculation and they had no evidence to prove such serious allegations.

What we saw was the Opposition making a desperate attempt to make the transition from the political realm where facts need not be proved into the judicial realm where evidence is required to substantiate any averments.

And this was clearly done with only one objective – to keep being relevant until the next general elections.

Mr Speaker, Sir, it is important for me to highlight here the fact that in nine constituencies in Mauritius, I emphasise, nine constituencies, an Opposition candidate was elected with the highest number of votes. This in itself renders many of their arguments untenable, some of which were really ridiculous. For example, in his petition, Dr. Navinchandra Ramgoolam alleged, amongst others, that he had first-hand information that ballot papers had been printed outside the Government Printing Office, at Quad Printing in Coromandel, and that, I quote –

“This fact casts a cloud of corruption and deviousness on the election process as there was a real likelihood that stuffing would have occurred nationwide, including Constituency No. 10.”

Mr Speaker, Sir, we all know that, when the time came for Dr. Ramgoolam to substantiate these serious allegations in Court, he never came to proof on his averments he made in his petition. He chose to withdraw his petition presenting lame excuses to explain his decision.

He, in fact, issued a Communiqué on 06 October 2022, wherein he stated that finally the Privy Council would, and I quote –

“... statuer sur quasiment les mêmes points que nous allions aborder lors des débats concernant la pétition au No. 10. De ce fait, la décision du Privy Council dans l’affaire Dayal v Jugnauth est d’une importance capitale, car c’est elle qui déterminera si nous allions ou non aux élections avant 2024.”

In reality, Mr Speaker, Sir, we all know that the Dayal appeal to the Privy Council bore absolutely no similarities with the petition entered by Dr. Navinchandra Ramgoolam. The issues raised were totally different, except for the averments regarding the MBC. However, as we equally know, this ground regarding the MBC was even abandoned before the Privy Council.

Mr Speaker, Sir, Dr. Ramgoolam made several other frivolous accusations such as improperly drawn electoral registers, alleged opacity surrounding use of computer rooms, alleged refusal of access to Labour agents on lorries transporting ballot papers, Labour agents in Constituency No. 10 not being informed about the number of ballot papers delivered to polling stations in that Constituency.

Mr Speaker, Sir, as the House is aware, all these arguments were rejected by the Supreme Court. In fact, in the interlocutory judgment of 28 July 2021, on the issue regarding the number of ballot papers distributed in Constituency No. 10, the Court observed, and I quote –

“... the impugned parts in paragraph 29 of the petitioner’s reply is an attempt at shifting the blame on respondent No. 6 (the Returning Officer) when in fact it was not only a right that the petitioner enjoyed but also his responsibility to scrutinise the data which was readily available and accessible in the office of the Senior Presiding Officer had he taken the trouble to do so.”

Mr Speaker, Sir, apart from their wild and frivolous accusations made in their election petition, the Opposition also made vile and shocking attacks against the Judiciary. In fact, on Radio Plus on Friday 10 March 2023, in a reply to a question put to Dr. Navinchandra Ramgoolam by the host as to the reason why he had opted to withdraw his election petition, Dr. Ramgoolam stated, and I quote –

“Dans mo cas mo pou dire ou kifer. Nun trouver kin arriver dans la cour, dans bann les autres cas, tous bann points ki pe lever pe rejeter, nu penser bann points valide ein, pe rejeter, bon nu pou continuer.”

And, he went on to add, and I quote –

“...deuxièmement mo bisin dire ou, mo hésiter pou dire ou sa parceki mo pan dire li avant, mo ena bann informations juge pe koz ek ministre.”

(Interruptions)

Hon. Members: Shame! *La honte! La honte!*

Mr Speaker: Order!

The Prime Minister: What a shame on them...

An hon. Member: Shame!

Mr Speaker: Order!

The Prime Minister: ...to attack the Judiciary!

Mr Speaker, Sir, it is apposite for me to mention here a few very pertinent observations and findings of the Court in the petition cases. For example, in the case of *Jhuboo v Ganoo*, regarding the use of the computer room, the Supreme Court held, in no uncertain terms, that, and I quote –

“The petitioner cannot, for that purpose, rely on bare hypothesis that the computer room “could have led” to irregularities or mistakes in the counting process to compel the Court to embark into a ‘roving enquiry’. It is also clear from the evidence on record that the computer room was set up by respondent No. 4 (Electoral Commissioner) to disseminate information to the public on the election results. Nothing more nothing less.”

Mr Speaker, Sir, in the case of *Duval v Electoral Commissioner & Ors*, petitioner, Mr Adrien Duval had averred that around half of all the ballot papers allegedly counted in a counting room were of suspicious nature. The Supreme Court found that not an iota of evidence had been adduced in support of this specific averment. The Court also held that the allegations made by the petitioner had remained unsubstantiated. Upon analysis of the evidence, the Supreme Court came to the conclusion that the petitioner had failed to prove by way of cogent evidence, any of the allegations of irregularities or mistakes on the part of respondent No. 3, that is, the Returning Officer. The Supreme Court accordingly set aside the petition with costs.

Mr Speaker, Sir, there were also several instances where numerous paragraphs in the petitions had to be struck out as ordered by the Supreme Court. For example, in the case of *Ganoo v Jhuboo*, the Court decided, and I quote –

“The averments in those paragraphs, namely paragraphs 11 to 25 are “unnecessary” and introduce irrelevant matters as to the recount of the actual ballot cast and would unduly protract the pleadings as well as the hearing of the election petition. Not striking out those paragraphs would lead to useless expenses and would prejudice the trial.”

Likewise, in the case of *Maudhoo v/s Bachoo*, in regard to the allegation of irregular compilation of the Register of Electors, the Court held that, and I quote –

“...the averments set out at paragraphs 11 to 19 are unnecessary in the sense that they are so irrelevant that to allow them to stand would involve useless expense and are wholly apart from the real issues to be determined. We order that paragraphs 11 to 19 to be struck out.”

I must add that similar observations had been made by the Court in the matter of Collendavelloo v/s Adeburo.

Mr Speaker, Sir, as the House is aware, in his election petition, Mr Dayal had asked that the election of the three returned candidates of Constituency No. 8 be declared null and void on grounds of bribery, treating and undue influence. The observations and conclusions of the Supreme Court in this particular case are very telling about the invalidity of their accusations and arguments. In regard to the accusation of bribery in relation to the PRB Report, the Court observed that, and I quote –

“The petitioner was confronted with the fact that the electoral manifestos of both Alliances contained similar proposals in relation to the PRB Report. He either did not answer or replied that two wrongs do not make one right or replied that the proposals of *L’Alliance Nationale* were part of its electoral manifesto whereas the proposals of *L’Alliance Morisien* constituted an electoral bribe. We must say - the Privy Council says - that we were not impressed at all by the petitioner’s astounding answers and double standards ...

We accordingly find that the alleged acts of bribery with regard to the PRB Report proposals have not been proved against the respondents.”

Similarly, in regard to the allegations of treating and undue influence, the Supreme Court found that there was no merit in the petitioner’s allegations. As the House is aware, all the findings and conclusions of the Supreme Court in this case were endorsed by the Privy Council, on appeal.

Mr Speaker, Sir, in their hysterical campaign after their electoral defeat, the then *Plateforme de L’Espoir*, comprising, *inter alia*, the MMM and the PMSD, went to the extent of asking the Electoral Commissioner to resign from his post.

(Interruptions)

The leader of the MMM said, and I quote –

«*La confiance du public dans la commission électorale a été ébranlée... les élections de 2019 ne se sont pas déroulées comme il le fallait.*”

Hon. Boolell, speaking on behalf of the Labour Party, stated, and I quote –

«*Ce n’est pas de gaité de cœur que nous affirmons que le commissaire électorale et le président de l’ESC doivent démissionner. The guys must go. Pour la santé de la démocratie et du processus électorale, il est important qu’ils partent* ».

(Interruptions)

Mr Speaker, Sir, in their frenzy, the Labour Party did not spare even the Privy Council. In fact, after the dismissal of the appeal of Mr Suren Dayal by the Privy Council, a Senior Counsel who is also one of the legal advisers of Dr. Navinchandra Ramgoolam, and also his former election agent, stated, during a radio programme on Radio Plus, on Monday 16 October 2023, I quote –

« Oui, premièrement sur la forme, donc lady Sue Carr - pa Sookar ein, Sue Carr - et c'est une juge qui vient d'être nommée au conseil privé, so premier cas c'était l'affaire de Dayal contre Jugnauth. Et voilà donc ki, li même li pli junior comme juge, li même li rend le jugement, ça c'est le premier constat ki nou faire. Deuxième constat ki mo faire, enn jugement extrêmement courte, à moins ki nou ena enn lot version ki nou pa koné, à moins ki c'est enn version condensé ki parfois zot rend jugement la coumsa. Mais si c'est bien le jugement, de mémoire mo pann trouve enn jugement aussi courte ki sa, surtout pou enn question pareil. Et troisièmement, encore plus surprenant, pa finn cite okenn précédent, okenn cas. Finn cite seulement enn extrait de la loi, Section 64, Representation of People Act. Voilà, ça c'est enn volet. »

From this famous Senior Counsel, whom you know very well!

Dr. Boolell: *Kit parlman enn fwa! Ki to kone!*

The Prime Minister: Mr Speaker, Sir, following the Privy Council judgment, the Leader of the Labour Party made a public statement during which he said, and I quote –

«... tout le monde reconnaît que les élections de 2019 n'étaient ni free ni fair (...) Le jugement ne veut nullement dire que les élections n'ont pas été truquées. »

Mr X. L. Duval: *Bizin dakor...*

Mr Ramano: Mauvais perdant!

The Prime Minister: Furthermore, during a Press Conference of the PTR-MMM-PMSD Alliance, held on 22 October 2023, that is, just after the Privy Council judgment, Dr. Ramgoolam, again, expressing his dissatisfaction against the judgment, stated, and I quote –

«Le Privy Council s'est basé sur le jugement de la Cour suprême de Maurice et a fait une interprétation étroite de la section 64 de la Representation of the People Act. C'est tout. »

Mr Speaker, Sir, this is in total contradiction of his own statement which he had made previously at the MKS Hall, at Caroline, Bel Air on Friday 20 December 2019, where he expressed his trust and confidence in the Privy Council, saying, and I quote –

«Au moins, ou conner ou ena sa justice qui ou pe gagner ek Anglais la. Anglais li capave ena so défauts. Mais ena ene zaffaire qui mo conner ek Anglais. »

Mr Toussaint: *Konn Anglais bien li!*

The Prime Minister: Navinchandra who knows *Anglais la* –

« Cot bisin faire la justice, li pou faire la justice li. Sa ene l'autre qualité race sa. »

Hon. Members: London Boy!

The Prime Minister: Mr Speaker, Sir, such contradiction betrays their bad faith and is typical of a *mauvais perdant*.

Mr Speaker, Sir, the Leader of the Opposition also made a statement in the wake of the Privy Council judgment saying that, and I quote –

« Cela ne veut pas dire que selon mes convictions personnelles qu'il n'y a pas eu d'abus et des vices de procédures (...) Il faut allouer de vrais pouvoirs à l'Electoral Supervisory Commission et revoir le rôle de la MBC, tout comme les dépenses électorales. Nous n'avons pas besoin du Privy Council pour dire si c'est bon ou mauvais. »

Mr Speaker, Sir, as I stated in my reply to Parliamentary Question B/1316 on Tuesday 31 October 2023, the outcry and protest of this disgruntled Opposition following their defeat in the 2019 General Election, especially their wild allegations and accusations over the supposed election rigging and their irresponsible public remarks and recriminations have indeed tarnished the image and reputation of the Electoral Supervisory Commission and the Office of the Electoral Commissioner – two institutions that are so vital for our democracy.

The ESC and the Office of the Electoral Commissioner have, over the years, built a robust reputation by delivering credible and transparent elections, where the election results have always been accepted by all stakeholders.

Mr Speaker, Sir, it is a matter of deep regret that, in spite of the dismissal of their election petitions, or their voluntary withdrawal by the petitioners themselves, and in spite of the comments and observations made by the Supreme Court and the highest court of appeal, that is, the Privy Council in Dayal's case, the Opposition have continued their delirious campaign about their so-called election rigging.

Mr Speaker, Sir, in my reply to PQ B/1316, I had underlined the fact that we, on this side of the House, have never had any doubt on the integrity and independence of these two institutions and their capacity to deliver credible elections, a fact that is recognised and acknowledged both locally and internationally as evidenced by the numerous occasions on which the Electoral Commissioner had been called upon by foreign States and entities to share his knowledge and expertise in electoral matters.

As a matter of fact, the Electoral Commissioner has, on 15 November 2023, been conferred the Life Time Achievement Award by the International Centre for Parliamentary Studies (ICPS).

The ICPS is a research institution of the United Nations Public Administration Network, and also works in partnership with the United Nations Development Programme and the Association of European Election Officials.

Headquartered in London, the ICPS promotes effective policy making and good governance through better interaction between Parliaments, Governments and other stakeholders in society.

The Lifetime Achievement Award is conferred upon people for their remarkable achievements, outstanding work, deep commitment or great sacrifice in the fields of elections and democracy.

Mr Speaker, Sir, the Award was conferred upon Mr Abdool Rahman, after unanimous decision of the Judges, during the 19th International Electoral Affairs Symposium and International Award ceremony hosted by the Portuguese National Electoral Commission, in partnership with the ICPS, in Lisbon from 14 to 15 November 2023. The Award was presented to Mr Abdool Rahman by Mr Thomas Hicks, Commissioner of the U.S. Election Assistance Commission.

Mr Speaker, Sir, this award is a recognition of the expertise and professionalism of Mr Abdool Rahman and his remarkable career at the head of our electoral management body.

Mr Speaker, Sir, sadly, it took lengthy court cases to expose the bad faith and the disingenuity of this Opposition which perpetuated a false narrative about election rigging.

We, on our side, are convinced that the dismissal of the electoral petitions, or their voluntary withdrawal, and especially the observations, findings and conclusions of both the Supreme Court and the Judicial Committee of the Privy Council and the recent international award conferred upon the Electoral Commissioner will reinforce the trust of the electorate in these two institutions.

Mr Speaker, Sir, I have great confidence in the maturity and wisdom of the Mauritian population. They read, they reflect and they think. I am confident that our mature and wise population - *un électorat éclairé* - will see that the Opposition Members have been crying wolf, with the result that some people may have been misled by their narrative of lies and deceit. Those very people who claimed that the elections were unfair or conducted improperly never came to proof in Court.

In fact, Dr. Ramgoolam who was the chief architect of that narrative, never even set foot in court to give evidence. He simply withdrew his election petition giving reasons which were untenable, to say the least. Now, it is clear that all that was a litany of lies.

Mr Speaker, Sir, I must also underline the fact that contesting an election results on such a scale, I must say unprecedented and in such manner by this Opposition. As I say, it was unprecedented. The political history of Mauritius is replete with examples of leaders and other stalwarts, from different political complexions, who were endowed with the maturity and wisdom to be magnanimous in victory and gracious in defeat and never blamed or discredited the electoral management bodies or election officials for their defeat, unlike this Opposition which, after their last electoral debacle, started a most irresponsible and sinister smear campaign, undermining the credibility and reputation of these institutions and through this desperate face-saving exercise, they did a great disservice to the nation.

Mr Ramano: Shame!

The Prime Minister: Mr Speaker, Sir, in regard to the question about the measures which Government will take to restore public trust and confidence in our electoral management bodies, the House will appreciate that in terms of sections 40(3) and 118(4) of the Constitution, these two institutions are meant to operate in a totally independent manner, free from any outside interference. We, as Government, have never interfered in the workings of these institutions. Government can do no more than provide them with all the resources they require to enable them to deliver on their constitutional mandate and we will continue to do so.

As I stated in my reply, the Office of the Electoral Commissioner has always adhered to best practices and standards and all its operations are supervised by the Electoral Supervisory Commission. Moreover, all general elections are marked by the presence of regional and international election observers.

We are confident that the Electoral Commissioner's Office and the Electoral Supervisory Commission are fully capable and committed to organise credible elections,

as they have done so far, and they will continue to uphold the integrity of the electoral process in Mauritius, as they have always done.

Mr Speaker, Sir, to answer the hon. Member's question, therefore, I should say that it is not for me nor for the Electoral Supervisory Commission or the Electoral Commissioner's Office to take steps to repair the damage caused to their reputation, but it is for this Opposition, which has, day and night since 2019, bashed those institutions and the hardworking and decent persons who man them, to do an introspection and ask themselves whether it was right for them to have acted so irresponsibly. It will be for this Opposition to repair the damage done by tendering their unreserved apology to the Chairperson and Members of the Electoral Supervisory Commission, the Electoral Commissioner and to the Returning Officers and all the election staff whose services were retained for the conduct of the 2019 General Election. The Opposition should now act more responsibly and put an end to their campaign of lies, once and for all.

Mr Speaker: Hon. Members, I will not allow any supplementary question. I have to inform the House that PQs...

Mr X. L. Duval: Time is over?

Mr Speaker: B/1552, B/1572 will be replied by the hon. Prime Minister. Also, the Table has been advised that the following PQs have been withdrawn...

Mr X. L. Duval: Mr Speaker, Sir, I have a question!

Mr Speaker: B/1515, B/1521, B/1524.

Mr X. L. Duval: Mr Speaker, Sir, I have a question for the Prime Minister!

Mr Speaker: Time is over!

Mr X. L. Duval: Have you ever heard of someone answering a question for 30 minutes and no supplementary question? Is that fair?

Mr Speaker: Is that? So...

Mr X. L. Duval: I had a question for the Prime Minister!

Mr Speaker: Can you stay quiet? Let me reply to you.

Mr X. L. Duval: Yes.

Mr Speaker: You know...

Mr X. L. Duval: You have no control?

Mr Speaker: That question of allowing question, this issue is the discretion of the Speaker, not the Leader of the Opposition.

Mr X. L. Duval: I have a question!

Mr Speaker: Not the Leader of the Opposition.

Mr X. L. Duval: Of course! That's why I am asking you.

Mr Speaker: Not the Leader of the Opposition. This is my final ruling, and my ruling is final.

Mr X. L. Duval: I have a question!

Mr Speaker: I don't have to listen to you.

Mr X. L. Duval: I had a question for the Prime Minister...

(Interruptions)

Mr X. L. Duval: I had a question for the Prime Minister!

Mr Ramano: *Fer ene lot petition.*

Mr Speaker: Questions to Ministers! Hon. Wochit!

Dr. Boolell: Dictature!

NHDC BAIE DU TOMBEAU - FOOTBALL PLAYGROUND

(No. B/1525) Mr R. Wochit (Third Member for Pamplémousses & Triolet) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the upgrading of the football playground at the NHDC Baie du Tombeau, he will, for the benefit of the House, obtain information, as to where matters stand.

(Interruptions)

Mr Speaker: This is the first time I see this.

The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. Husnoo): Mr Speaker, Sir...

Mr X. L. Duval: *Mone deza pozer PNQ...*

Mr Speaker: Order!

Dr. Husnoo: Mr Speaker, Sir, I am informed by the District Council of Pamplémousses...

(Interruptions)

Mr Speaker: Order! Hon. Leader of the Opposition! Hon. Leader of the Opposition, try to be polite!

An hon. Member: Be polite!

Mr X. L. Duval: He talks to me, I can't answer? He talked to me, I have to answer.

Mr Speaker: May I continue with my work? Do you give me permission to continue with my work? You have finished with your work! You will be moving out shortly.

Mr X. L. Duval: I don't need your permission to move out.

Dr. Husnoo: Mr Speaker, Sir...

Mr Speaker: Can I continue?

Mr X. L. Duval: If you want to! If you want to go also, you can go!

Mr Speaker: You are behaving like a child. This is a Leader of the Opposition behaving like a child.

Mr X. L. Duval: You can come too.

Mr Balgobin: *So ler travail fini la, laise li aler !*

Mr Speaker: Hon. Woochit! You already put your question. The Minister is replying.

Dr. Husnoo: Mr Speaker, Sir, I am informed by the District Council of Pamplemousses that the football playground at NHDC Baie du Tombeau had been vested into the District Council of Pamplemousses in October 2020.

(Interruptions)

An hon. Member: *Pa travail, aler!*

Dr. Husnoo: The football ground is being maintained by the Council's contractor, who carries out mowing and associated works twice monthly.

The turfing of the playground is of natural grass and regular maintenance is done. The enclosure wall and the fencing are also in good condition.

Moreover, the District Council of Pamplemousses has received a request from the Village Council of Baie du Tombeau for the installation of lighting in order to enable playing of night matches and training. The estimated cost for the lighting works is estimated at Rs1.2 million and a request for funds has been made by the Council to enable the implementation of the proposed lighting project.

Mr Woochit: Thank you, Mr Speaker, Sir. Can the hon. Vice-Prime Minister inform the House what measures are being taken to ensure that the cloakroom lighting and *gradin*, I think there are sitting arrangements, can be enhanced at the said playground to accommodate spectators and players and if it is so, give a timeframe for the implementation of the overall infrastructure enhancement.

Dr. Husnoo: Mr Speaker, Sir, I have just mentioned about the lighting. The lighting is going to cost about Rs1.2 million and a request had been made on 17 November 2023. Once the contract is awarded, the work could be completed in about 20 days as far as lighting is concerned. As far as the other work is concerned, obviously once we get the request, the Council of Pamplemousses will look into it.

Mr Woochit: Is the Minister aware that there is waterlogging on the playfield and if it is so, can he inform the House if there is any comprehensive strategy addressing the drainage system or by ground-levelling as a part of the playground's upgrade to prevent waterlogging and maintain that quality of the field to meet professional standards and to ensure the safety of players playing over there?

Dr. Husnoo: Mr Speaker, Sir, I have just replied. We have a maintenance contractor there who carries out mowing and associated works twice monthly. So, if there is any issue, they should report it to the Council and we will look into it.

Mr Speaker: Next question!

CHILD SEXUAL ABUSE - REPORTED CASES, ARRESTS & CONVICTIONS

(No. B/1526) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière) asked the Minister of Gender Equality and Family Welfare whether, in regard to child sexual abuse, she will state the –

- (a) the number of reported cases thereof since 2019 to date, indicating the number of –
 - (i) arrests effected, and
 - (ii) convictions secured, and,
- (b) preventive measures envisaged to combat same.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): Mr Speaker, Sir, I am informed by the Commissioner of Police that since 2019 to date, the number of reported cases of child sexual abuse stands at 1,546. As for the number of arrests effected, the number stands at 873 and there are about 23 convictions secured. However, it is worth noting that 939 cases

are still under enquiry, 260 awaiting advice from the DPP, 59 awaiting prosecution and 265 have been filed.

With regard to part (b) of the question, I wish to inform the House that a series of legislations have been promulgated together with the Children's Act 2020, namely the Children's Court Act, the Child Sex Offender Register Act 2020. These legislations provide for the police to monitor and track perpetrators who have been found guilty of committing sexual offences against children upon their release from jail. I am further informed that the number of persons registered so far in the CSO Register stands at 131.

Mr Speaker, Sir, additionally, the Children's Act 2020 has provided for harsher penalties and sections to deter sexual abuse against children. Moreover, the Act provides for mandatory reporting by any person who performs professional or official duties with respect to children where there is belief that a child is being or is likely to be exposed to harm.

I am further informed that Child Watch Committees at the level of the Child Development Unit have set up a system to detect and identify cases of abuse or potential victims.

As part of the preventive aspect, Information, Education and Communication Campaigns are conducted at national level in collaboration with the National Children's Council and *Brigade Pour la Protection De La Famille* targeting the population at large against child sexual abuse.

A Parental Empowerment Resource Centre (PERC) has also been set up at the level of the Ministry of Gender Equality and Family Welfare which focuses on various aspects of early childhood development, education, quality child care, parenting and family support. The programme aims at educating parents of detection of early signs and symptoms of child sexual abuse and the course of action to be adopted in suspected cases of this nature.

Mrs Foo Kune-Bacha: Merci. On peut constater, malheureusement qu'il y a énormément de cas mais pas beaucoup de *convictions*, comme on dit.

Pas plus loin que la semaine dernière, une fille de 11 ans de ma circonscription à La Valette a été agressé sexuellement en pleine rue, en plein jour, en se rendant chez elle. La ministre peut-elle nous dire de quelle manière elle est prise en charge surtout qu'elle a été retrouvée dans un état de choc, si elle bénéficie d'un suivi et si l'agresseur a été arrêté ?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, I am aware that the Ministry of Gender Equality has a number of psychologists at their disposal and they've got a special centre to take care of victims of such abuse.

Mr Speaker: Next question! You have one?

Mrs Foo Kune-Bacha: Yes. La ministre de l'Égalité, des genres et du bien-être de la famille avait mentionné lors de son intervention sur le *Children's Bill* en 2020 qu'elle envisageait d'introduire la castration chimique pour ceux qui commettront des abus sexuels envers les enfants. Est-ce que la ministre peut-elle nous dire si la ministre en question a l'intention d'aller de l'avant avec ces propos ?

Mrs Dookun-Luchoomun: I would suggest that the hon. Member sets a question to the substantive Minister.

Mr Speaker: Hon. Ms Tour!

FREE PRE-PRIMARY EDUCATION – GRANT-IN-AID SCHEME – IMPLEMENTATION

(No. B/1527) Ms J. Tour (Third Member for Port Louis North & Montagne Longue) asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to the free pre-primary education, she will state where matters stand as to the implementation and the defining of the modalities for the Grant-in-Aid scheme thereof.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): Mr Speaker, Sir, allow me at the very outset to thank the hon. Member for this question which gives me the opportunity to further elaborate on the free pre-primary education scheme.

Mr Speaker, Sir, Early Childhood Care and Education is the foundation of a child's lifelong learning journey. These years are critical to ensuring readiness for schooling and success in future learning. The provision of an inclusive equitable and quality early childhood education remains at the heart of our action.

The House will recall that the hon. Prime Minister had, on the occasion of the celebrations of the 55th anniversary of Independence, announced that the pre-primary education would become free for children aged 3 to 5 as from the beginning of the school year in January 2024. This is in line with the very principle of equity in education. This Government has systematically reinforced an education system that opens the doors of

progress and development for all citizens. Free education, Mr Speaker, Sir, is the way to make this realisable for all.

We came up with free tertiary education. It is only natural therefore, that the pre-primary subsector be fee-free considering that all the other education subsectors are already free. The loop had to be closed, Mr Speaker, Sir, and that is what this policy sets out to do.

Mr Speaker, Sir, the present scheme covers 651 pre-primary schools. This is 84% of pre-primary schools covering around 19,600 children. As at date, 416 registered private pre-primary schools have enthusiastically joined the scheme. This Grant-in-Aid scheme covers the operational costs as well as the staff costs of all these schools. The operational cost will be in respect of expenditure incurred on utilities, educational materials, pedagogical resources as well as rental fees where applicable.

A prompt payment of operational expenses will be made on a quarterly basis to the bank account of each school. The annual operational costs based on the school population will range from Rs240,000 to Rs650,000 yearly. All staff costs will be taken over by Early Childhood Care & Education Authority. This will include salaries of managers, assistant managers, teachers, assistant teachers and school attendants. All qualified teachers will be remunerated as per the PRB recommendations thus ensuring that they are all placed at the same footing as teachers in the public sector. The teacher-pupil ratio will be one teacher and one assistant teacher for every 15 children.

You will agree, Mr Speaker, Sir, that a small class size will allow for more personalised attention and care and will also be conducive to catering to specific needs of the children and that is going as per the UNESCO's recommendation and even beyond, Mr Speaker, Sir.

Furthermore, this policy opens up opportunities for young aspirant teachers to join the profession because we have created the post of assistant teachers as well. In addition, each and every school will have a manager and those having more than 101 children will also have an assistant manager. A school having a population of up to 50 children will be entitled to one school attendant and the Grant-in-Aid scheme also provides for one school attendant for every additional 50 children up to a maximum of five.

The salary of the school attendants will be according to the National Remuneration Board's recommendations. Their emoluments and each of the staff members will go directly to their personal bank accounts. Government's funding for this project will be to the tune of Rs1.5 billion. That will include an amount of 30 million that would be

earmarked yearly for non-recurrent projects to enhance the school environment for conducive learning. Funds will be released upon application and after necessary verifications, evaluation and endorsement of the project by the ECCEA.

Mr Speaker, Sir, the ECCEA will be responsible for the implementation of the GIA Scheme and Government has decided to invest in the early childhood education so as to ensure successful school journey for our children.

Mr Speaker: Supplementary! Okay. Hon. Members, the Table had been advised that PQs A/19 has been transferred to the hon. Minister of Health and Wellness. The following PQs had been withdrawn – B/1535, B/1548, B/1561, B/1564, B/1566, B/1569, B/1573.

Hon. Members! I suspend the Sitting for an hour and a half.

At 1.00 p.m., the Sitting was suspended.

On resuming at 2.38 p.m. with Mr Speaker in the Chair.

Mr Speaker: Please be seated!

Hon. Doolub!

GOVERNMENT FINANCIAL SUPPORTS – GAP REDUCTION IMPACT

(No. B/1528) Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien) asked the Minister of Finance, Economic Planning and Development whether, in regard to the various financial supports extended by Government over the past 5 years, he will state if he is in presence of any report on the impact thereof towards the reduction in the gap between the highest and lowest segment of the population and, if so, give details thereof.

Dr. Padayachy: M. le président, le gouvernement a mis en œuvre une série de réformes axée sur le renforcement de l'État-providence pour assurer l'égalité des chances et la protection des plus vulnérables. Des ressources considérables ont été allouées à la sauvegarde du pouvoir d'achat des ménages en particulier pour les segments les plus fragiles de la population.

Cet objectif a toujours figuré parmi les priorités de notre Premier ministre, Pravind Kumar Jugnauth, qui a introduit le salaire minimum national en 2018, lequel a depuis été révisé à plusieurs reprises pour atteindre R 15 000 en 2023 au travers du Revenu minimum garanti.

Un impôt négatif sur le revenu a également été introduit pour renforcer davantage le pouvoir d'achat des bas revenus et à ce jour, Maurice est l'un des très rares pays au monde à avoir osé mettre en place une telle mesure.

Pour contrer les effets de la pandémie de la Covid-19 et l'escalade des prix dans le sillage du conflit entre la Russie et l'Ukraine, nous avons introduit une série de nouvelles mesures de protection sociale et avons renforcé les mesures existantes. Et cela, pour nous assurer que nous créons les conditions d'une société équitable et juste. C'est ce que nous avons fait ces dernières années et nous continuerons à le faire ainsi.

M. le président, permettez-moi de rappeler aux membres de cette auguste Assemblée et à la population quelques-unes des principales mesures que nous avons prises à cette fin –

- les pensions de base ont augmenté de manière significative de 11 000 roupies par mois aujourd'hui alors que le montant n'était que de 3 623 roupies en 2014.
- la pension de base pour les veuves et la pension de base pour les invalides sont passés à 11 000 roupies en 2023 également alors que son montant n'était que de 3 623 roupies en 2014.
- le montant de la pension de base pour les orphelins de moins de 15 ans a augmenté de manière significative passant de 1,810 roupies en 2014 à 10 000 roupies aujourd'hui, ce qui représente une augmentation de plus de 500 %. Pour les orphelins âgés de 15 à 20 ans et scolarisés à plein temps, il est passé de 4000 roupies en 2015 lors de son introduction à 10 000 roupies en 2023, soit une augmentation de 250 %. Pour les orphelins âgés de 20 à 23 ans et scolarisés à plein temps, il est passé de 9 000 roupies en 2022 lors de son introduction à R 10 000 en 2023.
- La *CSG Income Allowance* a été introduite pour alléger la pression financière à laquelle est confrontée la population, causée par la pandémie. Dans le budget 2022/23, il a été annoncé qu'une allocation de revenu CSG de 1 000 roupies serait accordée à ceux qui gagnent moins de 50 000 roupies. En outre, dans le budget 2023/24, l'allocation de revenu CSG de 1 000 roupies a été maintenue pour les personnes gagnant moins de 50 000 roupies, avec 1 000 roupies supplémentaires pour celles qui gagnent moins de 25 000 roupies. Cela signifie qu'environ 200 000 personnes voient leur allocation de revenu CSG doublée, à 2 000 roupies par mois.

- Une allocation spéciale pour compléter le salaire minimum national et assurer un Revenu Minimum Garanti fixé à 15 000 roupies dans le dernier budget a été introduite.
- Une aide financière à des secteurs spécifiques pour le paiement de la compensation salariale a été introduite par l'État.
- La Prime à l'Emploi de 15 000 roupies par mois a été introduite pour intégrer dans la population active les jeunes mauriciens, les femmes et les personnes handicapées.
- Le *CSG Child Allowance* de 2 000 roupies par mois a été mis en place pour soutenir financièrement les jeunes parents.
- Le *CSG Interest Relief Scheme* de 1 000 roupies pour soutenir les ménages ayant contracté un prêt immobilier suite à la hausse des taux d'intérêts.
- Le *Social Register of Mauritius* a été créé pour soutenir les familles les plus défavorisées au travers d'assistances financières dont le montant a été continuellement augmenté.
- Enfin, la gratuité de l'éducation a progressivement été étendue à tous les niveaux scolaires.

L'objectif principal de ces mesures, M. le président, est d'améliorer la qualité de vie des mauriciens, de mieux rebondir des répercussions socio-économiques de la pandémie de Covid-19 et d'atténuer les effets de l'escalade des prix due au conflit entre la Russie et l'Ukraine.

Je rajoute à cet égard que le gouvernement a alloué un montant de 22,6 milliards de roupies depuis 2017 pour subventionner les produits essentiels à la vie quotidienne des ménages mauriciens.

M. le président, j'ai été informé que Maurice Stratégie a réalisé une étude complète visant à évaluer l'impact de mesures de soutien spécifiques sur les inégalités, notamment sur le coefficient de Gini et le ratio du revenu relatif.

Dans ce rapport, intitulé « *Building Bridges : Réduire les inégalités grâce à l'intervention du gouvernement* », l'impact des mesures suivantes a été évalué –

- a) l'introduction du salaire minimum ;
- b) l'augmentation de la pension de base ;
- c) les rémunérations complémentaires comprenant la compensation salariale, et

d) les allocations de revenu.

Un modèle de microsimulation, utilisant les microdonnées de l'enquête sur le budget des ménages de 2017, a été développé pour saisir l'impact de ces mesures en ce qui concerne le coefficient de Gini, qui est une mesure de l'inégalité des revenus ou de la richesse au sein d'une population, quantifiant la distribution des revenus ou de la richesse dans un groupe spécifique. Il est compris entre 0 et 1 – 0 représentant l'égalité parfaite et 1, l'inégalité parfaite. Le coefficient de Gini a été estimé avant et après l'introduction des mesures. Les effets ont été clairement positifs, car l'approche ciblée a bénéficié de manière positive et exponentielle aux personnes vulnérables.

Ce que montre le déplacement positif de la courbe de Lorenz, indiquant une réduction de la disparité des revenus entre les ménages, avec un coefficient de Gini estimé à 0,304 en 2022 par rapport à 0,42 en 2015 et 0,4 en 2017. Sur la base de l'analyse, les rémunérations complémentaires annuelles sont estimées comme le principal facteur d'amélioration de l'indice de Gini à 39,9 %, suivi par les allocations CSG à 26,6 %, une augmentation de la pension de retraite de base 16,9 %, et le salaire minimum 12,2 %.

M. le président, le rapport mentionne également que les compensations salariales ont été substantielles ces dernières années et que le fait qu'il s'agisse de montants forfaitaires plutôt que de montants *ad valorem* a contribué à réduire l'écart. Les prestations de la CSG ont été ciblées sur les catégories à faible revenu, ce qui a eu un effet égalisateur similaire à celui des compensations salariales.

En outre, l'étude a démontré que la part des revenus cumulés des 10 % les plus riches par rapport aux 10 % les plus pauvres a diminué de 15,4 % en 2017 à 7,8 en 2022, et que la part détenue par les 20 % les plus riches par rapport aux plus pauvres a diminué de 8,5 en 2017 à 4,9 % en 2022.

Avec les mesures mises en œuvre, le coefficient de Gini nouvellement estimé, place Maurice dans le top 35 des pays ayant le plus faible niveau d'inégalité de revenus, au-dessus de pays comme l'Estonie, la France ou l'Allemagne. Ces résultats sont corroborés par d'autres estimations faites par la Banque Mondiale et *Statistics Mauritius*.

Merci.

Mr Doolub: Thank you, Mr Speaker, Sir. The Minister just said in his reply that there has been a decrease in inequality. Can we know from the Minister what the impact on this decrease on our economic performance is? Thank you.

Dr. Padayachy: M. le président, la réduction des inégalités est également un facteur clé pour stimuler la croissance économique. Une étude de l'OCDE intitulée : *'Trends in Income Inequality and its Impact on Economic Growth'* établit un lien de causalité positif entre l'égalité et la croissance économique. En effet, il est démontré qu'une réduction des inégalités d'un point de Gini est traduite par une augmentation de la croissance cumulée de 0,8 point de pourcentage sur les cinq années suivantes soit 0,15 point par an. L'étude souligne également que cette corrélation affecte de manière positive et exponentielle les personnes aux revenus les plus faibles. Autant de raisons adossées aux performances économiques post-Covid de Maurice de conforter ce gouvernement dans sa politique de justice sociale au service de la performance économique.

Après avoir connu la pire crise de notre histoire et notamment une contraction de 15 % de l'économie en 2020, l'économie mauricienne a pleinement rebondi grâce à la stratégie du gouvernement, centrée sur l'humain et la protection des plus vulnérables. Grâce aux mesures de soutien mises en place par le gouvernement représentant un montant équivalent 32 % de notre PIB, nous sommes sortis la tête haute de la crise de Covid-19. Et alors que nous avons évité les défauts de paiement, les faillites en cascade et les vagues de chômage, nous pouvons être fiers d'énumérer les résultats et projections suivants –

- le PIB de l'économie mauricienne devrait atteindre 650 milliards de roupies en 2023 contre environ 450 milliards de roupies en 2020, soit une augmentation nominale de 44 %.
- L'économie avait déjà connu une croissance de 8,9 % en 2022 et devrait croître de 6,8 % cette année.
- Le niveau d'investissement s'est lui-aussi entièrement rétabli et dépasse le niveau d'avant la pandémie. L'investissement intérieur total des secteurs public et privé est estimé à 112,8 milliards de roupies en 2022 soit une augmentation de 20,2 % par rapport à 2021.

Je tiens à souligner que le taux d'investissement est passé de 17,1 % en 2021 un 19,7 % en 2022 et devrait atteindre environ 22 % en 2023. Les entrées d'IDE ont pour leur part atteint le niveau record de 27,7 milliards de roupies en 2022.

Pour ce qui est de l'exportation de biens et services, elle a dépassé 320 milliards de roupies en 2022, soit une augmentation nominale de 51 % par rapport à 2021 et est estimée à environ 360 milliards de roupies en 2023. L'année 2022 a été marquée par un ratio des exportations totales par rapport au PIB qui s'élevait à 56,7 %. Dans cette lignée, la productivité du capital a augmenté de 7,6 % en 2022 contre 2,3 % en 2021 et -15 % en 2020.

En outre, la dette du secteur public en pourcentage du PIB a été considérablement réduite, passant de 91,9 % en juin 2021 à 79,6 % à la fin du mois de septembre 2023.

Merci, M. le président.

Mr Doolub: Thank you, Mr Speaker, Sir. The Minister mentioned and enumerated on the strategy of Government. Moving forward, can the Minister inform the House: is the economic policy sustainable? Thank you.

Dr. Padayachy : M. le président, la preuve est faite par les résultats produits par cette politique avec le taux de croissance, le niveau des investissements, le niveau des exports et surtout par rapport au taux de chômage. Le taux de chômage a diminué à 6,4 % au deuxième trimestre de 2023. Ce chiffre n'a jamais été atteint au cours des 25 dernières années.

Donc, oui, cette politique est soutenable et durable et souhaitée par le gouvernement à long terme.

Merci, M. le président.

Mr Speaker: Next question, MP Dr. Gungapersad!

ANSE LA RAIE – STATE LANDS – EIA LICENCES - APPLICATIONS

(No. B/1529) Dr. M. Gungapersad (Second Member for Grand' Baie & Poudre d'Or) asked the Minister of Environment, Solid Waste Management and Climate Change whether, in regard to applications for Environmental Impact Assessment licenses for State lands in the region of Anse La Raie stretching from Paradise Cove Boutique Hotel to Anse La Raie Fish Landing Station, he will give a list thereof since January 2020 to date, indicating in each case the number thereof –

- (a) approved;
- (b) issued, and
- (c) still under consideration.

Mr Ramano: Mr Speaker, Sir, I wish to inform the House that since January 2020 to date, no application for Environmental Impact Assessment licenses with regard to development of State lands in the region of Anse La Raie stretching from Paradise Cove Boutique Hotel to Anse La Raie Fish Landing Station has been received at my Ministry.

Mr Speaker: Next question! MP Anquetil!

Mr Osman Mahomed: I have a question on this as well.

Mr Speaker: No, no, no. The answer is no.

Mr Osman Mahomed: No, but...

Mr Speaker: The Minister said 'no' with regard to application for Environmental Impact Assessment licenses in the region. He will give a list since January 2020. He said...

Mr Osman Mahomed: I have...

Mr Speaker: ...no list. So, what supplementary question do you want?

Mr Osman Mahomed: I have a question with regard to strategic environment.

Mr Speaker: With regard to?

Mr Osman Mahomed: We are talking about a Master Plan of 100 acres here, and...

(Interruptions)

Mr Speaker: Where is the Master Plan here?

(Interruptions)

Excuse me! Excuse me! I have been lenient; I am listening, but you are out of track.

MP Anquetil!

DOMESTIC VIOLENCE – PERPETRATORS' REHABILITATION – POLICY

(No. B/1530) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Minister of Gender Equality and Family Welfare whether, in regard to the rehabilitation of perpetrators of domestic violence, she will state the policy of her Ministry thereon.

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 Ministry of Gender Equality and Family Welfare has been on the forefront with regard to the promotion of family welfare. Psychological counselling, support and assistance to victims of domestic violence as well as counselling services to perpetrators are provided by the Ministry in an attempt to recreate a harmonious relationship between both partners.

Initially, the legislation catered for counselling of both partners, subject to their consent. Section 13 of the Protection against Domestic Violence Act now provides for the Court to order a perpetrator to attend counselling sessions organised by the Ministry based on his antecedents, mental and psychological conditions, age and health amongst others.

Mr Speaker, Sir, in addition to the legal provisions, the Family Welfare and Protection Unit of the Ministry of Gender Equality and Family Welfare also conducts awareness-raising campaigns using its network of social welfare centres, women empowerment centres, community centres and through the MBC TV, social media, radio and other platforms.

Since 2019, the Ministry is also collaborating with the Prime Minister's Office, through the "Ansam Avek CSU" to conduct weekly awareness campaigns at community level throughout the island.

Moreover, the Men as Caring Partners Programme is being implemented since 2022 to raise awareness at community level on issues pertaining to –

- (i) parenthood;
- (ii) conflict management;
- (iii) sexual and reproductive health;
- (iv) balancing work-family life, as well as
- (v) budget management.

Further, in collaboration with the Council of Religions, as from 2021, training sessions on gender-based violence and their implications are being organised targeting opinion leaders in the community.

Mr Speaker, Sir, the Ministry also works in close collaboration with the Ministry of Health and Wellness and the Mauritius Police Force. A National Protocol on gender-based violence, which is a set of policies, procedures and agreements to be followed by the above stakeholders involved in gender-based violence cases will be signed shortly. It is a resource document intended to assist us with the reporting, protection, care and support services, prevention and management of gender-based violence cases. Sensitisation programmes are also organised in schools and other educational institutions.

In addition, Mr Speaker, Sir, the Ministry is working on a programme with perpetrators on anger management and conflict resolution. The aim is to ensure responsible partnership in their relationships.

Ms Anquetil: *Je vous remercie, M. le président.* Knowing that therapy for perpetrators is not mandatory, would the Minister inform the House how many perpetrators have already been rehabilitated and is there any follow-up once the rehabilitation programme is completed?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, in my answer I have just mentioned that it is the Court that orders. Therefore, it is mandatory. When the Court decides that the person has to go for rehabilitation forces, he has to.

Ms Anquetil: *Je vous remercie, M. le président.* Would the Minister inform the House if the Ministry is considering to recruit permanent marriage counselling experts dedicated to the rehabilitation of perpetrators and reconciliation of the couples *à l'instar de ce qui a été fait par madame Bappoo en tant que ministre de l'époque?*

Mr Speaker: No, you cannot compare. What is the use of doing all of these things?

(Interruptions)

An hon. Member: You are bringing strangers here.

Ms Anquetil: *Ça a été fait dans le passé.*

(Interruptions)

Mr Speaker: What is that? Questions should not bear comparison of one Minister against another Minister.

(Interruptions)

What “of course”? Show me where it is written. Can you show me where it is written? Anyone saying “of course”, show me where it is written.

(Interruptions)

In which Standing Order? Where is the Erskine May?

(Interruptions)

Okay, you may answer the first part.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, I am not aware whether this is in the policy of the Ministry or not but I think that it would be interesting if you could ask the question to the substantive Minister when she is back.

Mr Speaker: Next question! MP Dr. Boolell!

“CAPITAINE” FISH – IMPORTATION – PERMIT ALLOCATION

(No. B/1531) Dr. A. Boolell (First Member for Belle Rose & Quatre Bornes) asked the Minister of Blue Economy, Marine Resources, Fisheries and Shipping whether, in regard to the importation of fish, namely “*Capitaine*”, he will state if any permit

therefor has been allocated and, if so, since when, indicating the process for the granting thereof.

Mr Maudhoo: Mr Speaker, Sir, as we celebrate the World Fisheries Day today, I take this opportunity to wish our fishers a very happy Fisheries day today.

Mr Speaker, Sir, I would refer the hon. Member to the reply I made to Parliamentary Question B/312 of 11 May 2021 from hon. David on the same subject matter.

As I highlighted in my reply to that Parliamentary Question, frozen '*Capitaine*' fish commonly called '*La Perle*' is imported to address the issue of shortage of fish on the local market, mainly during the winter month of May to August when local operators do not normally embark on fishing trips and also during the festive season in December.

As from 2001, the importation of '*Capitaine*' has been categorised as controlled species and has been subject to an annual import quota of 800 tons. This decision was taken to protect our local fishing operators and fishers. At that point in time, Mr Speaker, Sir, that is, in 2001, there were about 12 industrial fishing vessels operating in the bank fishery with a total annual catch of approximately 3,000 to 4,000 tons yearly.

The vessels operating in industrial bank fisheries have however gradually stopped their activities and currently there are no Mauritian flag vessels engaged in industrial fishing for demersal species. It is also to be noted that the two industrial fishing companies, RPP and SFC, the main suppliers of frozen '*Capitaine*' fish are not operational since January 2021.

In 2022, there were 25 fishing vessels operating in the same industrial fishery, harvesting a total of 1,060 tons of fish, including 808 tons of white fish, namely '*Capitaine*' and '*Sacré-chien*'.

From January to October 2023, 29 semi-industrial fishing vessels have been operational and have harvested a total of 869 tonnes of White Fish. The normal monthly consumption of fish is estimated at 500 tonnes, except for the month of December when the local consumption rises to 1,000 tonnes due to festive season.

Mr Speaker, Sir, as you may be aware, the tourism sector – here, I would like to congratulate our DPM with regard to the tourism sector which contributes significantly to our economy. As at end of September this year, we have already exceeded 1 million tourist arrivals in Mauritius. So, given the substantial consumption of fish in hotels, my Ministry also caters for this important pillar of our economy.

Moreover, the closure of net fishing from October to February of the following year – that is, every year – also contributes to a monthly deficit of at least 80 tonnes of fish on the local market. As regards the winter season, the catch of White Fish during this period tends to be low due to reduced activities by the semi-industrial fishing vessels in view of unfavourable weather conditions. The local production of fish is thus not sufficient to cope with the ever-increasing demand for fish both for local and hotel consumption during these particular periods.

It should be noted that most of our semi-industrial fishing vessels are equipped to carry chilled fish. There are only five semi-industrial vessels which land frozen White Fish, amounting to 300 tonnes yearly compared to 900 tonnes of chilled fish yearly.

Mr Speaker, Sir, with regard to the first part of the question, my Ministry has authorised the importation of 300 tonnes of *Capitaine* fish for the upcoming festive season, that is, from 01 December to 15 January 2024. The quota has been shared among the registered importers based on their previous performance.

I am tabling the list of importers together with the quota allocated for the forthcoming festive season.

Mr Speaker, Sir, with regard to the second part of the question, the registered importers normally send their application for import permit to import *Capitaine* and *Sacré-chien* mainly prior to the start of winter or the festive season. When processing the application, my Ministry also takes into account the performance of the applicant based on the quantity of fish imported as compared to the quota allocated for the previous season. It is worth noting that in most cases, the importers are unable to import the quantity of fish authorised during this specified period as these products are not available on the shelf and should be ordered well in advance.

Mr Speaker, Sir, as per our records, the quantity of fish imported is normally less than the quota allocated. For instance, for 2021, a total of 367 tonnes of *Capitaine* was imported for both winter and festive seasons, whereas for year 2022, the amount imported stood at 168 tonnes for both seasons. So, as you may see, Mr Speaker, Sir, despite the quota is 800,000 tonnes yearly, this is the quantum that is imported by our importers.

Mr Speaker, Sir, I am tabling the figures for the years 2021, 2022 and the winter season of 2023.

Accordingly, Mr Speaker, Sir, when allocating the quota to the registered importers, my Ministry takes into account the respective importing capacity. The quota is thus apportioned among the importers and they are then informed by my Ministry that

they may proceed with the application for an import permit through the online TradeNet Portal. The import permit delivered by my Ministry is valid only for the period that the import of *Capitaine* fish is authorised. Moreover, each consignment of imported *Capitaine* is verified by the Import and Export Unit of my Ministry to ascertain that the amount of fish imported does not exceed the quota allocated and that the other species of fish are not illegally included in the consignment.

Dr. Boolell: I thank the hon. Minister for his comprehensive reply. Notwithstanding the undue hardship being faced by fishers who operate on semi-industrial vessels and owners of semi-industrial vessels, why is it that the Ministry does not consider giving special and differential treatment to fishers' associations and those who are involved in the semi-industrial fishing vessels?

Mr Maudhoo: Mr Speaker, Sir, I do understand with regard to our cooperatives or individuals who operate in the semi-industrial sector. Being given that 900 tonnes are chilled fish, and as the hon. Member was himself Minister for Fisheries, after the fishing trip, when the chilled fish are here, there are only three days to sell the products while the frozen fish can stay for two years. So, we do understand the hardship with regard to the semi-industrial sector to sell their fish in three days only but my Ministry is looking on how to help our semi-industrial sector. We are working on how to revamp. The hon. Member is himself aware of the cold room that we have in the port area and we are working on that, that this cold room be put at the disposal of the semi-industrial sector for this sector to take off as we wish.

Dr. Boolell: Can I reiterate what I have said? Can I impress upon the Minister to make sure that special and differential treatment is given to them in relation to import of this fish, at least you know, they can make up for shortfall in revenue and at least they can eke out a decent living?

Mr Maudhoo: Mr Speaker, Sir, in fact, all the operators in the semi-industrial sector are allowed to apply for importation. Of course, we will take into consideration and priority will be given to our operators in the semi-industrial sector with regard to allocation of quota for importation during these specific periods.

Dr. Boolell: Les deux ?

Mr Maudhoo: Yes.

Mr Speaker: Next question! MP Uteem!

(No. B/1532) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Commerce and Consumer Protection whether, in regard to the legal fees and costs in the arbitration proceedings and court cases between the State Trading Corporation and Betamax Ltd., in connection with the termination of the contract of affreightment, she will, for the benefit of the House, obtain from the Corporation, information as to the amount thereof claimed and paid by the Corporation, indicating in each case the –

- (a) name of the legal advisers, and
- (b) amount of fees paid thereto.

Dr. Mrs Chukowry: Mr Speaker, Sir, I am informed by the State Trading Corporation that, with regard to claims put forward by Betamax Ltd. in connection with the arbitration proceedings and court cases, a claim of £ 2,524,400.77 for costs was put before the Judicial Committee of the Privy Council. However, the latter assessed the costs to be £ 579,227.50, and same has been paid by the STC to Betamax Ltd.

With regard to the claims of cost in the Supreme Court of Mauritius, Betamax Ltd. had served a notice for same to STC, but on 10 March 2023, the STC was informed by its legal team that the application was removed with no order to costs.

On 20 October 2023, I am informed that the STC received a claim from Betamax Ltd. for payment of costs incurred in the Supreme Court of Mauritius amounting to about Rs75 m. and same has been referred to the legal team of the STC for advice.

Mr Speaker, Sir, with respect to the part (a) of the question, I am tabling the name of the legal advisors of the STC.

Regarding part (b) of the question, that is, the fees paid to the legal advisors in each case, I am informed by the State Trading Corporation that the following amount was paid in each respective case –

- (a) Singapore International Arbitration Centre: Rs69,491,167.72 ;
- (b) High Court of Karnataka: Rs13,267,290.31;
- (c) Supreme Court of Mauritius: Rs27,954,901.03, and
- (d) Judicial Committee of the Privy Council: Rs43,443,426.73.

Mr Uteem: May I know from the hon. Minister, the case has been over for a couple of years now, why is it that up to now, the cost of Betamax, the Rs75 m. has not been paid? What is the reason for not paying same?

Dr. Mrs Chukowry: Mr Speaker, Sir, in my reply, I just said with regard to the claim of cost in the Supreme Court of Mauritius that Betamax Ltd has served a notice for same to STC but on 10 March 2023, the STC was informed by its legal team that the application was removed with no order to cost. Then it was only on 20 October 2023, just one month back, that we were informed that the STC received a claim from Betamax Ltd for payment of cost incurred in the Supreme Court of Mauritius amounting to Rs75 m. So, our legal team is working on it.

Mr Uteem: Being given the cost of legal fees and cost amounting to using the figures you have just mentioned close to Rs200 m., has Government initiated any action against the Board Members of the STC whose action resulted in taxpayers having to fork out Rs200 m. only in legal fees and cost?

Dr. Mrs Chukowry: Mr Speaker, Sir, may I remind the hon. Member that if we had kept this contract with Betamax, not only would we have had to pay prices higher than at international level but also we would have had to pay for full cargos, for half empty cargos. Or even when no trip is made, we would have had to pay for the trip because in the contract of the Betamax, it was said that we have to pay for 16 trips even if 16 trips are not to be done. So, we are going to pay for cargo *fantôme* and all. So, you see that's why on legal advice, we have to resiliate this contract.

(Interruptions)

Mr Speaker: Order! Order! Next question! MP David!

ARTISTS - FINANCIAL ASSISTANCE SCHEME - BENEFICIARIES

(No. B/1533) Mr F. David (First Member for GRNW & Port Louis West) asked the Minister of Arts and Cultural Heritage whether, in regard to the financial assistance scheme for artists, he will –

- (a) state the number having benefitted therefrom for financial year 2022-2023, indicating –
 - (i) the total amount thereof, and
 - (ii) in each case the amount disbursed thereto, and
- (b) table the list of the beneficiaries thereof.

Mr Teeluck: Mr Speaker, Sir, with a view to offering a financial support to the actors of the cultural and creative sectors and to further develop their artistic talent and create new art productions, a number of financial assistance schemes have been put in place by my Ministry. These are –

- (i) Assistance for the production of Audio-Album;
- (ii) General Assistance Scheme;
- (iii) International Travel Grant Scheme;
- (iv) Scheme for participation in international competition;
- (v) Scheme for participation in international award ceremonies;
- (vi) Film Assistance Scheme;
- (vii) Purchase of Books Scheme, and
- (viii) Artist Incubator Scheme.

In addition to the above schemes which are operated under the Ministry, other financial grants are offered to artists under the National Arts Fund, following calls for projects. These are –

- (i) the Emerging Talent Grant;
- (ii) the Production Grant;
- (iii) the Capacity Building Grant;
- (iv) the Research Grant, and finally
- (v) the Digital Creative Art Grant.

The President's Fund for Creative Writing which operates under the aegis of my Ministry and whose objective is to promote and preserve the creative writings in all languages written and spoken in Mauritius, also offers two schemes namely a financial assistance of Rs30,000 to authors for the publication of their books and a scheme for the publication of the books of authors by the Fund itself.

Mr Speaker, Sir, with regard to part (a) of the question, I am informed that 295 artists have benefitted from all the above-mentioned schemes for the Financial Year 2022-2023. Concerning part (i) of the question, an amount of around Rs16.6 m. has been disbursed.

With regard to (ii) and (b) of the question, with your permission, Mr Speaker, Sir, I am tabling the list of the grant and the number of beneficiaries together with the respective quantum of funds dished out for each beneficiary.

Mr David: M. le président, le ministre a mentionné donc 295 artistes qui ont bénéficié donc d'assistance financière de son ministère. Or dans les *Budget Estimates 2022-2023* que nous avons votés dans cette chambre, il y avait un objectif selon les dires

de son ministère de 3 000 artistes qui devaient être soutenus *under various schemes* or les résultats démontrés aujourd'hui par le ministre, c'est 10 fois moins d'artistes et pour une valeur qui me semble être supérieure car nous avons voté à l'époque un budget de R 12 million sous ces différents *schemes*. Le ministre peut-il nous expliquer la disparité entre les chiffres prévus et finalement réalisés ?

Mr Teeluck: What we need to understand, Mr Speaker, Sir, is that all these schemes are available to artists and they have to apply for these schemes. So, it's open to artists. We call for them to participate in all our schemes, in our grants but it all depends on how they react to all those calls for application and this is the reason we have an estimate of 2,000-3,000 artists who will benefit from all those schemes but all depends on how they react to our calls. But in terms of disparity of the amount, *au fil du temps au courant de l'année*, when we see that we are not having the number of artists coming forward for the application, *ce qu'on fait, on essaye de*, to maximise the amount given to artists. For instance, there are artists who are travelling for international competitions. So, we try to get maximum amount to them, to allow them to bring larger groups or more people to attend to those competitions, awards, ceremonies abroad. So, it depends. As long as we are able to subsidise those artists in terms of the grant, we do it.

Mr David: Le ministre a-t-il un chiffre sur le nombre d'artistes qui ont déposé un dossier de candidature pour pouvoir bénéficier d'assistance financière et dont les applications ont été rejetées ?

Mr Teeluck: Unfortunately, I don't have the figures with me but I will be very happy to communicate same. What we have and what I have communicated is the number of beneficiaries for all the grants offered by the Ministry but more than willing to submit the figures.

Mr Speaker: Hon. Léopold!

RODRIGUES - HEALTH CARE

(No. B/1534) Mr J. B. Léopold (Second Member for Rodrigues) asked the Minister of Health and Wellness whether, in regard to health care in Rodrigues, he will state if –

- (a) an assessment will be made by his Ministry to identify the strength of the medical staff/skill mixed for delivery of quality care in order to avoid tardy diagnosis, and
- (b) consideration will be given for the posting of a Medical and a Surgical Consultant thereat.

Dr. Jagutpal: Mr Speaker, Sir, the estimated resident population in Rodrigues is 44,783 and the island comprises one District General Hospital with some 170 beds and over 10,000 admissions annually, two health centres with in-patient facilities equipped with a total of 50 beds, and 12 Community Health Centres providing primary health care services, including treatment of common diseases and injuries.

The Health Personnel in Rodrigues consists mainly of 31 doctors, that is, one doctor for 1,445 inhabitants compared to 2,378 inhabitants in 2011, 3 dentists, 248 nursing staff, that is one nurse/midwife for 181 inhabitants compared to one for 236 inhabitants in 2011, 2 Pharmacists, 4 Health Inspectors, 7 Laboratory Technologists, 4 Medical Imaging Technologists, 12 Pharmacy Technicians and 22 Health Records Staff.

The Health care services in Rodrigues comprise in-patient and out-patient services, maternal and child health, dental care, physiotherapy treatment, radiology services, including CT Scan, echography and hysterosal pingogram; haemodialysis treatment and immunisation services.

It is worth highlighting, as an example, that is, from 01 to 12 November 2023, a total of 34 patients have been referred to Mauritius for treatment. Therefore, the question of tardy diagnosis does not arise. Moreover, complicated cases such as colon, cardiology and orthopaedic surgeries are immediately referred to Mauritius.

Mr Speaker, Sir, every year, an assessment of human resources is carried out and during budget consultations exercise, a proposal is made to the Ministry of Finance, Economic Planning and Development, for the recruitment of additional manpower for the health sector in Rodrigues with a view to further strengthen the care system thereat.

As regard to part (b) of the question, the House may wish to note that Specialists/Senior Specialists in the following fields are posted to Rodrigues on a monthly tour of service –

- (i) General Medicine;
- (ii) General Surgery;
- (iii) Obstetrics and Gynaecology (2 months rotation);
- (iv) Orthopaedic Surgery;
- (v) Radiology;
- (vi) Psychiatry;
- (vii) Anaesthesia, and
- (viii) Paediatrics.

Mr Speaker, Sir, Specialists/Senior Specialists posted on tour of service in Rodrigues work in constant consultation with their respective Consultants/Consultant-in-Charge. If ever, there is a complicated case, after discussion with the relevant Consultant/Consultant-in-Charge in Mauritius, the patient is immediately referred to Mauritius for treatment through established protocol.

Additionally, the adoption of telemedicine is being considered through the implementation of the e-health project. This project would be an efficient and cost-effective means for delivering quality health care services and would reduce health care spending by decreasing problems like unnecessary emergency referral, prolonged hospitalisations as well as reduce patient travel cost and time.

Mr Léopold: Thank you, Mr Speaker, Sir. Given the fact that all the visiting specialists work on a 24-hour basis, 7/7 basis, would the hon. Minister indicate whether his Ministry will give a special package to Senior Specialists and Specialists so that they have an incentive to remain and stay in Rodrigues for one or two years?

Dr. Jagutpal: Mr Speaker, Sir, the tour of service is part of the duties that any public officer has to accomplish and once he is recruited by the Public Service Commission. So, obviously, there is allowance given to those who are posted in Rodrigues, there is always established allowances for these purposes as prescribed in the PRB report. So, any additional allowance will need further consultation, obviously for the different Ministries, Civil Service and the PRB so that we can accommodate this proposal.

Mr Léopold: Thank you, Mr Speaker, Sir. The hon. Minister will agree with me that there is an association between skill mix and paramedical and medical skill mix and mortality rate within adults. Would you consider posting more specialists in Rodrigues so that they don't need to work on a 24-hour basis so they can work on shift because it's humanly impossible for a doctor to work 24 hours and 7/7 Specialist/Specialist?

Dr. Jagutpal: So, the question is if somebody is posted – Specialist/Specialist/Senior Specialist in Rodrigues, how much time do they have to devote in the services? For example, I have been posted to Rodrigues and we attended work in the morning and by 2 o'clock latest, the work is over. So, so far, we get tangible figures about that specialist being posted in a particular field and that the workload has gone up, obviously, more than two specialists will be posted at one time but you have to give these figures and then the Ministry can accede to sending two specialists instead of one.

Mr Speaker: The Table has been advised that PQ B/1536 has been withdrawn and we move to hon. Abbas Mamode!

WOMEN CENTRES – ADULT LITERACY PROGRAMME

(No. B/1535) Mrs A. Navarre-Marie (Fourth Member for GRNW & Port Louis West) asked the Minister of Gender Equality & Family Welfare whether, in regard to the women centres, she will, for the benefit of the House, obtain from the National Women's Council, information as to if the adult literacy programme is still being dispensed thereat and, if not, why not.

(Withdrawn)

ABERCOMBIE SPORTS COMPLEX – EXPECTED DATE OF OPERATION

(No. B/1536) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East) asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the Abercombie Sports Complex, he will state where matters stand as to the coming into operation thereof, indicating the expected date thereof.

(Withdrawn)

CONSUMER PROTECTION – INSPECTIONS CONDUCTED – COMPLAINTS & CONTRAVENTIONS

(No. B/1537) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Commerce & Consumer Protection whether, in regard to consumer protection, she will, for the period July to October 2023, state the number of –

- (a) trade premises inspected;
- (b) complaints received, and
- (c) contraventions issued.

Dr. Mrs Chukowry: Mr Speaker, Sir, I am informed that, for the period July to October 2023, the Consumer Affairs Unit of my Ministry has –

- a) inspected 2,820 trade premises, including supermarkets, shops, pharmacies, bakeries, hardware shops, trade and market fairs, among others;
- b) we have also received 613 complaints relating to defective goods, misleading consumers, non-availability of goods, non-affixing of price label, selling controlled goods at higher prices, amongst others, and

- c) we have also issued 614 contraventions out of which 148 are Fixed Penalty Notices.

Mr Speaker, Sir, I am tabling a detailed list of those information.

Mr Abbas Mamode: Thank you, Mr Speaker, Sir. Can the hon. Minister give details regarding the category of contraventions that have been issued?

Dr. Mrs Chukowry: Mr Speaker, Sir, the contraventions issued are mainly for –

- (a) failing to affix price labels;
- (b) failing to submit return of cost;
- (c) selling goods at higher price;
- (d) using LPG in small cylinders other than for domestic use, and
- (e) misleading price indication.

Contraventions are established whenever any offenses are detected and traders are allowed to choose between a fixed penalty and a normal contravention.

Much emphasis is laid on protecting and safeguarding the rights of consumers. With the increasing importance of the function of protecting consumers coupled with the rising and legitimate demands of consumers, the Consumer Affairs Unit of my Ministry is being called upon to deal with new challenges in an ever-changing environment. Since I was appointed as Minister of Commerce and Consumer Protection in August 2023, I have personally carried out inspections and checks in trade premises to ensure that consumer laws are being adhered to. The assistance of my Ministry, also with the Ministry of Health is being sought as and when required. For instance, I was made aware that traders are switching off their refrigerators and chillers outside trading hours. Immediately, inspections have been carried out accordingly.

Mr Abbas Mamode: Thank you, Mr Speaker, Sir. Can the hon. Minister inform the House the percentage of complaint that has been resolved by her Ministry?

Dr. Mrs Chukowry: Mr Speaker, Sir, out of 613 complaints received, 505 have been resolved representing 83%. Officers of my Ministry are attending to the remaining complaints at the earliest although some issues are crosscutting and require intervention of third parties or additional documents from traders and complainants, including technical and counter reports are being awaited. Thank you.

Mr Speaker: Next question! MP Ramful!

BANK OF MAURITIUS – GOVERNOR – BENEFITS

(No. B/1538) Mr D. Ramful (First Member for Mahebourg & Plaine Magnien) asked the Minister of Finance, Economic Planning and Development whether, in regard to the Governor of the Bank of Mauritius, he will, for the benefit of the House, obtain from the Bank of Mauritius, information as to the –

- (a) yearly pay packet thereof, including the salary, allowances and other benefits drawn, and
- (b) total cost incurred for missions attended since his appointment to date, giving details thereof and further indicating in each case the –
 - (i) *per diem*, and
 - (ii) other allowances drawn.

Dr. Padayachy: M. le président, l'article 33 de la *Bank of Mauritius Act 2004* stipule que la banque doit, dans la poursuite de ces objectifs, exercer ses fonctions de manière indépendante. Par ailleurs, en vertu de l'article 12(1) de la *Bank of Mauritius Act 2004*, la politique générale des affaires et des activités de la banque, autre que la formulation et la détermination de la politique monétaire sont sous réserve de la présente loi confiée à un conseil d'administration.

L'article 12 (3) de cette loi prévoit également que dans l'exercice de ses fonctions, le Conseil d'administration n'est soumis à la direction ou au contrôle d'aucune autre personne ou autorité dans le but de renforcer l'indépendance de la banque de Maurice.

M. le président, à cet égard, la banque étant une institution fonctionnant de manière autonome et indépendante, il ne serait pas judicieux de ma part de divulguer les informations demandées.

Merci.

Mr Speaker: Next question! Hon. Ms Bérenger!

Mr Ramful: Mr Speaker, Sir, one supplementary!

Mr Speaker: He is not replying to that question, so what supplementary? Are we inventing the wheel? The Minister has refused to answer a question!

(Interruptions)

What supplementary? Show me! Show me! Show me the Standing Order or the Erskine May.

(Interruptions)

No, no I don't believe your mouth! Show me in written!

Mr Ramful: Mr Speaker, Sir, to rebut his answer...

Mr Speaker: No, I won't discuss! My ruling is final!

Dr. Boolell: We have a wheel of fortune, Mr Speaker, Sir!

Mr Speaker: Hon. Ms Bérenger!

Dr. Boolell: We have a wheel of fortune, Mr Speaker, Sir!

CEB & COREXSOLAR INTERNATIONAL – POWER PURCHASE AGREEMENT

(No. B/1539) Ms J. Bérenger (First Member for Vacoas & Floréal) asked the Minister of Energy and Public Utilities whether, in regard to the Power Purchase Agreement signed between CEB and Corexsolar International for the purchase of electricity from Renewable Energy Hybrid Facilities, in particular in relation to 2 projects of SPV 30 mw, he will state if the company fulfilled all of the conditions precedents set forth in Clause 3.1.2 of the Power Purchase Agreement within the period of 9 months as from the 'Long Stop Date' and, if not, why not, indicating the actions envisaged in relation thereto.

Mr Lesjongard: Mr Speaker, Sir, in my reply to PQ B/1176 at our Sitting of Tuesday 17 October 2023, I had informed the House that for utility scale energy generation, the Central Electricity Board invites bids through open advertised international bidding in order to obtain value for money and for greater competition and transparency. I had also informed the House that this was not the case during the period 2005 to 2014 when agreements for the purchase of energy were entered into directly with interested parties such as Sarako PVP Co. Ltd. and CT Power.

Ms J. Bérenger: Ça concerne Corexsolar!

Mr Lesjongard: Mr Speaker, Sir, one of the objectives of energy transition is to reduce our dependence on fossil fuels and at the same time encourage a greater democratisation of the energy sector. To this end, the Central Electricity Board has over the recent years launched several schemes for small, medium and large prosumers and producers.

A major challenge for large scale RE utility projects remains the availability of land. We are all aware of the historical structure of land ownership in Mauritius. Large extents of land is concentrated in the hands of a few private sector operators.

Mr Speaker, Sir, the Renewable Energy (RE) Roadmap approved by Government provides for deployment of different RE technologies, such as, solar PV including floating PV, wind – both onshore and offshore, and marine technologies.

In this context, the Central Electricity Board launched an international bidding exercise for the setting up of Renewable Energy Hybrid Facilities. These projects have been designed to generate firm power in our endeavour to gradually phase out the use of coal in our energy mix. Five bidders participated in the exercise, namely, Corexsolar International Mauritius, Qair International, Green-yellow, Akuo Austral Mauritius Ltd. and Omnicane/Calyce JV Ltd.

On 31 January 2023, as I had already informed the House in my reply to the aforementioned PQ, the Central Electricity Board awarded to Corexsolar International (Mauritius) Ltd., two contracts for the setting up of 30-megawatt Renewable Energy Hybrid Facility (REHF) which were found by the Bid Evaluation Committee and the Tender Committee at the Central Electricity Board to be the lowest evaluated substantially responsive bids. The purchasing tariff was USD 0.0786 and MUR 0.9387, equivalent to Rs5.009.

Thereafter, Corexsolar International (Mauritius) Ltd. signed two Power Purchase Agreements with the Central Electricity Board on 15 February 2023 for the installation of both Renewable Energy Hybrid Facilities projects of 30 megawatt each. The investment by the promoter is estimated at around Rs5 billion from its funds.

Mr Speaker, Sir, according to the provisions of the Power Purchase Agreements (PPA), Corexsolar International (Mauritius) Ltd. had a period of nine months as from 15 February 2023, that is, up to 14 November 2023 to achieve the conditions precedents specified in Clause 3.1.2 of the Power Purchase Agreement.

I am informed by the Central Electricity Board that Corexsolar International (Mauritius) Ltd. has, on 15 March 2023, submitted two Development Securities, as part of Condition Precedents, for a total amount of Rs180 m. for the two Renewable Energy Hybrid Facilities projects.

I am further informed that as at 14 November 2023, Corexsolar International (Mauritius) Ltd. had provided to the CEB a letter of commitment in respect of the lease of two lots of land at Baie du Tombeau for the purpose of these projects together with the title deed from the land owner.

As per Condition Precedents under Clause 3.1.2, documentary evidence of a clear title and possession of the site has not been submitted. The necessary clearances and financial close have not been executed.

Mr Speaker, Sir, on 13 November 2023, the Central Electricity Board wrote to Corexsolar International (Mauritius) Ltd. to request for updates on the status of both projects, reminding the company that in line with section 3.2.1 of the PPA, delay damages would be applicable if any of the conditions precedents is not fulfilled by the longstop date of 14 November 2023.

On 14 November 2023, Corexsolar International (Mauritius) Ltd. requested for an extension of the longstop date for a period of 6 months of account of factors that, according to the promoter, have directly impacted the progression and viability of its projects.

I am informed that the Central Electricity Board has, in its reply to Corexsolar International (Mauritius) Ltd. on 16 November 2023, indicated that the request has not been entertained as the clauses of PPA prevail and should be strictly adhered to.

The Central Electricity Board is claiming delay damages for each day of delay from the Development Securities of Corexsolar International Ltd as from 15 November 2023. It is to be noted that the Power Purchase Agreement provides that an amount of Rs360,000 per day is applied as delay damage. This will be appropriated progressively on a monthly basis and will be deducted on the first day of each month.

Mr Speaker, Sir, the Central Electricity Board will continue to apply the provisions of the Power Purchase Agreement, just like in the case of Terragen where maximum operational penalties of Rs88 m. were duly applied by the Central Electricity Board for breach of Power Purchase Agreement by Terragen.

However, Mr Speaker, Sir, I am informed that in the case of Sarako PVP Co. Ltd, where the Central Electricity Board allocated a contract with a guaranteed revenue of around Rs3 billion without any tender exercise, at the time the ESPA was signed, the promoter was in possession of a letter of reservation only. I am further informed that the lease agreement was submitted after the longstop date and no delay damage was applied.

I thank you, Mr Speaker, Sir.

Ms J. Bérenger: L'honorable ministre peut-il déposer sur la Table une copie du *Power Purchase Agreement* s'il vous plaît ?

Mr Lesjongard: M. le président, avec votre permission, je voudrais informer cette Chambre qu'il a été porté à ma connaissance que l'honorable membre qui pose cette question a été dans un passé récent une employée d'un des soumissionnaires de cet appel d'offres, et de surcroît, *the second lowest bidder*, Omnicane.

An hon. Member: Shame!

Mr Lesjongard: And, Mr Speaker, Sir, our rules have it, and I refer to the House of Commons with regard to Notice of Questions: declaration of relevant interest is required when giving notice of a question for oral or written answer, including urgent questions. I refer you also, Mr Speaker, Sir, to another declaration of interest, that is, with regard to debate. In a debate, a Member is required to declare any relevant pecuniary interest or benefit of whatever nature, whether direct or indirect that he may have had, may have or may be expecting to have.

Mr Speaker, Sir...

(Interruptions)

An hon. Member: Answer the question!

Mr Lesjongard: ...this is what...

Ms J. Bérenger: *Reponn mo kestion!*

Mr Lesjongard: This is...

(Interruptions)

Mr Lesjongard: I will reply to your question!

(Interruptions)

Mr Speaker: Order!

(Interruptions)

Mr Lesjongard: I will reply to your question! Our rules, Mr Speaker, Sir, are fundamental *et je ne voudrais pas qu'un membre déroge des règlements de ce Parlement. Je vais répondre à la question...*

An hon. Member: Table! Table!

Mr Lesjongard: ...but she has to declare her interest...

Mr Armance: Is it a point of order?

Mr Lesjongard: ...what has been brought...

(Interruptions)

Mr Speaker: Okay.

(Interruptions)

Mr Lesjongard: ...to my knowledge is correct.

Mr Armance: Is it a point of order?

Mr Speaker: Okay, you made your point.

(Interruptions)

You made your point.

Ms J. Bérenger: Est-ce qu'il peut répondre ?

An hon. Member: *Déclar l'interet!*

(Interruptions)

Mr Speaker: Do not rush!

Mr Armance: Was it a point of order?

(Interruptions)

Mr Speaker: Do not rush! Let me give my ruling.

Mr Armance: Was it a point of order?

Mr Speaker: My ruling is that the hon. Member should declare her interest before asking any question. She should. It is the responsibility of the Member to declare her interest...

(Interruptions)

...whenever this is needed. The Acting Clerk would not know, the Speaker would not know what is the link between a Member and any corporate activities or work or any transaction. So, the first ruling is –

- (i) it is the responsibility for any Member in this House to declare his or her interest towards any corporate, anybody, any group;
- (ii) any Member in this House should refrain from lobbying for a particular group.

(Interruptions)

These are the two rulings. Now...

(Interruptions)

Order!

(Interruptions)

Order!

(Interruptions)

Order!

(Interruptions)

You shout, you do not shout, you will have to go by my ruling!

(Interruptions)

Dr. Boolell: Except your ruling is not god given.

Mr Speaker: Take your time, shout as much as you want, but you will have to abide by my ruling! My ruling is final!

Dr. Boolell: But it is not god given.

Mr Speaker: I have not finished with the Member.

Dr. Boolell: It is not god given.

Mr Speaker: Be patient!

Dr. Boolell: It is not god given.

Mr Speaker: No, you have no right to speak. You do not have the floor! This is a fraudulent way of speaking.

Dr. Boolell: It is the practice here.

Mr Speaker: It is not practice.

Dr. Boolell: What is it?

Mr Speaker: The Speaker gives the floor.

Dr. Boolell: Yes.

Mr Speaker: You never ask the floor, you do not have the floor.

(Interruptions)

So, hon. Member, if you want to declare your interest...

(Interruptions)

...you declare your interest first.

Ms J. Bérenger: M. le président, je n'ai strictement aucun intérêt avec Omnicane. Je ne suis ni employée, ni rémunérée, ni actionnaire dans aucune des compagnies qui ont répondu à cet appel d'offres !

Mrs Luchmun Roy: Shame!

(Interruptions)

Ms J. Bérenger: Aucun intérêt avec Omnicane aujourd'hui, ni employée, ni actionnaire, ni rien ! Je peux avoir une réponse à ma question maintenant ?

(Interruptions)

Mr Speaker: Order!

An hon. Member: *Depoz rapport !*

(Interruptions)

Mr Speaker: The hon. Member is saying she has no interest to declare, and...

Mr Lesjongard: Yes, she will have to assume her responsibility.

(Interruptions)

As for myself, the question that she has asked...

Ms J. Bérenger: *Donne enn copie !*

(Interruptions)

Mr Speaker: Order!

Mr Lesjongard: The question that she...

(Interruptions)

Mr Speaker: If you want to stay in the House, order!

Mr Lesjongard: The question that she has asked is in relation whether I am willing to table the Power Purchase Agreement. I have no problem in tabling the Power Purchase Agreement, Mr Speaker, Sir.

Ms J. Bérenger: Can I have a copy, please? Because my second question is related to the Power Purchase Agreement. Can I have the copy, please?

Mr Lesjongard: That is why some time back I requested the Member to learn how to put questions. She is putting the question now and she wants me to table the copy of the Power Purchase Agreement now. I cannot do that now, Mr Speaker...

(Interruptions)

...but, at a later stage, I will be very glad to table the Power Purchase Agreement.

(Interruptions)

Ms J. Bérenger: Ma deuxième question supplémentaire, mais d'abord j'aimerais rappeler à l'honorable membre que les *Standing Orders* l'empêchent de commenter la façon dont un membre pose ses questions. Donc, lui aussi devrait bien connaître ses *Standing Orders* ...

Mr Speaker: Put your question!

Ms J. Bérenger: ...avant de venir faire la leçon aux autres ! Sexiste !

Mr Speaker: Put your question if you have a supplementary question or if not, I move to the next question!

Ms J. Bérenger: Oui. Le ministre peut-il enfin venir confirmer que si la décision avait été prise de résilier le contrat avec Corexsolar dès la première irrégularité, nous ne serions pas où nous en sommes aujourd'hui avec encore un retard dans l'implémentation d'un projet d'énergie renouvelable, et avec l'ICAC qui doit enquêter sur l'attribution de ce contrat ? L'honorable ministre peut-il confirmer que cette décision aurait dû avoir été prise depuis longtemps ou au moins confirmer que cette décision sera prise et qu'un *tender* en bonne et due forme sera fait dans l'intérêt des contribuables et non pas dans son intérêt ?

(Interruptions)

Mrs Luchmun Roy: *Dan l'interet Omnicane!*

Mr Lesjongard: Again, Mr Speaker, Sir, I will refer the hon. Member to our rules. In her question, she had "*si*". "*Si*" is hypothetical, and we cannot reply to a hypothetical question. That is the first thing.

Mr Speaker: So, we move...

Ms J. Bérenger: *Arete sover !*

Mr Lesjongard: The second thing...

(Interruptions)

...yes, ICAC is enquiring. We will wait for the outcome of the enquiry.

Ms J. Bérenger: This is not my question!

Mr Speaker: Next question!

(Interruptions)

Order! You do not have the right to say things like that!

Ms J. Bérenger: This is not my question!

Mr Speaker: No, you do not have the right!

Mr Quirin: *Li sover!*

(Interruptions)

Mr Speaker: You are a young Member. You know, you should ask the Chair permission to talk. You cannot just outright talk like this. This is not a bazaar!

Ms J. Bérenger: *Défann li ein!*

(Interruptions)

Mr Speaker: Or if you insist, you will walk out! Apologise to the House first!

Mr Armance: For what?

Mr Speaker: Do you apologise?

Ms J. Bérenger: Okay.

Mr Speaker: Okay, thank you.

NEW COURT HOUSE – VENTILATION SYSTEM – BREAKDOWN

(No. B/1540) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central) asked the Attorney-General, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the ventilation system at the New Court House, he will, for the benefit of the House, obtain from the Master and Registrar, information as to if she is in presence of complaints of the break down thereof from the Bar council and the Law Society and, if so, indicate –

- (a) the immediate and long term measures envisaged therefor, and
- (b) if any Health and Safety assessment has been carried out thereinto, and if so, table copy thereof.

Mr Gobin: Mr Speaker, Sir, I propose to reply to PQ B/1540 and B/1555 together since they relate to the same subject matter.

I wish to inform the House that my Office has sought and obtained information from the office of the honourable Acting Master and Registrar on this subject matter and the information is as follows.

With regard to part (a) of PQ B/1540, a first letter from the Secretary of the Mauritius Bar Association was received by the then Acting Master and Registrar on 16 February 2023 and another letter was received by the Acting Master and Registrar on 14 September 2023.

With regard to part (b) of PQ B/1540, I am informed that an inspection was carried out under section 24 of the Occupational Safety and Health Act 2005 at the new Court House, Pope Hennessy Street, Port Louis, by officers acting under the authority of the Permanent Secretary, Ministry of Labour, Human Resource Development and Training, namely the Principal Occupational Safety and Health Officer who was accompanied by Senior Occupational Safety and Health Officer, as well as Occupational Safety and Health Officers together with representatives of the Judiciary on 03, 07 and 08 March 2023. The report of the inspection has been provided to the Master and Registrar of the Supreme Court.

In relation to the remedial action taken, I am informed by the Acting Master and Registrar as follows –

- (i) A contract for the value of Rs12.93 m. has been awarded for the installation of a Variable Refrigerant Volume (VRV) air conditioning system. Works have started in June of this year and are currently being implemented. The VRV air conditioning system is meant to provide additional air conditioning to different areas with poor ventilation from the existing central air conditioning system at the new Court House. This system will provide air conditioning to 41 offices, chambers and courtrooms. The duration of work is 14 months; expected completion date is July next year.
- (ii) Another tender exercise is being carried out for the installation of additional ventilation equipment for all courtrooms of the new Court House.
- (iii) A tender exercise will be launched for repairs to the central air conditioning system at new Court House. Tenders will be floated for repairs by December of this year.

Mr Speaker, Sir, I am also informed by the Acting Master and Registrar that the following long-term measures are also envisaged, namely replacement of the current central air conditioning system by another air conditioning system and in this respect, terms of reference are being prepared for the appointment of a consultant for the project preparation and implementation. Thank you, Mr Speaker, Sir.

Mr Osman Mahomed: Section 7 of the Occupational Safety and Health Act, in respect of effective and suitable provision for adequate ventilation, talks about comfortable temperature and adequate ventilation. Can I ask the hon. Minister, since he knows his law and that the Judiciary is currently in breach of the same law inasmuch as Magistrates and court employees are employed by the Judiciary, he will tell us at least - since he is not willing to table the Health and Safety Report - what the report says about the current state of affairs and the conclusion thereof?

Mr Gobin: I do not subscribe to the opinion of the hon. Member stating that the Judiciary is in breach of the law. I am not in a position to say whether they are in breach or not, that is another matter.

With respect to the inspection carried out by the Occupational Safety and Health Act, I have informed the House that inspections were carried out on 03, 07 and 08 March of this year. The report has been provided to the Master and Registrar. I am informed that the recommendations of the report are being implemented. It is all that I can say, Mr Speaker, Sir. Insofar as tabling that report, I have to say that the report contains correspondences exchanged with the Master. I do not propose to table such a report.

Mr Speaker: Next question!

Mr Uteem: May I ask a question?

Mr Speaker: MP Bodha!

Mr Uteem: Mr Speaker, Sir, I also have a question. He replied to my PQ...

Mr Speaker: What is it?

Mr Uteem: You have to receive my question. He replied to two PQs; you gave one supplementary to my learned friend.

Mr Speaker: So, you have a supplementary?

Mr Uteem: Yes.

Mr Speaker: Okay, go ahead.

Mr Uteem: So, the hon. Attorney General mentioned that it is not until July next year that the repairs will be carried out at the new Court House. So, may I know from the hon. Attorney General, in the meantime, whether mobile ventilation, mobile air condition can be placed at least in the court room where the public has access, where justice is being heard and delivered?

Mr Gobin: I said that the works are ongoing. The completion date is July 2024. This is what I have been provided with, Mr Speaker, Sir. The works have started in June of this year and are being implemented for a duration of works of 14 months, with a completion date of July 2024.

Now, *les mesures palliatives*, I am sure the hon. Member can take it up at the appropriate forum but I will also take it up with the Acting Master and Registrar.

Mr Speaker: MP Bodha!

HUA LUEN- HILLCREST REGIONS – LINK ROAD – CONSTRUCTION

(No. B/1541) Mr N. Bodha (Second Member for Vacoas & Floréal) asked the Minister of National Infrastructure and Community Development whether he will, for the benefit of the House, obtain from the Road Development Authority, information as to if consideration will be given for the construction of a link road from the Hua Luen round about on the Terre Rouge Verdun Road to the new Hillcrest entry into Sodnac.

Mr Hurreeram: Mr Speaker, Sir, I wish to draw the attention of the hon. Member that in Budget Estimates 2023-2024, under Vote 15.1, Item-31113.003(u), provision has been made for consultancy in respect of the M1-M3 Link road at Hillcrest. This of course implies that Government has already considered and included in its Agenda the implementation of the project. In fact, since the opening of the Hillcrest Flyover in 2021, my Ministry has been looking into the possibility to connect M1 and M3 at Hillcrest.

With your permission, Mr Speaker, Sir, I will give some details on the project itself. In fact, it will comprise –

- (i) the construction of a dual carriageway over a length of two kilometres and an interchange to link Motorway M1 at Hillcrest to Motorway M3 at Trianon;
- (ii) the construction of three bridges, and
- (iii) the construction of a new grade separated junction on Motorway M3.

The Link Road will enable traffic along Motorway M3 from the regions of Hua Luen, Ebène, Trianon and the North to bypass the congested regions of Ebène and St Jean when entering Quatre Bornes, via Hillcrest. Therefore, the link will help to –

- (i) reduce traffic congestions and travel time along Motorways M1 and M3 as well as to enhance accessibility by providing an alternative route from Quatre Bornes to Trianon and vice-versa, and

- (ii) enhance connectivity between the Plaines Wilhems region and the northern and eastern part of the island.

The connection point on Motorway M3 is approximately 1.5 kilometres from the existing roundabout near Hua Luen.

Mr Speaker, Sir, I am also informed by the Road Development Authority (RDA) that an alignment of the proposed Link Road has been prepared at its level, that is by its technical staff. However, given the site conditions, there is need to carry out appropriate tests and investigations, such as a geotechnical investigation and an Environmental Impact Assessment for the project.

In this respect, a procurement exercise to retain the services of a consultant to carry out these tasks is currently underway and the contract is expected to be awarded in due course. The expected duration of the consultancy work is four months.

In the meantime, procedures for the acquisition of lands required for the project have been initiated.

Mr Speaker, Sir, based on the consultancy report, the RDA intends to implement the project, on a design and build basis, in the next financial year, subject to having the necessary budgetary provisions. Thank you, Mr Speaker, Sir.

Based on the consultancy report, the RDA intends to implement the project on a design and build basis in the next financial year subject to having the necessary budgetary provisions. Thank you, Mr Speaker, Sir.

Mr Bodha: Mr Speaker, Sir, can I ask the hon. Minister the estimates for the project?

Mr Hurreeram: Mr Speaker, Sir, as you know, this project will go on a bidding exercise eventually. So, I don't think it is appropriate at this stage to give an estimate of the cost given that I have said in my reply the tender exercise will be on a design and build basis. We want to have the best deal, so, I don't think it's appropriate.

Mr Speaker: Next question!

CEB/SARAKO PVP CO. LTD - POWER PURCHASE AGREEMENT

(No. B/1542) Mr A. Ittoo (Third Member for Vacoas & Floréal) asked the Minister of Energy and Public Utilities whether, in regard to the Power Purchase Agreement between Sarako PVP Co. Ltd., and the Central Electricity Board, he will, for the benefit of the House, obtain from the Board, information as to if any administrator has been appointed to administer the company and if so, since when.

Mr Lesjongard: Mr Speaker, Sir, in my reply to PQ B/1176 at our Sitting of Tuesday 17 October 2023, I had informed the House of the lack of concern for transparency prevailing at the Central Electricity Board between the years 2005 to 2014 when it was the practice to award huge contracts for utility scale projects either directly to a promoter or as a result of unsolicited bids from interested parties. I also cited two examples and Sarako PVP Co. Ltd is one of them.

Mr Speaker, Sir, I am informed that on 24 April 2012, the Central Electricity Board had received an unsolicited bid from Sarako PVP Co. Ltd for the supply of energy through the installation of a Renewable Energy Facility of 15MW. Thereafter, negotiations and discussions were held between both parties.

On 20 May 2013, the Central Electricity Board approved the signature of the agreement with Sarako PVP Co. Ltd and on 21 May 2013, the Central Electricity Board signed the Energy Supply and Purchase Agreement (ESPA) with Sarako PVP Co. Ltd for the development, construction and operation of a 15-Megawatt Photo-voltaic Farm at Bambous for an investment of around Rs1.1 billion. The main shareholders of Sarako PVP Co. Ltd are Mr S.S.S.S with 85% of shares and Tauber Solar (Mauritius) Ltd with 15%.

M. le président, les promoteurs de Sarako ont bénéficié de toutes sortes de privilèges du gouvernement d'alors. Comparé aux appels d'offres lancées récemment par le *CEB* où les promoteurs doivent acheter ou louer un terrain pour leur projet, Sarako avait obtenu du gouvernement un terrain de 80 arpents à La Ferme, Bambous à un prix dérisoire et seulement 50 arpents sont utilisés pour le besoin du projet photovoltaïque.

M. le président, le contrat alloué à Sarako peut être qualifié d'éloquent. L'une des clauses des conditions précédentes exige du promoteur, et je cite –

“Seller shall provide amongst other conditions precedent, documentary evidence of the clear title and possession of the Site in the name of Seller including any right of way for seller interconnection Facilities within 90 days from signature of ESPA.”

Le *CEB*, à l'époque, avait ainsi exigé du promoteur de produire des preuves de propriétés alors que le gouvernement d'alors avait déjà réservé un terrain pour la compagnie Sarako à Bambous.

Contrairement aux procédures du *ESPA*, Sarako a soumis son titre de propriété au *CEB* après le délai de 90 jours. Mais aucune pénalité n'a été appliquée dans ce cas.

Malgré toutes ces facilités octroyées à Sarako, le prix auquel le *CEB* achète de l'énergie de Sarako est loin d'être compétitif et beaucoup plus élevé que le prix du marché. Comme j'ai souligné dans ma réponse à la question B/1176, le tarif auquel le

CEB achète l'électricité à Sarako est actuellement de R 8.03 en comparaison à R 2.74 payé à la compagnie GreenYellow qui a été alloué un contrat de 10MW récemment suite à un exercice d'appel d'offres et les deux cas, M. le président, sont comparable car ce sont des fermes solaires sans batteries.

Mr Speaker, Sir, I am further informed that Sarako PVP Co. Ltd started its operations on 18 February 2014 and as at now, the CEB has already effected, to Sarako PVP Co. Ltd, payment to the tune of Rs1.49 billion for 200 GWh. A further amount of around Rs1.4 billion is expected to be paid till the expiry of the ESPA in year 2024.

Mr Speaker, Sir, I am informed that in a letter dated 10 December 2021, Tauber Solar (TS) Mauritius Ltd, informed that Sarako PVP Co. Ltd would be put under administration. TS Mauritius Ltd averred that it was a shareholder, the main investor, partner and the main creditor for a value of USD32 m. of the Sarako Solar Photovoltaic (PV) Power plant since the outset of the project.

However, Sarako PVP Co. Ltd defaulted its duties and obligations through late payments in the months of August, September and November 2021 and failure to effect payment in December 2021 due to alleged *mala fide* acts and doings of one Director, Mr S.S.S.S. The latter had allegedly purported to –

- (i) amend the constitutive documents of Sarako PVP Co. Ltd;
- (ii) revoke two directors and bank signatories of the company, one of whom is a shareholder, and
- (iii) three - appoint two new directors, one of whom is his own wife,

in breach of the constitution of Sarako PVP Co. Ltd and of the Restated Subscription and Shareholders Agreement. This resulted in paralyzing the financial and administrative operations of Sarako PVP Co. Ltd and triggering a dispute and impending legal actions amongst shareholders of Sarako PVP Co. Ltd

Mr Speaker, Sir, owing to the failure of Sarako PVP Co. Ltd to honour its obligations under the Facility Agreement and alleged *mala fide* and unlawful acts of Mr S.S.S.S., Sarako PVP Ltd was put under administration on 13 December 2021. This decision was taken by the shareholders with a view mainly to ensure that Sarako PVP Co. Ltd does not default on any of its duties and liabilities under the Power Purchase Agreement as well as to prevent Mr S.S.S.S. and his associates from indefinitely paralysing the financial and administrative operations of Sarako PVP Co. Ltd.

Mr Speaker, Sir, an Administrator was appointed on 13 December 2021, in line with section 234 of the Insolvency Act and a Notice was published to inform the public accordingly. The Administrator was replaced on 10 November 2022 and he is fulfilling the obligations under the Energy Supply and Purchase Agreement. I thank you, Mr Speaker, Sir.

Mr Ittoo: Thank you, Mr Speaker, Sir. Can the hon. Minister inform the House whether there is any ongoing enquiry on Sarako PVP Co. Ltd. by relevant authorities? Thank you.

Mr Lesjongard: Yes, Mr Speaker, Sir.

Mr Speaker: We move to the next question. MP Armance!

MINISTRY OF HEALTH WAREHOUSES – AVAILABILITY & RENTING

(No. B/1543) Mr P. Armance (Third Member for GRNW & Port Louis West) asked the Minister of Health and Wellness whether, in regard to warehouses for the storage of medicines and allied products by his Ministry, he will state the number thereof

–

- (a) available, and
- (b) rented, if any, giving details of the –
 - (i) lease agreement thereof, and
 - (ii) amount paid therefor since January 2023 to date.

Dr. Jagutpal: Mr Speaker, Sir, I am informed that there are six warehouses for the storage of pharmaceutical products and medical disposables for my Ministry, they are as follows –

- (i) the Ex-Tobacco Board building at Plaine Lauzun;
- (ii) the Central Supplies Division at Plaine Lauzun;
- (iii) the Ex-Government Printing building at La Tour Koenig;
- (iv) the Ex-DWC building at Guibies, Pailles;
- (v) the NIC Building, Castel, and
- (vi) the Prashantex building, La Rosa, New Grove.

Two of these buildings are rented namely, NIC building, Castel and Prashantex building at La Rosa, New Grove, and the four others are Government-owned.

Mr Speaker, Sir, since 2001, the Ministry of Health was also renting premises at Sunray building, Coromandel, for the storage of pharmaceutical products and medical disposables. However, the building was in a bad condition with minimal repairs carried out by the owner.

Since 2004, several attempts to relocate the warehouse to other rented premises, with tenders launched on several occasions (from 2004 to 2021) without any success. A structural investigation report by the then Ministry of Public Infrastructure, Land Transport and Shipping also concluded that the Sunray building was in a structurally poor condition and with some of its structural members in an advanced state of deterioration.

Expression of Interest (EOI) was again launched in 2021 for the renting of a building for warehouse purpose, following which a building at New Grove was proposed. However, since the building was under construction, no further action was taken. On 14 June 2022, another tender exercise was launched following which on 27 December 2022, the offer for the Renting of Office Space/Warehouse with Amenities was awarded in respect of Prashantex building, La Rosa.

In December 2022, the stored items were relocated to Ex-Government Printing building. The Sunray building was released and the rental amount of Rs514,073 (including VAT) was stopped as from 01 January 2023.

Mr Speaker, Sir, in regard to part (b)(i) of the question, in respect of the Castel Warehouse, my Ministry entered into a Lease Agreement for a period of two years in year 2020 with the NIC. Recently, it was agreed in principle for the renewal of the Lease Agreement for a period of 3 years, on the understanding that NIC will carry out the structural repairs at the building by end of this year.

Concerning La Rosa warehouse, my Ministry has been occupying the ground floor of the building since January 2023. As from 02 October 2023, the first and second floors of the building are being occupied as well. Ultimately, Ex-Tobacco Board and Ex-DWC building warehouses would be closed down. The Lease Agreement for La Rosa warehouse is being finalised, accordingly.

Mr Speaker, Sir, as regards part (b)(ii) of the question, the amount paid as rental for the Castel Warehouse and La Rosa Warehouse, respectively, as from January 2023 to date are as follows –

- (i) Castel Warehouse – a monthly rental amount of Rs752,100 (VAT included), and for

- (ii) La Rosa Warehouse – a monthly rental amount of Rs1,187,284.73 (VAT included).

Mr Armance: Le ministre peut-il nous confirmer que le bâtiment qui est en location à New Grove – est-ce qu’il peut nous confirmer l’état du bâtiment ? Est-ce qu’il a eu un *valuation report* sur l’état du bâtiment, que le bâtiment est en bon état qui habite aujourd’hui le *storage* de tout ce qui est médicament ?

Dr. Jagutpal: Mr Speaker, Sir, I believe this exercise will be carried out but with the recent heavy rainfall, there has been leakage of this building and the owner has taken the responsibility of doing the repairs and so on. The same has happened for all the buildings where the warehouses are kept.

Mr Armance: Le ministre a confirmé dans sa réponse que le *tender* a été lancer puis *re-tender* et que le bâtiment de New Grove a été choisi. Est-ce qu’il peut nous confirmer que ce bâtiment appartient à un certain Monsieur A. S., proche du MSM, et comme il vient de le confirmer, que le loyer mensuelle est d’environ R1 million ?

Dr. Jagutpal: Mr Speaker, Sir, what I can confirm is the value but I don’t have the information on who is the owner of the Prashantex. I, obviously, will give you the name of the owner.

But at the same time there has been a tender exercise. With the tender exercise and evaluation has been carried out and whoever has tendered for the renting of space by the Ministry of Health, they have to go forward. If ever there has been anything that has not been done following the process and not like this is an unsolicited bid that we have recently heard and not that this building is being paid R1 billion, this one is R1 m. yes, not R1 billion.

Mr Speaker: The Table has been advised that PQs B/1545, B/1547, B/1549, B/1550, B/1554, B/1558, B/1559, B/1560, B/1562, B/1563, B/1568 have been withdrawn.

Next Question!

CONSTITUENCY NO. 15 – DRAINS – CLEANING & MAINTENANCE

(No. B/1544) Mr K. Lobine (First Member for La Caverne & Phoenix) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the cleaning and maintenance of existing drains in Constituency No. 15, Vacoas and Phoenix, he will, for the benefit of the House, obtain from the Municipal Council of Vacoas Phoenix, information as to the –

- (a) list of regions having benefitted therefrom;

- (b) maintenance works being undertaken thereat, and
- (c) total costs thereof.

The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo): Mr Speaker, Sir, I am informed by the Municipal Council of Vacoas Phoenix that open drains are maintained by in-house labour while cleaning and maintenance of covered drains are outsourced.

With regard to part (a) and (b) of the question, I am tabling the requested information. As regard to part (c) of the question, I am informed by the Municipal Council of Vacoas Phoenix that the total costs incurred for cleaning and maintenance of existing drains is around Rs15.3 m. which include cleaning work undertaken since 2021 and new works currently being undertaken for this financial year.

Open drains which are cleaned by in-house labour is done during normal working hours. The Council undertakes a yearly survey to assess the state of the existing drains, same is cleaned whenever required. I am also informed by the Council that the Land Drainage Authority has, on 18 September 2023, submitted a new list of drains to be cleaned and maintained by the Council for which a survey is presently being undertaken to assess the nature of the work prior to preparation of specification for launching of the bids.

Mr Lobine: May I ask the hon. Vice Prime Minister, whether there is a protocol in place between the Land Drainage Authority and the Municipal Council of Vacoas Phoenix with regard to sharing of responsibilities where there are overlapping of drains in the region of Vacoas and Phoenix there are overlapping of drains that are under the control of the Road Development Authority and the Municipal Council of Vacoas Phoenix, whether there is such a protocol in place for a proper monitoring?

Dr. Husnoo: No, actually the major road like motorways and all that are looked after by the RDA whereas the minor roads are looked after by the Council.

Mr Speaker: Next question!

RIVIERE DES ANGUILLES DAM – CONSTRUCTION – CONSULTANTS

(No. B/1545) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Minister of Energy and Public Utilities whether, in regard to the project for the construction of the Rivière des Anguilles Dam, he will state the number of consultants appointed therefor as at date, indicating the fees paid thereto in each case.

(Withdrawn)

**FLORÉAL - RESIDENCE L'OISEAU COMMUNITY CENTRE - *COMITÉ DE
GESTION* COMPOSITION**

(No. B/1546) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Minister of Gender Equality and Family Welfare whether, in regard to the Residence L'Oiseau Community Centre in Floréal, she will state –

- (a) the composition of the *Comité de Gestion* thereof, and
- (b) if she has been made aware of the current state of the centre and the surroundings thereof.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): Mr Speaker, Sir, I am informed that the Community Development Association of the *Residence L'Oiseau* Community Centre comprises 13 members; the Chairperson being Mrs Linda Li Mui Sang, I am tabling the names of the other Members.

Ms Anquetil: Excusez-moi. M. le président, la ministre pourrait-elle indiquer à la Chambre quand exactement le comité a été reconstitué, s'il vous plaît ? Merci.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, I have no idea when the committee was set up, but I have not finished with my answer. I have not finished with the answer yet.

Ms Anquetil: Alors, selon mes renseignements, le comité...

(Interruptions)

Mrs Dookun-Luchoomun: Je n'ai pas terminé.

Mr Speaker, Sir, with regard to part (b) of the question, I am informed by the Sugar Industry Labour Welfare Fund that the Centre is fully operational and recreational activities are regularly organised thereat. The state of the building is monitored by the responsible officers of the Centre and whenever any shortcoming is noted, necessary actions are taken to redress the situation.

I am further informed that works with respect to reparation of plumbing system and electrical wiring have been carried out at the Community Centre. I am also apprised that the children's playground has been recently upgraded. Further procedures are underway for capital projects such as the fencing of the Centre and the replacement of tiles and aluminium doors.

Mr Speaker, Sir, I am informed that funds have been provided, have been earmarked for the refurbishment of the Centre in the Financial Year 2023-2024. Thank you.

Ms Anquetil: Je vous remercie, M. le président. Bon, je comprends très bien que ce n'est pas la ministre de tutelle qui est là, et je la remercie pour l'honnêteté qu'elle a eue dans sa réponse. Vraiment.

Mr Speaker: Thank you.

Ms Anquetil: Alors, effectivement, les photos que j'ai moi aussi parlent d'elles-mêmes, la situation est lamentable.

Mr Speaker: No, during question time, you do not have the right to come with dossier and all this! Questions!

Ms Anquetil: La ministre pourrait-elle clarifier la position de ce ministère face au manque d'attention accordé à ce centre communautaire à Floréal ?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, from the information that I have, there have been funds earmarked to refurbish the Centre. I have been told that procedures are underway for the implementation of these capital projects.

Mr Speaker: Next question!

Ms Anquetil: Non, mais ce n'est pas possible, j'ai une autre question, M. le président.

Mr Speaker: Sufficiently canvassed! Next Question!

CHILD PORNOGRAPHY – MULTIDISCIPLINARY COMMITTEE – ACTION PLAN

(No. B/1547) **Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière)** asked the Minister of Gender Equality and Family Welfare whether, in regard to child pornography, she will state the findings of the Multidisciplinary Committee set up to analyse this phenomenon, indicating the Action Plan devised, if any, to combat same.

(Withdrawn)

WOMEN ENTREPRENEURS - MENTORING - BENEFICIARIES

(No. B/1548) **Mrs A. Navarre-Marie (Fourth Member for GRNW & Port Louis West)** asked the Minister of Gender Equality and Family Welfare whether, in regard to the mentoring of women entrepreneurs at the grassroot level, she will, for the

benefit of the House, obtain from the National Women Entrepreneur Council and table a list of the beneficiaries thereof since 2019 to date, indicating their respective sector of operation.

(Withdrawn)

BETTING OUTLETS – PERMITS – BASE OF OPERATION

(No. B/1549) Mr N. Bodha (Second Member for Vacoas & Floréal) asked the Minister of Finance, Economic Planning and Development whether, in regard to the betting outlets, he will, for the benefit of the House, obtain from the Gambling Regulatory Authority, information as to the number of permits granted since 2019 to date and table a list of the base of operation thereof.

(Withdrawn)

PALMAR STATE LANDS – DEVELOPMENT MASTER PLAN

(No. B/1550) 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 State lands in the region of Palmar, he will state if a master plan has been prepared for the development thereof and, if so, indicate –

- (a) the exact location and extent of land involved and table copy thereof, and
- (b) if any application has been received for projects thereat and, if so, indicate if any letter of reservation has been issued, giving details thereof.

(Withdrawn)

ARSENAL - SOCIAL HOUSING UNITS - CONSTRUCTION

(No. B/1551) Mr R. Woochit (Third Member for Pamplemousses & Triolet) asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to the proposed construction of housing units at Arsenal, he will, for the benefit of the House, obtain information as to if the site earmarked therefor is partly located on wetland and a low-lying area prone to inundation during heavy rainfall and, if so, the actions being envisaged in relation thereto.

The Deputy Prime Minister: Mr Speaker, Sir, I am informed by the National Social Living Development Ltd that the site at Arsenal earmarked for the construction of social housing units is not located on wetland. However, the site does include some low-lying areas. I am further informed that the necessary clearances in respect of the site have

been obtained from the Ministry of Environment, Solid Waste Management and Climate Change as well as from the Land Drainage Authority, subject to certain conditions.

Mr Speaker, Sir, I am informed by the NSLD that all conditions prescribed by the Ministry of Environment on the one hand and by the LDA on the other hand are being complied with to address risks of inundation during heavy rainfall. These conditions refer to both on-site and off-site measures. On-site measures include –

- (i) upgrading of the man-made canal on the site;
- (ii) provision of a ridge to protect the site from canal and upstream flows;
- (iii) fitting of all internal roads with appropriate reinforced concrete drains, and
- (iv) provision four attenuation basins.

Off-site measures to be implemented by the Drains Infrastructure Construction Ltd (DICTL) include –

- (i) upgrading of culverts on Malakoff Road and on the A4 Grand Baie road;
- (ii) construction of a cut-off swale along eastern boundary with outfall to the man-made canal;
- (iii) construction of a cut-off drain along Malakoff Road;
- (iv) upgrading of the canal on western boundary, and
- (v) construction of a cut-off swale along eastern boundary with outfall to river Citron.

Mr Woochit: Can the Government disclose any alternative sites that were considered for the construction of these housing units, particularly those not located in the flood-prone areas and, if is so, what was the reason for choosing the current site despite its potential environmental vulnerabilities?

The Deputy Prime Minister: With all due respect, I am not sure the hon. Member has understood my answer. Let me explain; I will try to be more clear than maybe I have been. There was no alternative site considered for the simple reason that this site was deemed appropriate subject to conditions being met. These conditions were laid out by the Ministry of Environment on the one hand and the Land Drainage Authority on the other hand. Appropriate measures have been, are being taken in line with the conditions proposed by the respective authorities to ensure that any risks of eventual inundation are addressed.

Mr Speaker: I am advised that PQ B/1553 has been withdrawn. Time over!

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.

(4.27 p.m.)

STATEMENT BY MINISTER

**RICHE TERRE, ST MICHEL STREET, CITE ROMA – VANDALISM &
THEFTS – POLICE PATROL**

The Prime Minister: Mr Speaker, Sir, I wish to make a Statement following the matter raised by the Third Member for Port Louis North and Montagne Longue on the adjournment on Tuesday 14 November 2023 with regard to thefts, vandalism, drug dealing and prostitution in St Michel Street at Cité Roma, Riche Terre.

I am informed by the Commissioner of Police that in order to address any illegal or illicit activity in St Michel Street, Cité Roma, Riche Terre, the Police have taken the following measures thereto -

- (i) regular crackdown operations are being carried out to curb down cases of larceny, prostitution, acts of vandalism as well as drug peddling and trafficking;
- (ii) regular mobile patrols are being effected day and night by regular Police, the Emergency Response Service (ERS), the Divisional CID, Divisional Supporting Units, and ADSU;
- (iii) the Divisional Commander, Northern Division holds Daily Monitoring Meetings with Station Commanders and Station Managers in order to assess the daily occurrences reported during the preceding 24 hours and reviews his deployment plan and strategies to tackle crimes and other illegal activities;
- (iv) optimum use of Safe City cameras is being made for monitoring the movements of habitual criminals and suspicious persons and vehicles;
- (v) the local Police in collaboration with the Crime Prevention Unit, the ADSU Education Cell and the *Brigade pour la Protection de la Famille* are

conducting sensitization campaigns in Community Centres and schools to raise awareness on measures to prevent larcenies and the ill-effects of drugs;

- (vi) the Crime Prevention Unit together with the Community Policing Officer and the Neighbourhood Officer of Terre Rouge, have been working closely with the *Force Vive New Wave of Cité Roma*, Riche Terre, and other volunteers;
- (vii) the holding of exhibitions by the Crime Prevention Unit in collaboration with other adjuncts of the Police Force such as the Road Safety Unit, the *Brigade pour la Protection de la Famille* and the ADSU, at Jumbo Riche Terre, to empower the community of the area with crime prevention methods to better protect themselves;
- (viii) members of the public, including whistle-blowers and informers, are being encouraged to use the Police toll free and anonymous hotline 148 to share information on illegal activities within that region, and
- (ix) the Police are working in partnership with Private Security Companies for the sharing of information on suspicious persons.

Furthermore, I am informed by the Commissioner of Police that -

- (i) the frequency of mobile patrols and Police presence have been increased in that region, and
- (ii) Police Officers of Terre Rouge Police Station and other adjuncts of the Police Force have scheduled a meeting this evening with the *Force Vive New Wave of Cité Roma* as well as the residents of that area, to discuss ways to prevent recurrence of such cases.

I have also requested the Commissioner of Police to reinforce surveillance in this area.

Thank you.

PUBLIC BILLS

Second Reading

THE MAURITIUS AGRICULTURAL MARKETING (AMENDMENT) BILL

(NO. XVI OF 2023)

Order read for resuming adjourned debate on the Mauritius Agricultural Marketing (Amendment) Bill (No. XVI of 2023).

Question again proposed.

The Minister of Industrial Development, SMEs and Cooperatives (Mr S. Bholah): Thank you, Mr Speaker, Sir, for allowing me to bring my own contribution and perspective to the debates on the Mauritius Agricultural Marketing (Amendment) Bill.

The novelty of this Bill is that it establishes a National Wholesale Market as the only place for conducting wholesale auction of locally produced vegetables, fruits and flowers. Many orators have spoken before me, and so, I do not intend to have a long discourse. Much of the comments offered by the Members of the other side of the House have already been rebutted.

However, it is important that we uphold and emphasise the tremendous efforts consented by some 10,000 vegetable and fruit growers who guarantee a constant supply of fresh vegetables for our daily consumption. Indeed, we need to take a few moments to acknowledge the contribution of those who put their hearts and souls into agricultural produce, and we pay tribute to all those who contribute to bring food to our table.

Mr Speaker, Sir, these growers, these planters, they face all the obstacles and impediments tossed at them such as drought, flooding, cyclone, and now scarcity of additional labour. But, in the face of all these difficulties, they come up with courage and determination because they have the passion and the drive for their work. We, therefore, need to acknowledge their resolve in the face of adversity.

Mr Speaker, Sir, in the field of agriculture, there has been constant evolution. From the pre-independence era to date, things have evolved, and evolved positively. Days before, years back, we used to adopt what we call the traditional or conventional method of farming. We have moved today, to smart farming. And what does that involve? We are adopting day by day examples such as sheltered farming, hydroponic, aquaponic, vertical tower growing, rooftop farming, *agriculture raisonnée*, biofarming. We speak of all these things every day now; Zero Budget Natural Farming.

Mr Speaker, Sir, on the level of the National Cooperative College as well as SME Mauritius, two institutions, organisations that fall under my responsibility. These two institutions have offered numerous courses around the island with regard to those models of farming that I have just mentioned here. Of course, they get a certificate at the end of the course for the different sessions that they have and then, both SME Mauritius and the National Cooperative College intimate all the trainees, after having completed their course, to go into business. We do follow all these trainees and we put in front of them all the facilities offered, especially from financing institutions such as the Development Bank of Mauritius, Maubank, as well as the other commercial banks.

This is why, today, we see so many sheltered farming in every corner of the island. There is a proliferation of hydroponic from north to south, east to west. And you go everywhere; in Triolet, in Bel Air, in Rose Belle, in Henrietta, Cluny, Beemanique - my friend hon. Dr. Boolell is not here, but the Chief Whip is here. You will acknowledge the number of sheltered farming in Beemanique, in Cluny. It is amazing to see all these things over there. Why do I say that? Because the other day, the hon. Leader of the Opposition stated - this is what he stated; if I can read an extract of his speech –

“So, they have suffered, Mr Deputy Speaker, Sir. And how long will these small planters be with us? How many young people actually join in the small planting community? Not many.”

According to him. This is what he says –

“I have spoken to a lot living in Goodlands, for instance. They tell me: ‘You know, my children are lawyers, teachers, civil servants. They are not going to be small planters like me.’”

But those people who adopt this model of farming, I mean hydroponic, aquaponic, etc., do you know who they are, Mr Speaker, Sir? They are young people; they are graduates; they are people who have completed tertiary education, and many of them are women. So, the acreage previously under cultivation is not the benchmark to say that we are producing less and less. We have a new breed of growers, as I said; women and young persons. There is a new mindset, a new vision for better yield. The whole ecosystem has changed. There is a new ecosystem, so much so that now we call agribusiness and not agriculture, Mr Speaker, Sir.

Now, at the other end of the distribution channel, both Government and local authorities have been renovating or even constructing new retails markets, what we call *bazar*, and I can give you a lot of examples; Rose Belle, Mahebourg, Montagne Blanche.

I can give you a lot of examples; Rose Belle, Mahebourg, Montagne Blanche, Quatre Bornes is a vivid example where we had the hon. Prime Minister inaugurating this marketplace a few years back. My good friend, hon. Kavy Ramano is here. It is an appropriate and very conducive market which is very spacious with a lot of stalls, appropriate parking space, very clean and tidy. So, what we have been doing is that we have been supplying the appropriate infrastructure to the consumers.

In my own constituency and the constituency of my good friend, hon. Hurdoyal, we are completing the construction of a new market and which is due to open in the early months of next year. We have various amenities, as I have said, with running water, etc.

Therefore, the end consumers *et les maraîchers* now share conducive and a pleasant environment for shopping of vegetables, fruits and even flowers Mr Speaker, Sir.

What is the missing link then? The missing link is where the planters, growers, they meet the *maraîchers*. We cannot continue with Vacoas, Flacq and Port Louis. This is not where the youth and the women who, after having followed the courses in smart agriculture, need to go. And this is where the Wooton National Wholesale Market fits in. It is centrally located, accessed from every corner of the island. It is clean and spacious, although, I concede that new measures need to be taken but I am sure my able friend, hon. Hurdoyal, will address these issues as raised by certain Members of the Opposition. There are definitely teething problems and this happens everywhere with a new programme. I myself have made three visits over there and I can tell you that the planters are happy today. It is certainly not a white elephant, as expressed by the hon. Leader of the Opposition the other day, but, the biggest problem faced by our growers, planters, Mr Speaker, Sir, you know what it is? It is theft, robbery. This is the biggest problem. Theft occurs at two levels: one at field level and also it used to occur at auction level.

At field level - this is a national phenomenon, Mr Speaker, Sir - fruits, vegetables, for example, bananas are being stolen every day, if not every night *et les planteurs sont impuissants devant cet état de chose*. There have been different encounters between the thieves and the planters and there have been fatalities as well. This is the biggest problem and I do not understand; the hon. Leader of the Opposition said that he went to meet the planters. I imagine how come the planters have not reported this important issue to him, either they have reported and he has not dared to mention it here. I think so but this is the biggest problem – robbery at field level.

Secondly, at auction level as well. At Vacoas, at Flacq and at Port Louis, growers who bring their produce over there are being harassed to hand over part of their produce under threat. Unfortunately, there are not many policemen on the beat, at that time. I have a friend who grows *melon d'eau*, watermelon, on a large scale and who lives in Clemencia. It is the harvest season now and he told me after the opening of the auction market in Wooton that he feels relieved now. When he had to bring his produce to the auction market in Vacoas or Flacq or even in Port Louis, when the lorry is going, he has had to secure help of additional persons just to safeguard himself and his produce over there. The timing of the auction was 2.00-3.00 a.m. when he has to embark all his produce on the lorries and go there. In these times, you do not have many people working for you today, this is a scarcity, as I mentioned earlier. It was hard for him to find people. He congratulated the Government and he even told me to congratulate my good friends,

Minister Hurdoyal, Minister Seeruttun and Minister Gobin, who are not here today, as well as the Prime Minister for the initiative they have taken to set up this auction market in Wooton.

Now, this issue of pilferage is behind us but more importantly, if you value the loss or let me put it this way, if we value the savings from the pilferage, it outweighs by large the additional costs of transport that the planters have to bear. The hon. Leader of the Opposition mentioned about the Rs25 per crate additionally, but by far, this saving outweighs the cost and gone are the days where there is no way that anyone who has nothing to do with agricultural business goes to harass planters or even auctioneers at the auction market now. This, the hon. Leader of the Opposition has failed to mention here.

Mr Speaker, Sir, we have had to preserve the channel integrity. Now, we have licensed auctioneers. We have done away with unscrupulous middlemen. We have a better regulated process that ensures more equity, fairness and security. And also, we are doing justice to these products, that is, *allons dire hydroponique* to smart markets but without transiting through muddy soil and road pavement as it used to be previously.

Mr Speaker, Sir, I have with me a pamphlet which is issued by the Food and Agricultural Research and Extension Institute, which falls under the responsibility of my colleague, the Minister of Agro-Industry, and it is entitled: 'Modernisation and Innovation in the Food Crop and Livestock Sectors'. In this pamphlet, there is a list of some 16 different schemes that are offered by the Ministry through FAREI. Very interesting, a lot of grants, a lot of incentives provided to the agricultural sector.

Mr Speaker, Sir, one of the schemes is the Solar Powered Cold Room and which befits very well in this ecosystem with the coming into operation of the auction market in Wooton. What does it say? The Solar Powered Cold Room – a grant of 50% on the cost of investment up to a maximum of Rs400,000. Very interesting, Mr Speaker, Sir. So, in order to address the issue of transport, those who come from remote, distant places, the coming into operation of a solar powered cold room would help to reduce... So, I invite planters who are not in cooperative societies to set up cooperative societies, regroup themselves, and then, apply to set up a solar powered cold room.

How would that help? They could harvest their produce, store it in the cold room for one or two days, – all the planters, I mean – and then secure a transport at the end of two or three days and come to the auction market at Wooton, share the cost of transport equally between themselves. Instead of coming every day, they could come twice a week or three times a week. We have to adapt with the changing circumstances, Mr Speaker, Sir.

As I said, the national auction market is yet another step in the sensitisation or the sanitisation process that take vegetable produced from field to our plates. There are, of course, certain hiccups, certain thieving problems, certain planters spoke to me only yesterday and I would urge my friend the hon. Minister to look after it. We have a few cake sellers or snack sellers over there and they come and sort of obstruct the embarkation, disembarkation of the vegetables, so this is only a simple administration process that we need to address and this can be addressed, of course, overnight.

I refer to the speech of hon. Minister Seeruttun, who is not here; he mentioned that there are two phases to that project. We have been able to open and therefore, tackle the first phase; the second phase I am sure we will come and adopt all that needs to be, in order to have the second phase operational very soon. So, I will urge all the planters and all the auctioneers to take good advantage of this beautiful warehouse which is situated in a very appropriate area with lots of parking facilities and with this, Mr Speaker, Sir, I am done.

Mr Speaker: Next orator would be Dr. Husnoo!

(4.53 p.m.)

The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo): Mr Speaker, Sir, thank you for giving me the opportunity to bring my contribution to the Mauritius Agricultural Marketing (Amendment) Bill.

I wish to commend my colleague, hon. Hurdoyal, the Minister of Agro-Industry and Food Security for coming up with amendments to this Bill which deals mainly with the wholesale by auction of locally produced vegetables, fruits and flowers at no other place than the National Wholesale Market at Wooton.

Mr Speaker, Sir, in a recent past, we have witnessed the sale by auction of vegetables, fruits and flowers in sites that were inappropriate for such practice. There was a total absence of hygiene. Here, Mr Speaker, Sir, I can mention that as an inhabitant of Port Louis, I have had the chance to see the wholesale market in Port Louis since I was very young, I am talking in the 50s and 60s, and I would dare not describe how poor the hygiene conditions were at that particular time and this has not changed, Mr Speaker, Sir. There was total lack of hygiene and other things as well there was no control over the prices, the risk of contamination was high, amongst other concerns.

This particular situation has been occurring for quite a long time. But, this Government has taken the necessary measures to bring a solution to this situation. I heard some speakers saying about the teething problems that we are getting. In any major project

like this, you are bound to get teething problems and gradually as we go, this is going to be solved. Other Members are saying that okay one is not enough, we must have second, third and fourth, one north, south, east, another market there. Okay, I mean at least the Government has done the first step, Mr Speaker, Sir. This has not been done before, it's the first time we are doing it and if needs be, I am sure, if there is a need to open another market, I am sure the Government will consider that in the future. So, it's a first step, I think give us time, the Minister would assess the situation and would proceed accordingly.

The hon. Prime Minister came forward with this bold decision of setting up of a National Wholesale Market to address all the concerns you have mentioned. As a result, today, we have obtained a modern and sophisticated National Wholesale Market at Wooton which is a first of its kind in the Southern Hemisphere. The National Wholesale Market has been in operation since July 2023 and has since contributed mainly in –

- improving the livelihood and sustainability of the producers in the non-sugar cane sector;
- providing quality produce, at an affordable price to the consumers;
- ensuring transparency, traceability and accountability, and
- providing financially sustainable and modern marketing infrastructure for the handling of vegetables, fruits and flowers.

Mr Speaker, Sir, it is to be noted that previously, fruits and vegetables were being traditionally traded at three auction sites as mentioned before, at Port-Louis, Vacoas and Flacq. However, with time, these sites became inappropriate to cater for the volume of fruits and vegetables being traded during auctions due to a number of reasons –

- The absence of control because of odd operating hours. As mentioned by many speakers, a lot of farmers have to bring their produce at about one o'clock in the morning. They have to get it sorted out, put in on the pavement for the auction to start at about three o'clock, four o'clock or five o'clock. This was very difficult for the farmers to deal with because there were a lot of other issues;
- I have mentioned about the poor hygienic conditions;
- Insufficient lighting, I know about this because the auction place in Port Louis was in my Constituency in No. 3, so, I know the problem that we were facing there, Mr Speaker, Sir. I mentioned the poor hygienic condition,

insufficient lighting that we can vouch and that led to a lot of problem as well;

- Risk of contamination;
- The high insecurity for planters and buyers which is very important. We know that when the buyers bring their produce here in the market, *enn kes pomdamour pou disparet, parfwa ziromon, melondo pou disparet*, we know that and that was happening every time there was the wholesale markets there.

Mr Toussaint: *Kotomili si inn disparet !*

An hon. Member: *Inn al la Suisse !*

Dr. Husnoo:

- Another thing as well, is the lack of market statistics on volume traded and wholesale prices;
- there was no transparency on price at the expense of the planters and consumers, and
- I mentioned earlier, there was no traceability of produce which is important because when we talk about fertilisers and all that, traceability is very important, Mr Speaker, Sir, *c'est pourquoi*, and
- there was minimal enforcement of food safety regulations.

Mr Speaker, Sir, I wish to inform the House that the largest auction market in Mauritius was at the *l'encan* in Port Louis, in my Constituency, prior to the coming into operation of the National Wholesale Market.

According to a study conducted by the Consultant in 2021, it was found that around 40% of auction was being carried out in Port-Louis, as I mentioned.

However, Mr Speaker, Sir, the chaotic situation that was being experienced thereat, especially on Friday nights, as auctioning was taking place not only inside the site reserved for such trade but on the streets in the vicinity as well. It was a complete chaos sometime, not only for the businesses operating in the vicinity, but also for the inhabitants residing in that region.

As the market was in Camp Yolloff, I know what the inhabitants of Camp Yolloff were going through whenever we had the auction market.

As the “*l’encan*” in Port-Louis was located in number 3, I often received all sorts of complaints from residents and business people as well. The nature of those complaints, as mentioned, were principally –

- Large amount of stinking wastes left by auctioneers attracted all sorts of animals, rodents and flies, thus representing an eyesore and a health hazard to the inhabitants;
- It was proving very difficult for the Health Inspectors of the Municipal Council of Port Louis to ensure proper management of these sites;
- The Market Traders Association, in fact lodged a case in the Supreme Court for illegal hawking activities, thus creating unfair competition towards traders at the central market.

So, you can see there was a lot of local problem when the wholesale market was in Port Louis, Mr Speaker, Sir.

According to the study, 35% of auction activities were taking place at Vacoas and same account for some as per other studies. Here, besides the common shortcomings, there was also the risk of accidents in the auction itself since certain auctioneers were circulating inside the auction site with their vehicles. You can imagine. So many planters have brought their produce and put on the floor and there somebody coming with his lorry and driving near all these produce. You can imagine, Mr Speaker, Sir.

The third auction site was at Central Flacq, accounting for about 20-25% of the auction activities as per the study. Besides the common shortcomings, same was also, that is, the Flacq Auction site was also creating heavy traffic congestions being given that it was located in the centre of the village.

Mr Speaker, Sir, the National Wholesale Market has been setup to address the shortcomings occurring in those traditional auction markets. Furthermore, resources which were being used by the Local Authorities concerned to control these auctions are now being used in a more effective and efficient manner for the operation of the normal markets and fairs under the jurisdiction of these local authorities.

Mr Speaker, Sir, in view of providing the necessary statutory backup for operational procedures within the National Wholesale Market at Wooton, the Mauritius Agricultural Marketing (National Wholesale Market) Regulations 2023 were made and are effective as from 20 July 2023.

As at date, 43 Auctioneers are registered with the Agricultural Marketing Board and are operating at the National Wholesale Market as was mentioned before. However, since

the functioning of the National Wholesale Market, the Ministry of Agro-Industry and Food Security has received several representations in respect of parallel and illegal auction activities of locally produced vegetables, fruits and flowers at certain locations.

The auctioneers who are registered with the Agricultural Marketing Board and operating at the new National Wholesale Market informed us that their volume of business has decreased at some time due to these auction activities.

Without any delay, I co-chaired a meeting with the then Minister of Agro Industry and Food Security together with the representatives of the Police Department, the local authorities concerned and the Agricultural Marketing Board and the '*Association des Encanteurs*' to discuss the matter.

At the meeting, it was agreed that officers of Local Authorities and the Police should carry out joint site visits and take appropriate actions against the illegal auctioneers. However, it was also observed that there were some auction activities which were being carried out where the operators had valid Business Registration Cards issued by the Corporate, CBRD.

During that meeting, it was decided to set up a technical committee under the chair of my Ministry to discuss the matter and to come up with recommendations. The Technical Committee included representatives from the –

- (i) Ministry of Agro-Industry and Food Security;
- (ii) Attorney General's Office;
- (iii) Police Department;
- (iv) Agricultural Marketing Board;
- (v) The Corporate and Business Registration Department, and
- (vi) Local Authorities concerned.

With a view to remedy the situation, the Technical Committee recommended that appropriate amendments be brought to the AMB Act with consequential amendments to the relevant legislations, including the Local Government Act, in order to make the National Wholesale Market the sole place for wholesale activities of vegetables, fruits and flowers.

In addition, the Committee also recommended that the Ministry of Agro-Industry and Food Security should initiate appropriate action in consultation with the Attorney General's Office to bring the necessary amendments to the AMB Act.

Mr Speaker, Sir, the Bill also provides for consequential amendment to be made to the Local Government Act in the Twelfth Schedule so that auctioneers, under the Mauritius Agricultural Marketing Act, are not subject to the provisions of the Local Government Act.

Mr Speaker, Sir, the advent of the National Wholesale Market at Wooton has brought about a new and modern trading environment with numerous benefits to planters and the consumers. This initiative will ensure better transparency and traceability, as mentioned before, in trade, as well as improved food safety and minimised food waste and loss.

In addition, the weighing equipment which are readily available on site are calibrated properly. As such, data collected for volume traded is more accurate. I think it's very important here to get the volume of trade accurate because I think once we get to know how much food is being produced and sold over the years, it's going to be very important. Then, it can help to regulate the market, Mr Speaker, Sir. I am just going to give you an example; during some time of the year, *pomme d'amour* is sold at Rs40 pound; some other time of the year – Rs100 per pound. If we have better control of the volume of produce coming and maybe with time, I am not an agronomist, but the agronomist can try to work out if he can have different strain. Once we know the market law, then we can work scientifically to get different strain so that we can grow the vegetables at different times of the year, in different climate and that can improve the situation for the planters and for the consumers as well, Mr Speaker, Sir.

Food safety and consumption is a shared responsibility between governments, producers, and consumers and everybody has a role to play in this sector to ensure that the food we consume is safe to our health and well-being.

Today, Mr Speaker, Sir, this Government is presenting a Bill to the House which has taken into consideration all aspects of food hygiene and price, ranging from production, auction to consumption. This Bill, Mr Speaker, Sir, will ensure a high degree of confidence in the local food production and sector.

On an ending note, Mr Speaker, Sir, we are confident that this Bill will upgrade the food production sector in Mauritius, and, on this side of the House, we entirely support this Bill. Thank you very much, Mr Speaker, Sir.

Mr Speaker: Hon. Members, I suspend the Sitting for 45 minutes.

At 5.09 p.m., the Sitting was suspended.

On resuming at 5.57 p.m. with Mr Speaker in the Chair.

Mr Speaker: Please be seated! Hon. Minister Hurdoyal!

The Minister of Agro-Industry and Food Security (Mr T. Hurdoyal): Mr Speaker, Sir, at the very outset, I would like to extend my heartfelt thanks to the Members of this august Assembly, from both sides of the House, for providing their insights and comments on this very important Bill.

As I stated in my intervention when I brought this Bill to this National Assembly, the Mauritius Agricultural Marketing (Amendment) Bill is not merely a Bill, but a transformative piece of legislation that is set to modernise the current system of trade for fresh locally produced fruits, vegetables and flowers.

Mr Speaker, Sir, when I am seeing the other side of the House, it is really touching that for such an important Bill, the Leader of Opposition is no here.

Mr Toussaint: *Aprè li pe rod 14^{ème} mois.*

(Interruptions)

Mr Hurdoyal: It is up to the population to judge whether this Government is working for the welfare of the planters' community.

This Bill, Mr Speaker, Sir, bears testimony to the commitment of this Government, under the visionary leadership of our Prime Minister, hon. Pravind Kumar Jugnauth, to support our planters while also safeguarding the interest of our customers.

Mr Speaker, Sir, I have taken good note of the comments and suggestions provided by the Members of both sides of the House and I appreciate their insightful comments. However, I would like to reply to some of the criticism levelled by the hon. Members of the Opposition.

Mr Speaker, Sir, my colleagues from this side of the House have rightly pointed out that this Bill has awakened the hon. Members from the other side of the House. Better late than never, I am happy that they visited the National Wholesale Market prior to debating on this Bill and I genuinely hope they do it very often.

Nonetheless, I wish to remind the House that this wholesale market has been operational for the past 4 months and various measures are still being implemented by the AMB to smoothen the operations of the National Wholesale Market and attend to the demands of the stakeholders concerned. A one-day visit is not enough to understand the problems and issues that our planters, auctioneers and buyers are facing.

Mr Speaker, Sir, as a responsible Government, we had to take proactive decisions for the smooth operations of the National Wholesale Market. It is very unfortunate that in

an article published in *L'Express* newspaper on 13 November 2023, the hon. Leader of the Opposition misled the population by trying to *faire croire* that we are forcing the planters to sell their produce only at the National Wholesale Market. He later brought these same arguments to the House with more details. I wonder where...

Mr X. L. Duval: Mr Speaker, Sir, on a point of order. The Minister is quoting from a press article. As you know, he should table the press article; when quoting the press article, he should table it. Please, table the press article or don't quote it, either way. You cannot quote from a press article without tabling it, as you know, Mr Speaker, Sir. That is my point of order.

Mr Hurdoyal: Mr Speaker, Sir, there is no problem of tabling it. I can table it.

Mr X. L. Duval: Yes, you have to. Right now!

Mr Hurdoyal: Yes.

Mr Speaker: So, with that point, put in abeyance.

(Interruptions)

Mr Hurdoyal: Thank you colleagues.

I wonder where he gets such inaccurate information.

Mr Speaker, Sir, I wish to make it very clear, especially for the Leader of the Opposition, that, no, we are not forcing planters to sell their produce only by auction and we are not imposing any fine on planters as he claimed.

Mr Speaker, Sir, this legislation is a strong tool to steer the sale of locally produced fruits and vegetables towards a more hygienic, transparent, and modern auctioning system. The fines that will be imposed are for those who think they can put the health of our population at risk with unhygienic practices and for those who think they can misguide our hardworking planters, this will, in no way, be tolerated.

It is now for the Leader of the Opposition to decide whose interest he wants to defend. However, I can reassure the House, Mr Speaker, Sir, that on this side of the House, we stand with our hard working planters and the population as they are the ones who deserve our support the most.

Mr Speaker, Sir, this legislation regulates only wholesale by auction of locally produced fruits and vegetables. Therefore, the planters can still consider many other options available to them such as selling their products directly to businesses, selling to

supermarkets, contract farming, and selling at local marketplaces amongst others. The system has always been free for each and every one and it will always be so.

Mr Speaker, Sir, in his intervention, hon. Dr. Boolell stated that our planters need accompaniment measures to assist them to make their cultivations more profitable. I totally agree with the hon. Member. But then, this is exactly what this Government has been doing, thanks to the visionary leadership of our Prime Minister. I wish to inform hon. Dr. Boolell and the House that as at date my Ministry is offering more than 50 different schemes to support planters, as rightly pointed out by my colleague, hon. Soomilduth Bholah, through the FAREI, Small Farmer's Welfare Fund, MCIA and Agricultural Services. In the last budget, Mr Speaker, Sir, provisions to the tune of Rs3 billion has been made to support the planters, breeders and fishers community.

Mr Speaker, Sir, hon. Dr. Boolell also stated that my Ministry has received representations from the auctioneer's association. I can confirm that this is true. However, it is very unfortunate, Mr Speaker, Sir, that the hon. Member was not informed by the association that upon my return from India on Monday 06 November 2023, I had a meeting with the President of the auctioneer's association and not later than yesterday, I met the members of the association, for consultations in the context of the improvements we want to bring in the operations at the National Wholesale Market.

Mr Speaker, Sir, I wish to point out that one of their main requests is to address all wholesale of locally produced fruits and vegetables instead of limiting to wholesale by auction. We took their requests into consideration, and upon discussion with relevant stakeholders, we concluded that this would negatively impact our beloved planter's community.

Mr Speaker, Sir, firstly, it would be unfair towards our planters, as it would limit their options for selling their produce, potentially reducing their market reach and income. Secondly, our farmers who produce niche products or certified products may find it harder to find buyers in a system that largely favours standardisation and high-volume trading.

This may discourage them from cultivating such crops, reducing the variety of produce available in the market.

In addition, the lack of price negotiation in an auction system could result in our farmers receiving lower returns for their produce, particularly in periods of oversupply. This could adversely affect their livelihoods and discourage them from investing in quality improvement or yield enhancement. Therefore, Mr Speaker, Sir, I hope that Members on

the other side of House understand that our decisions must be based on principles of fairness and equity.

Mr Speaker, Sir, the hon. Leader of the Opposition wanted to know what “large quantity” means in the Act. Well, it's not just a random term. It shows that we want to include and support all types of farmers. We know that farmers work in different situations and produce different amounts of crops. Instead of using specific measurement, like a rigid or specific scale, we chose the use of the term “large quantity” to be more flexible. That way, farmers who produce high-value crops in smaller amounts and those who produce low-value crops in larger amounts can all be included. We want to make sure that all farmers can benefit from the Act. So, using the term “large quantity” also allows us to adapt to changes in the market. We can make adjustments to how the Act works without constantly changing the law.

Mr Speaker, Sir, enforcement-wise, setting a specific unit of measurement could pose considerable challenges. It would require continuous monitoring to ensure compliance, therefore putting a strain on our resources and diverting them from other crucial areas. All these factors were carefully examined prior to defining the term used in the Act.

In addition, the hon. Leader of the Opposition stated that only 250 planters visit the National Wholesale Market regularly. I seize this opportunity to make it very clear – all misunderstandings. Mr Speaker, Sir, in fact, about 250 planters bring their produce to the National Wholesale Market daily. However, since the National Wholesale Market started operating, which was 4 months ago, almost 3,000 different planters have brought their produce to the wholesale market and more planters are expected to join the list as new harvest comes in and seasonal fruits becomes ready for harvest.

Mr Speaker, Sir, questions were raised with regards to toll fees. I wish to point out that this was part of the recommendations made by the Cabinet Gressard Consultants in their report. I am pleased that my predecessors, hon. Seeruttun and hon. Gobin did not accept this recommendation as it would have had financial impacts on our farmers.

With reference to the report made by Cabinet Gressard Consultants, Mr Speaker, Sir, I informed the House, in my opening speech, that the AMB was the best option, not only because it had the expertise in the trade but also because it was part of the recommendations made by Cabinet Gressard Consultant, who also deemed that the entity was most appropriate. Furthermore, the report also recommended for the registration system of auctioneers for fruits and vegetables to be set up under the aegis of the Agricultural Marketing Board.

Many other recommendations were made in the said report Mr Speaker, Sir. However, as a caring and responsible Government, we have the moral obligation to work in the best interests of the population. This is why we considered only those recommendations that would be most appropriate and that would fit the best interest of our agricultural sector.

Now, Mr Speaker, Sir, I refer to what hon. Bodha stated in his intervention unfortunately he is not here. He stated that is only 30% of produce is being brought to the National Wholesale Market. It is clear, Mr Speaker, Sir, that the hon. Member, who is a seasoned Member of this House, has not taken into account, that the annual production of approximately 122,000 tonnes of fruits and vegetables are distributed via different channels of distribution, which also includes contract growing, direct sales at local markets, wholesale distribution and exports.

Mr Speaker, Sir, I wish to point out that we have never claimed that this project was complete. In fact, I lengthily explained on all the measures that are envisaged to improve the operations and I would invite Members of the House to be patient. Something, we can all learn from our planters. As rightly goes the proverb –

“The day you plant the seed is not the day you eat the fruit.”

Mr Speaker, Sir, I understand that we cannot reach our optimal performance until the project is completed. However, I am pleased to note that actions have already been initiated for the phase 2 of the project which is expected to be completed by end of next year. These include the various projects I already enumerated in my previous speech such as the setting up of a public and digital announcement system, a food court, expansion of parking space and the construction of new infrastructures.

Mr Speaker, Sir, with regard to concerns relating to the licensing of auctioneers and transfer of licenses to heirs, I would like to highlight that the Agricultural Marketing Board (AMB) is primarily tasked with promoting the agricultural sector. The AMB does not facilitate the sale of licenses, as proposed by the Leader of the Opposition.

I wish to inform the hon. Member that there are several risks associated with unrestricted transfer of licenses such as potential monopolisation, discouraging the younger generation to enter the trade and undermining the fair competition. To address these concerns, the Board of AMB shall proceed with the establishment of a Licensing Committee.

Mr Speaker, Sir, following similar guidelines and structure of already established licensing committees; this committee will be responsible for evaluating all license

applications and transfers, while ensuring transparency and fairness in the process. It will also take necessary actions when needed to maintain an equitable market environment and shall make appropriate recommendations to the Board.

Mr Speaker, Sir, the future of the Agricultural Sector depends on our action today. As a visionary government, we are proactively taking measures to promote a modern and transparent agricultural sector. The facilities and support we are providing, bear testimony to our vision of a modern agricultural sector.

Measures such as the publication of pesticide residue reports which are available on my Ministry's website and our intention to publish market prices, demonstrate our willingness and commitment to promote transparency. The future of the auction system in Mauritius will be technology-driven, Mr Speaker Sir, that is, through Online Platforms. I had previously given the example of BelOrta Market in Belgium where technology has enabled the system to revolutionise.

Mr Speaker, Sir, the amendments being made in this Bill will inspire the young generation to join the agricultural sector. In fact, the youth is the hope of our future. As rightly stated by Juan Manuel Santos, Former President of Colombia, I quote –

“Youth, in agriculture, are the change-makers, bridging the gap between tradition and innovation.”

Mr Speaker, Sir, this Government has a vision for young agro-entrepreneurs and I encourage our young generation to seize the opportunities being provided by the government to set up their agro-entreprise and contribute to a more sustainable future for our agricultural sector.

Mr Speaker, Sir, there cannot be a second opinion that agriculture is the earliest and most honourable of all occupations and is the most profitable, more delightful and satisfying profession.

Mr Speaker, Sir, farmers are also given the status equal to that of God because they are responsible for providing food for all others in the world. As pointed out by Paul Chatfield, itinerant speaker and author, I quote –

“Agriculture is the noblest of all alchemy because it turns earth and manure into gold. The additional benefit is the good health of humankind”

To conclude, Mr Speaker, Sir, let's not forget that this Bill isn't just a piece of paper with legislative amendments. It's a big step towards making our farming industry better.

It's our way of showing our total support to our hard-working farmers and the people who buy their goods.

We know the road ahead won't be easy but we are ready to face any challenge. We are here not just as government members, but as people who care about our country, our farmers, and our consumers.

Mr Speaker, Sir, today, we are not just debating a Bill; we are recognising the hard work of our farmers and paving the way for a better future for our farming industry. So, let's remember this day as the time when we stood together, despite all the challenges and criticisms, to make farming in our country better and fairer for everyone.

With these words, Mr Speaker Sir, I conclude my speech and again express my gratitude to all the Members of this House who provided their insights and comments, to all the officers of my Ministry and the Attorney General's office, the planters and auctioneers community and all the stakeholders involved in the consultations and preparation of the Bill. I now commend the Bill to the House. Thank you for your attention, Mr Speaker, Sir.

Question put and agreed to.

Bill read a second time and committed.

COMMITTEE STAGE

(Mr Speaker in the Chair)

The Mauritius Agricultural Marketing (Amendment) Bill (No. XVI of 2023) was considered and agreed to.

On the Assembly resuming with Mr Speaker in the Chair, Mr Speaker reported accordingly.

Third Reading

On motion made and seconded, the Mauritius Agricultural Marketing (Amendment) Bill (No. XVI of 2023) was read a third time and passed.

Second Reading

THE COMBATING OF TRAFFICKING IN PERSONS (AMENDMENT) BILL

(NO. XVII OF 2023)

Order for Second Reading read.

The Prime Minister: Mr Speaker, Sir, I move that the Combating of Trafficking in Persons (Amendment) Bill (No. XVII of 2023) be read a second time.

I wish to first of all set out the context, the rationale and the justification behind the amendments that are being proposed to the current Combating of Trafficking in Persons Act, before going into more specific details on the different provisions of the Act which are being amended.

In fact, the Combating of Trafficking in Persons Act was enacted in 2009 following the Palermo Protocol which was adopted in November 2000 by the United Nations to supplement the UN Convention against Transnational Organized Crime so as to also prevent, suppress and punish trafficking in persons, especially for women and children.

Thereafter, with the enactment of the Children's Act 2020, a few consequential amendments were brought to the Combating of Trafficking in Persons Act, by *inter alia*, making provisions for penalties for aggravating circumstances and for the welfare of a child who has been victim of trafficking.

Over the years, provisions have also been made in other laws to complement the Combating of Trafficking in Persons Act. Thus, provisions have been made in the Workers' Rights Act to prohibit the employment of children as well as the employment of a young person if the nature of that work is likely to jeopardise the health, safety, or physical, mental or social development of that person.

Furthermore, the Non-Citizens (Employment Restriction) Act was amended in 2021 to provide for a substantial increase in the fines and penalties for the illegal employment of non-citizens and to enable a victim of trafficking or presumed victim of trafficking or a non-citizen who is in a stranded situation to be granted with a special work permit.

And more recently, during this year itself, the Private Recruitment Agencies Bill was enacted to consolidate and strengthen the law with regard to the recruitment of citizens of Mauritius for employment locally and abroad, and for the recruitment of non-citizens for employment in Mauritius. The Act explicitly prohibits recruitment agencies to get involved in human trafficking activities, thereby affirming the commitment of my Government to combat trafficking in persons.

In addition to the consolidation of legal framework to combat human trafficking, the national response to this issue in Mauritius is also supported by clear-cut Government

policies pertaining to immigration and border management, labour and employment considerations and international cooperation for combatting trafficking in persons.

Mr Speaker, Sir, to ensure that the current set of legislation and the different policies are implemented in a coordinated manner by the various stakeholders which include Government institutions as well as Non-Governmental Organisations, a Steering Committee was administratively set up since the year 2017, under the aegis of my Office to assign clear-cut responsibilities to each of the relevant parties and to monitor the progress made in countering human trafficking activities in the country. According to the governance structure, the Steering Committee reports to an Inter-Ministerial Committee which is chaired by the Minister of Labour, Human Resource Development and Training. The Inter-Ministerial Committee ensures coordination on matters relating to trafficking in persons at strategic level.

International networking

Mr Speaker, Sir, there is wide consensus that the issue of trafficking in persons, because of its regional and international ramifications, cannot be considered in isolation but must be tackled from a wider perspective taking into account the international best practices. Countries should also engage into partnership and collaboration with other organisations and States that have developed new policies and have the required means to address the issue.

This international networking has become a matter of prime importance to all countries facing the same problem. On several occasions, during international fora, it has been underscored that no country will be able to deal with this issue in isolation due to the complexity and the many hidden facets of the phenomenon. This is why, during recent years, this problem has received the increasing attention of law enforcement agencies, social service providers and policy makers, amongst others. We have on our side strengthened our collaboration with the European Union, the International Organisation for Migration (IOM), the UN Office on Drugs and Crime (UNODC), the African Union and the SADC, amongst others, to address the issue of trafficking in persons.

International Cooperation

Mr Speaker, Sir, following the necessary initiatives taken by my Government, the country is already benefiting from assistance from regional and international organisations having experience in Combating Trafficking in Persons, and we have adopted some of the best practices developed by organisations such as the IOM, the EU, the UNODC, the African Union and SADC, as stated earlier.

IOM April 2020 to March 2022

Mauritius has also benefitted from the assistance of the International Organisation for Migration under the Improving Trafficking in Persons Referral Outcome in Comoros and Mauritius Project funded by the United States Department of State, from April 2020 to March 2022.

This 24-month project's goal was to contribute to key national Governments and civil society's efforts in Comoros and Mauritius for combating Trafficking in Persons, by improving the referral outcome. This has resulted in the IOM developing Standard Operating Procedures (SOPs) to improve the identification, and the referral of victims of trafficking. The IOM has already provided training to Law Enforcement Officers for the proper implementation of the SOPs.

MIEUX Project in 2021-2023

To complement the project funded by the IOM, the collaboration of the Migration European Union Expertise commonly known as MIEUX funded by the European Union, was also secured in 2021 in the form of a two-year technical assistance, for the development of SOPs on investigation, prosecution and management of shelters related to trafficking in persons. One of the expected main outcomes of this project will be a training manual, including the SOPs, to be used by the law enforcement officers.

UNODC –TIP Data Collection System

Furthermore, a Regional Trafficking in Persons Data Collection System for the SADC Region is currently being set up in Mauritius by the UNODC in collaboration with the SADC. Both institutions will assist and guide countries in the SADC Region in collecting all relevant data pertaining to trafficking in persons and facilitating the sharing of such information.

Collaboration with the African Union

As regards our collaboration with the African Union, Mauritius took an active part in the development of policies for the prevention of trafficking in persons in the African Region, through several African Union Platforms. In this regard, our country hosted the First Regional Workshop on the New African Union Policies on the Prevention of Trafficking in Persons and Prevention of Smuggling of Migrants in Africa, organised by the African Union in August 2023. During the Workshop, the importance of having a regional database on Trafficking in Persons for the sharing of information among Member States was also highlighted.

National Action Plan 2022-2026

Moreover, Mauritius has, in August 2022, with the assistance of the IOM, adopted a 4-year National Action Plan 2022-2026, for the Combating of Trafficking in Persons in Mauritius. The National Action Plan has been developed in order to adopt a holistic, multidimensional and whole-of-Government approach to help guide the response to trafficking in persons in the country. Among other things, it is intended to support well-coordinated and comprehensive actions, the efficient allocation of resources and tracking progress on Mauritius response to Trafficking in Persons. It has been developed around three core areas of intervention, namely, Prevention, Protection, and Prosecution. The implementation of the Action Plan has already started under the purview of the Steering Committee and the guidance of the Inter-Ministerial Committee.

Under Prevention, the National Action Plan recognises the fact that Mauritius has carried out a range of Trafficking in Persons prevention activities in recent years under the aegis of my Office. Among others, this includes country-wide information campaigns at the level of schools and with stakeholders in the tourism sector. Prevention activities have also included outreach to migrant workers.

Under this core area of intervention, the main recommendations made in the Action Plan are that these preventive interventions should not only be maintained but also scaled up. It also points out the need to continue monitoring the trafficking trends as the dynamics changes over time, based on a range of factors, including potential victims' vulnerability to trafficking as well as the methods used by perpetrators to recruit and exploit them.

As regards Protection, it is highlighted that in recent years, protection efforts have improved, including enhanced efforts to identify and provide support to victims of human trafficking, in particular child victims. Moreover, beyond the provision of shelters to the victims, it has been recommended that, under this area of intervention, there is need to come up with additional focus measures to ensure the safety and security of the victims of trafficking and, wherever possible, to regularise their stay in the country and their employment status as applicable and appropriate.

Concerning Prosecution, it is stated in the Action Plan that Mauritius has made significant anti-trafficking law enforcement efforts in recent years, including the conduct of six investigations of trafficking in persons cases in 2019 with conviction in two cases and four in 2020, with conviction in one case. I have also been informed by the Police that for year 2021, there has been conviction in the one case investigated; there was no case

reported in 2022 and in 2023 up to date, there have been prosecution in four cases, out of which three cases have been dismissed and the remaining one is awaiting trial.

The National Action Plan recommends that in order to strengthen the response during the five-year period of the Plan, it is imperative to coordinate approaches across all stages of prosecution, starting with investigation and ending with the conviction of perpetrators. Hence, the rationale behind the setting up of a Steering Committee for Combating of Trafficking in Persons as provided for under clause 4A of the Bill.

Best practices adopted

Mr Speaker, Sir, in term of best practices adopted so far by concerned stakeholders, I am informed that the following measures have been initiated to assist the victims of Trafficking in Persons –

- (i) The Passport and Immigration Office (PIO) in close collaboration with the Migrant Unit of the Ministry of Labour, Human Resource Development and Training has set up a special team to trace irregular migrants, that is, expatriates on illegal stay who may be subjected to labour exploitation. The PIO also carries out profiling of passengers/visitors at the points of entry in order to identify possible victims of Trafficking in Persons;
- (ii) A Special Enquiry Team has been set up at the Central Criminal Investigation Department to investigate into complex Trafficking in Persons cases. This Special Team is working in close collaboration with the Office of the Director of Public Prosecutions for such cases;
- (iii) Local and overseas training are provided to officers of relevant Government agencies to enhance their investigative skills;
- (iv) Trafficking in Persons victims are provided with the necessary assistance and support in terms of shelter facilities, psychological support and visit by officers of the International Migration Organisation, and
- (v) An anonymous toll free hotline has been put in place and is managed by the Police Main Command Control Centre to provide assistance to Trafficking in Persons victims.

Justifications for amending the Combating of Trafficking in Persons Act

Both the Attorney General's Office and the Steering Committee have emphasised on the need to amend the Combating of Trafficking in Persons Act to –

- (i) maintain our alignment with international best practices;

- (ii) strengthen our collaboration with international organisations and other countries;
- (iii) ensure the effective implementation of the recommendations made in the National Action Plan, and
- (iv) give legal effect to some of the administrative measures already taken, for example the establishment of the Steering Committee, support to victims of Trafficking in Persons and establishment of the Trafficking in Persons Unit under the aegis of the Police.

In the same vein, opportunity will also be taken to amend the relevant provisions of the existing Act so as to address the issues identified by the United States Department of State for Mauritius in its 23rd Annual Trafficking in Persons Report. In fact, the Report whilst highlighting the positive actions taken by Mauritius with respect to the fight against Trafficking in Persons, has also identified some issues and consequently made priority recommendations to be implemented to overcome same. These include, among others: ensuring a more effective victim-centred approach by enhancing the provision of assistance for all victims of Trafficking in Persons, ensuring that victims are not inappropriately penalised for breach of the Combating of Trafficking in Persons Act, increasing efforts to investigate and prosecute trafficking crimes under the Act, and implementing a victim witness programme to increase the protection of victims participating in criminal proceedings.

Mr Speaker, Sir, following discussions with all stakeholders concerned, my Office is coming forward with the amendments to the Combating of Trafficking in Persons Act. The main objects of the Bill are to –

- (i) consolidate the existing legal provisions for combating trafficking in persons and to provide for a modern legal framework to address the issue of trafficking in persons more effectively;
- (ii) allow for a more rigorous identification and prosecution of cases, better support to victims of trafficking in persons and the establishment of an effective institutional framework for the fight against trafficking in persons, and
- (iii) provide for stricter penalties for persons convicted for offences related to trafficking in persons. Thus, those convicted persons will no longer be eligible for remission or release on parole under the Reform Institutions Act.

Moreover, it provides that the Court will no longer have the discretion to inflict a term of imprisonment of less than 3 years for the offence of trafficking in persons.

Let me now highlight some of the amendments that are being proposed to the Combating of Trafficking in Persons Act.

(a) **Section 2 – Interpretation**

It is proposed to amend section 2 of the Act to include the concept of debt bondage as one additional criterion to be recognised for committing the offence of Trafficking in Persons. Debt bondage has been recognised as a means by which traffickers exploit people and trap them in human trafficking as payment for debt;

(b) **Section 4 – Centres for victims of trafficking**

Section 4 of the Act currently defines the resident of the shelter for victims of Trafficking in Persons as ‘inmates’ and does not have a proper defined structure for the management of the shelter. Amendments are being brought to replace the term ‘inmate’ by ‘resident’. It is also being provided that each Centre will have an authorised officer, who should be a Police Officer designated by the Commissioner of Police, to be in charge of that Centre;

(c) **New Clause 4A - Steering Committee for Combatting of Trafficking in Persons**

It is proposed to introduce a new clause 4A so as to provide for the establishment of a Steering Committee for Trafficking in Persons which will, among others, ensure coordination among the stakeholders with a view to enhancing the implementation of policies to combat Trafficking in Persons. The Steering Committee will be chaired by the Secretary for Home Affairs, and will comprise a representative from the following –

- (i) the Prime Minister’s Office;
- (ii) the Ministry responsible for the subject of family welfare;
- (iii) the Ministry responsible for the subject of foreign affairs;
- (iv) the Ministry responsible for the subject of labour;
- (v) the Ministry responsible for the subject of social security;
- (vi) the Attorney General’s Office;
- (vii) the Office of the Director of Public Prosecutions;

- (viii) the Mauritius Police Force, and
- (ix) the Director General of Immigration.

The Steering Committee may, as and when required, co-opt any other member to form part of the Steering Committee.

(d) **New Clause 4B - Trafficking in Persons Unit**

New clause 4B is meant to formally establish a Trafficking in Persons Unit within the Mauritius Police Force, dedicated for the identification and prosecution of Trafficking in Persons cases.

The Unit will have personnel of different adjuncts of the Police Force such as the Passport and Immigration Office, the Central Crime Investigation Division, the *Brigade pour la Protection de la Famille* amongst others, and will work in collaboration with other law enforcement agencies.

This new clause also provides that the Commissioner of Police may assign any other duty to an investigating officer of the Unit.

(e) **New Clause 4C - Witness Protection**

This is another clause which is being introduced to make provision for the protection of witnesses in case proceedings. Any person recognised as a witness may make an application to the Commissioner of Police for his protection or for the protection of the members of his family until such time as may be required;

(f) **New Clause 10A - Issue of warrant, seizure and presumptions**

This new clause 10A provides that where a Magistrate is satisfied by information on oath that there is reasonable ground for suspecting that an offence has been or may be committed under the Act, and that there is reasonable ground to believe that evidence relating to that offence may be found at the premises, he may grant a warrant authorising an investigating officer, at any time, within one month from the date of the issue of the warrant, to enter, with assistances, and if need be, by force, the premises specified in the warrant and to inspect and search same;

(g) **New Clause 10B - Power of Investigation**

This new clause 10B provides that where, on application made by an investigating officer, the Judge in Chambers is satisfied that there is reasonable

ground to suspect that an offence under the Act has been or is likely to be committed, he may issue a warrant authorising the investigating officer to, amongst others: tap or place under surveillance for a period not exceeding 6 months, the telephone lines used by persons suspected of participating in the offence; have access to any computer system by the suspected persons, and have access to all bank, financial and commercial records that may reasonably concern transactions relating to the offence;

(h) **New Clause 10C – Arrest without warrant and detention**

This new clause 10C provides, *inter alia*, that an investigating officer, may, without warrant, arrest any person who has committed, attempts to commit, or is reasonably suspected of having committed or attempted to commit, an offence under the Act, where the investigating officer has reasonable grounds to believe that the person will abscond or where the name and address of that person cannot be immediately ascertained;

(i) **New Clause 11A – Assistance to victims of trafficking in persons**

This new clause provides, *inter alia*, that any person who is a victim of Trafficking in Persons or provides evidence of being or having been a victim of Trafficking in Persons shall be provided with such financial and legal assistance as may be prescribed;

(j) **New Clause 11B – Non-punishment of victims of trafficking in persons**

Under this new clause, the identified victims of Trafficking in Persons will be exempted from any prosecution under the Act or any other enactment subject, of course, to the consent of the Director of Public Prosecutions;

(k) **New Clause 12A – Illegal adoption or custody of a child**

This new clause provides that any person who adopts or obtains the custody of a child, where same has been facilitated or secured through illegal means, shall commit an offence;

(l) **New Clause 13B - Investigation disclosing other offences**

Human trafficking is usually part of greater offences such as drug trafficking and money laundering. This new section will allow investigators to refer cases to other relevant institutions, if any offence under other legislation is detected such as money laundering and counter terrorism;

(m) **Section 14 - Penalties**

It is proposed to amend section 14 so as to increase penalties for aggravating circumstances particularly where victims are pregnant women, physical or mental handicapped persons or where victims are exposed to life threatening illnesses, amongst others, to imprisonment of not more than 10 years and fine not exceeding Rs200,000; and Subsection 3 of section 14 of the Act is being amended to include reference to sections 150 and 151 of the Criminal Procedure Act which provides that the Court may inflict a term of imprisonment of not less than 3 years but not exceeding 5 years for the offences of trafficking in persons.

(n) **Section 15- Jurisdiction**

It is also proposed to amend section 15 of the Act so that stricter penalties be applied to trafficking in persons offences committed outside Mauritius as follows –

- (i) a new subsection 1A is being added to cater for offences committed outside Mauritius as being offences deemed to have occurred, at the place the accused is normally resident or at his principal place of business, and
- (ii) subsection 1(b) is being added so as to provide that sections 152 and 153 of the Criminal Procedure Act will no more apply to offences related to trafficking in persons.

The amendments also include consequential amendments to section 51A of the Reform Institutions Act, where provision is being made for convicted persons to no longer be eligible for remission or release on parole.

Mr Speaker, Sir, my Government has been proactive in addressing the scourge of Trafficking in Persons and we need to sustain our actions in order to be able to fully address this complex issue. I am convinced that these amendments will enable our law enforcement agencies to be better equipped to track the Trafficking in Persons offenders whilst at the same time providing a more effective assistance to the victims of this traffic who will no more be considered as accused parties and definitely this I am sure will go a long way for us to be able to detect those cases of trafficking in persons.

I shall also, at committee stage, be moving for an amendment at Clause 4 of the Bill as per amendment circulated.

With these words, Mr Speaker, Sir, I commend the Combating of Trafficking in Persons (Amendment) Bill to the House.

The Deputy Prime Minister seconded.

Mr Speaker: Hon. Dr. Boolell!

(7.05 p.m.)

Dr. A. Boolell (First Member for Belle Rose & Quatre Bornes): Thank you very much, Mr Speaker, Sir. The Combating of Trafficking in Persons is a crosscutting matter and there is no vast difference between Opposition and Government on this crosscutting issue. The country will put its best endeavour to wage war in relation to the trafficking in persons.

Now, the trafficking in persons is indeed a flagrant violation of human rights. In fact, it is a crime against humanity. The Bill is not exactly a blanket cover to address all forms of trafficking from bonded labour, drugs to organ transplant. There are indeed some loopholes and I will draw attention in relation to specific amendments.

As we say, the law is an ass but enforcement should be the backbone of the legislation and as the Prime Minister stated, institutions being set up will oversight to execute and for monitoring and good follow-up. The Prime Minister made no mention of the 2023 Trafficking in Persons report and this report makes it clear that we are yet to meet minimum standards in several key areas.

(Interruptions)

No, he said he intends to...

Mrs Luchmun Roy: He mentioned.

Dr. Boolell: The Prime Minister said he intends to do but between words and action, there are miles and I hope what the Prime Minister is saying will be implemented and I hope there will be enforcement of provisions of the legislation. Now, we indeed have miles to go because you have to move from tiers to ranking in the expectation to be in the Tier 1 Ranking and I expect Government to act vigorously. The Prime Minister has announced a host of measures and that there is a national Action Plan which has been set up and this Action Plan has been prepared with the collaboration of relevant bodies like the International Organisation of migration.

When we talk of comprehensive approach, there is a call for the inter-ministerial committee to meet on a regular basis. I was told that the committee has not met since the last three years and there is an expectation that Government puts its best endeavour to take on board all the stakeholders and there is a rallying call to make sure that nobody is left behind. Of course, we are not only talking of Government agencies but also as the Prime

Minister has said, the good interaction that has to occur between Government and other relevant bodies and Governments in the region and with the European Union but beyond Governments, there is a call to rope in international organisations, the private sector, the academia, the media, community leaders, NGOs and survivors and survival-led organisations.

I am not going to remind the Prime Minister that we made a pledge also to achieve UN sustainable development goals to convene anti-trafficking stakeholders across various sectors to take measures to eradicate forced labour and modern day slavery and human trafficking and secure the prohibition and elimination of the worst form of child labour. We've made a pledge to achieve the sustainable development goals and we have said that there should be elimination of the worst form of child labour by 2030 and thanks God we don't have child labour in Mauritius but the provisions of the legislation are there and we have to make sure that perpetrators and accused cannot get away with the aggravating offence. Besides what has been spelt out very clearly by the Prime Minister, we should not forget that as a country, we are going to be peer reviewed by the African Peer Review Mechanism and the Universal Periodic Review every four to five years.

Mr Speaker, Sir, why is it important? There is a call for compliance. I recall when there was no compliance, not only to core labour standards which we do comply but we have also to keep in mind that we are an export oriented country, that we have preferences, and if there is a slide in relation to core labour standards, there is a heavy price to be paid. And, I remember very well one of our huge exporters of textile was subject to sanctions and had it not been for Government which intervened promptly and we had to give firm assurances to those who were going to sanction us that corrective measures are going to be taken and that we are going to seek redress immediately. So, we have to make sure that we do not jeopardise and put at risk our market preferences.

Mr Speaker, Sir, as a Small Island Developing State which has ratified the protocol, subscribed to SAMOA Pathway and keen to be an Ocean State, we have a moral and legal obligation to fulfil our rights, as I say and as I have stated earlier, to protect our export and services sector. The Trafficking in Persons report, of course, was or has been an abrupt reawakening call after a rap on the knuckles by the US State Department and the UN agency.

Mr Speaker, Sir, I recall very well when Government ratified the protocol and came up with appropriate legislation in 2009 to fulfil the objects of the Act, but I must say since 2015 to date there has been backsliding from democratic values and remaining in Tier 1 ranking, unfortunately is the price to pay for autocracy. The Prime Minister has

mentioned and referred to the established partnership required to move the three Ps: the Prosecution, the Protection and the Prevention. But, above all what is required and what is needed is effective and genuine partnership, and I take it for granted that not only we will comply but we will see to it that there is proper enforcement. As we say, no one owes us a living and we have to acknowledge that we have competitors and if we give them the slight opportunity, they will undermine us, Mr Speaker, Sir, because as we say no one owes us a living and competition is very fierce.

Mr Speaker, Sir, in the light of what has been said by the Prime Minister in resolution to his best endeavour and willingness to make things happen, we have to ask a simple question. How many potential victims have been encouraged to come forward? The Prime Minister mentioned that there are only a few cases that have been prosecuted and the victims go through hell before a statement is taken. And, as potential witnesses, they are kept in prisons or rundown shelter. The Prime Minister referred to section 4(1)(a) of the principle Act is amended to make provisions for setting up of Centre for temporary accommodation of victims and an Assistant Superintendent of Police appointed by the Commissioner of Police will be in charge of the Centre. I hope his mandate is clear and I hope decency will prevail.

Let me refer to a specific case, the case of a person involved in the oldest profession whose passport in the custody of keeper because of bonded labour. This is a particular case where a person may be treated equally as an offender and as a victim. And, section 6 of the principle Act is repealed and replaced and the word 'may' may give some comfort to a victim but the latter should as far as possible be allowed to return to her country of residence. Why should the person be grounded till the disposal of the case? Why can't her statement be used as evidence even in her absence? With breakthrough in technology, the person can appear as witness *via* video links if need arises.

Mr Speaker, Sir, the risk of being sanctioned by the ILO, as I have stated, is a big threat and ILO is looking at unscrupulous recruiting agents who are human traffickers. A trade unionist had denounced more than 50 recruiting agents for trafficking but the Ministry of Labour had not been active, let alone proactive.

On the other hand, tracking team of the Passport and Immigration Office claims to act effectively against over stayers. Modern day slavery prevails in many developed and developing countries. It is not, Mr Speaker, Sir, because of shortage of labour that illegal activities and exploitation should be condoned. Do you know of the number of diplomats in UN and Washington who have been taken to task for exploitation of their personal employees? Bonded labour prevails in many back gardens and back yards. Diplomats have

no immunity over ill-treatment of employees. Ambassadors have had to stand trial in the US, and should I remind ourselves of the fate of former Director of IMF over sexual exploitation of a housekeeper? In Mauritius, unfortunately, Diplomats get away.

The Steering Committee as the Prime Minister has stated, has to act diligently and professionally. The wide powers are clearly spelt out but the effectiveness of the combatting unit to be headed by the Assistant Superintendent of Police largely rests on the diligence of the Steering Committee. It has to deliver and any difference over ideas or decisions have to be confined within the perimetry of the committee room and should not be the chord of discord to undermine the process. This is indeed the symbol of effectiveness.

Mr Speaker, Sir, section 4C(2) in relation to protection to witness depends entirely on the close collaboration between Office of the DPP and the Commissioner of Police. The risk assessment is carried out by the unit and after consultation with the DPP and it is then that CP may act. The safeguards are there but there is concern in regards to witnesses and other data protection and privacy. Section 4C(2) should read: 'after consultation and advice of the DPP'. The DPP is in a better position to decide on the matter of witnesses, whether witnesses will be needed to prove a case.

The Combatting Unit as has been stated has to be manned by a team of professionally trained and the International Organisation Migration will provide and dispense necessary support. The Investigating Officer, one may argue that he is the Commissioner of Police in the sole officer. The Investigating Officer should be an Officer at Cadet level with no less than five years of experience in the field of investigation in tracking of persons. And, the Officer whose powers are stated in the sole power of the Commissioner of Police has wide powers as clearly spelt out in section 10A to 10D.

We are laggards in relation to collaboration and cooperation on transnational crime and global trafficking in persons. Also, although the Prime Minister has stated, the things are changing and we are now willing partner in relation to collaboration and we will collaborate with regional bodies and with EU and the International Organisation of Migration. But, we do not have to go far to take on stock the reason as to why we have been labelled as laggards in relation to collaboration and cooperation on transnational crime or global trafficking in persons.

Ask our friends from Reunion Island and they will bluntly tell you that the regime does not always comply to the provisions, of course of regional agreements and sometimes to the UN protocols. I am not going to make referral to Mr Franklin in relation to extradition but the law cannot always remain an ass. It has to be applied and enforced. It is

because it has not been rigorously applied that the US Department of State 2022 Trafficking in Persons Report gives Mauritius a Tier 2 ranking. Of course, the Trafficking in Persons Report proposes six ways to alleviate human trafficking in Mauritius but the amendments to the Act, I do agree, go a long way.

Before I conclude, Mr Speaker, Sir, let me comment on specific clauses. Section 10A, one month for a search warrant is a long time and leaves the door open for abuse and setup. Section 10 (2) (e), in relation to audio and video recording, should there be limitation on the recording? How long will this be adduced as evidence in Court? Section 20 of the Principal Act is amended to consider data protection of victims, mode of supervision of victims and define legal assistance to victims. Is it at the time of arrest in core? And I expect more precision from the Prime Minister.

Section 14 of the Act, which clause 15 of the Bill proposes to amend, says it all with stiffer penalty. (2A) – any person who is convicted of an offence under sections 11 and 12 shall when aggravating circumstance specified in section 13 exists, be liable to penal servitude for a term not exceeding 20 years. Will it be a deterrent or enforced in the light of gravity of the offence or an opportunity simply for corrupt practices?

Mr Speaker, Sir, I will come back to the Commissioner of Police. As the sole investigating officer, he has to be answerable for the democratic system to operate. We need check and balances. As I say, Mr Speaker, Sir, we, on the Opposition bench, are going to put our best endeavour and together with Government, we will impress upon the nation that there is a rallying call to wage war on the combatting of trafficking in persons. Thank you very much.

Mr Speaker: Hon. Callichurn!

(7.23 p.m.)

The Minister of Labour, Human Resource Development and Training (Mr S. Callichurn): Mr Speaker, Sir, it is a privilege and honour for me to intervene today on this very important Bill, I should say – the Combating of Trafficking in Persons (Amendment) Bill and I commend the Prime Minister for bringing amendments to the Combating of Trafficking in Persons Act 2009.

Mr Speaker, Sir, it is a subject of particular importance to my Ministry following the very recent passing of the Private Recruitment Agencies Bill, which, in both its philosophy and its essence, is complementary to the objects of this Bill as far as the protection of migrant workers are concerned.

Mr Speaker, Sir, we have been proactive. Hon. Dr. Boolell, yes, we have been proactive. Recently, two weeks ago, we introduced to this House the Private Recruitment Agencies Bill. You should have been here to participate in the debate. It is very unfortunate and I said it last time, only one Member from the Opposition participated in that debate and it was hon. Uteem. In that Bill, we introduced provisions to protect migrant workers from unscrupulous recruitment agent and we have saved them from debt bondage.

Mr Speaker, Sir, let me first of all state that there are approximately 50 million people worldwide who are directly affected both physically and psychologically by human trafficking. It includes people of all ages, genders and nationalities. It is often fuelled by poverty, desperation and inequality and thrives in environments where there are inadequate measures to combat it.

While slavery has long been abolished, the unlawful and unethical control of one person by another is undoubtedly modern slavery.

Victims are embroiled through deception, coercion, or force, trafficked into exploitative situations ranging from sex trafficking to forced labour to servitude.

Mr Speaker, Sir, the Bill provides for the expansion of the definition of exploitation and pertinently includes debt bondage, which is an all too common occurrence in the migration of workers seeking better opportunities overseas.

Mauritius has some 38,000 migrant workers availing their services across a number of sectors in our economy. Since we have removed the ratio requirements in certain sectors, it is highly likely that we will see this number increase significantly and we know that the demand for foreign labour from economic operators has increased. Migrant workers from countries such as Bangladesh, Madagascar, China, India, and Sri Lanka choose to come to Mauritius to be able to better provide for their families at home.

As I have previously told the House, when ethical migration with dignity takes place, it is the greatest anti-poverty tool that the world has. However, these people can be vulnerable to exploitation by unscrupulous agents and intermediaries, making hollow promises and extorting hefty sums of money for supposedly securing the life-changing job. This, Mr Speaker, Sir, can result in workers taking out significant loans that can take years to repay and even handing over deeds of land or property.

Mr Speaker, Sir, at the Ministry of Labour, Human Resources Development and Training, we come across cases of exploitation either during inspections or through whistleblowing, where cases have been discovered, for example when –

- (i) passports of migrant workers have been retained by employers;
- (ii) the work and remuneration being offered to the migrant workers are totally different from what is mentioned in the Work Permit or the contract of employment initially vetted by my Ministry;
- (iii) the Work Permit of the foreign worker has either expired or the worker does not have a Work Permit at all;
- (iv) restriction of movement of workers during working hours when present at their place of work;
- (v) missing migrant workers who cannot be tracked to their workplaces or dormitories where they stayed, and
- (vi) migrant workers being forced to work for other employers and perform work of a different nature as opposed to what they were originally employed for and their Work Permit issued against.

This, Mr Speaker, Sir, is unacceptable.

It is good to know that Mauritius has ratified ILO Convention No. 29 on Forced Labour, where Article 25 of the said Convention clearly stipulates that the illegal extraction of forced labour or compulsory labour shall be punishable by penal servitude.

Mauritius also ratified, as rightly mentioned by the Prime Minister, the Palermo Protocol to prevent, suppress and punish Trafficking in Persons, especially women and children.

Clause 10 of this Bill, Mr Speaker, Sir, prohibits an employer to sell, supply, deliver and transfer a migrant worker to another person or employer for the purpose of exploitation.

Any person undertaking such an act shall commit an offence, even if the transaction would be executed with the supposed consent of the victim. It is expressly stated that the victim consent cannot be used as a defence to prosecution. This is extremely important as it addresses the psychological tactics that is used to coerce, mislead or incite vulnerable people.

Since September 2021 up to date, some 21 suspected cases of trafficking in persons were registered at my Ministry and all of them were referred to the police, Mr Speaker, Sir. The majority of cases involved the retention of passports by employers and people working without permits.

Mr Speaker, Sir, in other jurisdictions across the globe, the war against trafficking in persons is also subject to amendments as the movement of migrants takes its toll. For example, in the United States, the number of persons convicted for a federal human trafficking offense increased from 464 persons in 2011 to 837 persons in 2019, before falling again to 658 in 2020 but these figures are like a drop in the ocean because the State Department itself estimates more than 27 million people are victims of human trafficking.

Recently, Mr Speaker, Sir, the Council of Europe's Group of Experts on Trafficking in Human (GRETA) called on the French authorities to take additional steps to facilitate and guarantee access to justice for all trafficking victims. These are among the main proposals for action included in the third evaluation report on France's implementation of the Council of Europe's anti-trafficking convention. GRETA also recommended the authorities to make full use of the legislation on the freezing and confiscation of assets of convicts to secure compensation to victims. GRETA also mentions that, although there has been an increase in the number of investigations and prosecutions in human trafficking cases since 2016, the number of convictions is still low in France.

In the United Kingdom, Mr Speaker, Sir, the government came up with the Modern Slavery Act (MSA) in 2015, meant to further criminalise sex trafficking and labour trafficking, which prescribed penalties of up to life imprisonment, which were sufficiently stringent and with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape.

It is worthwhile also to note that apart from the MSA, prosecutions can also be brought under three other Acts in the United Kingdom, namely –

- The Asylum and Immigration Act 2004;
- The Immigration Act 1971, and
- The Human Rights Act 1998.

Allow me, Mr Speaker Sir, to give an explicit example of how the Combating of Trafficking in Persons (Amendment) Bill will allow a change here. A few weeks ago, my Ministry received a phone call from two foreign nationals who were at the Airport of Mauritius. So, they were seeking assistance from my Ministry and were alleging that their employer had duped them and forcefully brought them to the airport in order to deport them back to their home country. They also alleged that their employer had confiscated their mobile phones so they could not contact either the Ministry or any other authority. They had a legitimate expectation of my Ministry to intervene. So, some of the officers of my Ministry went to the airport after notifying the Passport and Immigration Officer of the

situation. The officers found the workers were left on their own at the Airport. They tried to contact the employer who was at that time unavailable by phone. The officers then proposed to take them back to their dormitories pending things being sorted out but the foreign nationals refused, stating fear of retaliation.

After a protracted discussion with the officers of my Ministry, they agreed to go and stay at their acquaintance place in the North of the island. So, once they made their statement to the police, the officers of my Ministry drove them to their acquaintance. And this is one such case where we felt that there was a vacuum and it was not clear who and which institution should take responsibility of such persons in distress pending the conclusion of the investigation. The police did not want to take their responsibility.

So, what I want to say, Mr Speaker, Sir, this Bill addresses this sensitive issue. And at clause 5, you will see, provision has been made for one or more Centres for the purpose of temporary accommodation to house victims of trafficking in persons, and those being accommodated in these accommodations are no longer called inmates but residents because they are not in detention or facing criminal charges.

Mr Speaker, Sir, a victim-centred approach tackling the trafficking in persons is the right approach. Survivor engagement in dealing with cases is critical to securing convictions and to helping the recovery of the victim. This Bill has crafted a robust shield of protection for those who have been trafficked through the following provisions –

- (i) Financial and legal assistance to victims mentioned in Clause 11A;
- (ii) Centres for suitable, temporary accommodation;
- (iii) Necessary protection of victims in those Centres as the access thereto would be controlled by the police;
- (iv) Victims being allowed to stay in Mauritius until the disposal of the case;
- (v) Any victim of trafficking in person would not be prosecuted of an offence, not only under this Bill but also under any other enactment;
- (vi) Referral of victims by the Commissioner of Police to the Minister responsible for employment for the issuance of a Work Permit under the Non-Citizens (Employment Restrictions) Act will allow the victims to derive income to support himself and his family. Here, Mr Speaker, Sir, I would also like to add that it is already the practice of my Ministry to issue a ‘special open permit’ to migrant workers who are in distress to allow them to continue working in Mauritius whilst prosecution is ongoing.

Mr Speaker, Sir, whenever such victims would be referred to me by the Commissioner of Police under this Bill, my Ministry would ensure that they are given a Work Permit without delay and my Ministry would also assist the victim in identifying potential new employers based on their skillset.

Mr Speaker, Sir, this Bill shall further support victims by giving them a voice in the courtroom. Not merely about the physical facts but also about the consequential impact of their exploiter's actions.

Clause 13D of the Bill on the aspect of participation of a victim during the hearing of the sentence is empowering and this clause allows the victims to give either an oral or written statement after judgment has been given but before sentence is passed.

The judge can then acknowledge the impact on the victim in determining the sentence of the convicted person or persons. Furthermore, this can be taken into consideration when determining the quantum of compensation to be awarded to the victim, which is fair in this particular circumstance.

Mr Speaker, Sir, the empowerment of the law enforcement agencies to act decisively, is fundamental in being able to take swift action and Combating the Trafficking in Persons issue.

Unlawful exploitation of people often happens covertly, in secret and law enforcement needs to be able to act at the very moment where there is suspicion of something untoward. At present, there is no dedicated unit which specialises in the handling of trafficked persons.

Clause 4B of the Bill provides for a Combating of Trafficking in Persons Unit within the Police to deal with all matters of trafficking in persons which is welcoming under the circumstances, Mr Speaker, Sir. The new unit will work in close collaboration with other enforcement agencies. Through working with specialised agencies both in Mauritius and abroad, it will develop its own expertise, ultimately acting as a deterrent for traffickers and a reliable enforcer.

Mr Speaker, Sir, the specialised police unit will also provide support to the officers of my Ministry when it comes to investigating allegations made by the workers. There are occasions where my Ministry's officers are potentially entering dangerous situations. The knowledge of a specialised police unit to provide support and information to them will be a great comfort in the execution of their duties as well.

Mr Speaker, Sir, identification of victims of trafficking is crucial in the combat against human trafficking, in as much as victims would not come forward to denounce anybody for fear of retaliation or even of their own safety.

My Ministry is collaborating with the International Organisation for Migration (IOM) regarding the identification of victims of trafficking among migrants or even local workers. During inspections, Labour Inspectors try to gather much information as possible which could provide indicators for such offence and they would have a checklist in that respect. A Standard Operating Procedure (SOP) is also being finalised with the assistance of the IOM.

Mr Speaker, Sir, hon. Dr. Boolell gave the impression in his address that it is only under this government that Mauritius has been under the radar of Trafficking in Persons (TIP) report issued yearly by the US Department of State.

Allow me to set the record straight, it is not just in 2023 that we have been subject to criticism by the US Department of State. In 2011, Mr Speaker, Sir, when the Labour Party was in power, the US Department of State was already pointing out some of the shortcomings in this country regarding trafficking in persons. Let me quote an example, they mentioned that at that time, there was no proper communication or coordination among the relevant government ministries which was insufficient and hindered effective partnerships.

In 2012 report, Mr Speaker, Sir, they outlined the fact that, I quote –

“From arrest to sentencing of offenders, cases of child trafficking typically took 18 to 24 months to resolve; a lack of anti-trafficking training among officials in the police prosecution office often created backlogs when determining whether prosecution should take place.”

One year later, in 2013 the report mentioned that the then government, the Labour Government and the PMSD Government, I presume, has never taken any law enforcement action against labour trafficking offences, including forced labour on fishing boats in Mauritius.

In 2014, the US Department in its report mentioned that the government, that is again the Labour-PMSD regime, does not have an inter-ministerial coordinating body or a national action plan dedicated to combating all forms of trafficking. The government did not conduct any awareness campaigns relating to other forms of trafficking and did not make any effort to reduce the demand for forced labour during the reporting period.

Mr Speaker, Sir, we do acknowledge that combating trafficking in persons is not an easy task. It requires, as rightly mentioned by hon. Dr. Boolell, cross-border collaboration, constant reviewing of policies, etc. but most importantly, because it is such an important matter, it cannot be used for mere political back-biting.

Mr Speaker, Sir, our government, under the able leadership of the hon. Prime Minister, Pravind Kumar Jugnauth, has not been resting on our laurels. In fact, an Inter-Ministerial Committee was set up in 2015 to ensure proper co-ordination on matters pertaining to trafficking in persons in Mauritius and since the beginning of this year, I am personally chairing the Inter-Ministerial Committee, Mr Speaker, Sir and subsequently a Steering Committee and a Technical Committee on Trafficking in Persons has been set up for better coordination and concerted response amongst relevant stakeholders to detect, track, and prevent offences related to trafficking in persons.

Mr Speaker, Sir, let me reassure the House that this government will leave no stones unturned in its relentless war against trafficking in persons. We shall come up with appropriate measures whenever it will be necessary because we know that the number of workers in our country will surely be on the rise.

Before I conclude, Mr Speaker, Sir, I would like to say that this piece of legislation is all about strengthening our legal framework to ensure that basic human rights are protected, that dignity of victims is maintained all throughout and justice delivered by punishing perpetrators with heavy sanctions. Mauritians and foreigners should be free to move around and pursue their dreams without any fear of being trafficked.

This Bill provides us, parliamentarians, the privilege and the power to shape a society which values human rights, protects the vulnerable and defends the voiceless. I am done, Mr Speaker, Sir. I thank you for your attention.

Mr Speaker: Hon. Members, I suspend the Sitting for one hour.

At 7.50 p.m., the Sitting was suspended.

On resuming at 8.54 p.m. with Mr Speaker in the Chair

Mr Speaker: Please be seated! MP Ms Bérenger!

(8.55 p.m.)

Ms J. Bérenger (First Member for Vacoas & Floréal): Je vais commencer avec un extrait du dernier rapport du Département d'Etat des Nations Unies qui brosse un tableau accablant concernant le trafic d'êtres humains à l'île Maurice depuis cinq ans –

“As reported over the past five years, human traffickers exploit domestic and foreign victims in Mauritius. Traffickers exploit girls from across the country – particularly from low-income communities – in child sex trafficking, including through online platforms.”

C'est juste un extrait, mais c'est donc suite à cet énième rapport du Département d'Etat des Nations Unies qui relève les manquements par rapport au trafic d'êtres humains à l'île Maurice, aussi suite à la visite de l'experte des Nations Unies, Mama Fatima Singhateh en juin 2022 ; aussi suite au rapport, lui aussi accablant, de l'*European Centre for Law and Justice* présenté à la 45^{ème} session de l'Examen périodique universel des Nations Unies en août dernier et qui qualifie d'ailleurs Maurice de voie de transit pour les victimes de la traite des êtres humains en provenance de l'Afrique de l'Est et de Madagascar ; c'est suite à tout cela que le gouvernement s'efforce enfin d'apporter quelques amendements au *Combating of Trafficking in Persons Act*. Mais quels changements vont-ils vraiment apporter sur le terrain et quelle est la volonté de lutter efficacement contre le trafic humain dans la réalité ?

D'autant plus que l'on sait que le Premier ministre préside le *High-Level Committee for Elimination of Gender-based Violence* et que la violence basée sur le genre est une forme de trafic d'êtres humains, comme le mentionne d'ailleurs l'extrait du rapport du Département d'Etat américain que je viens de lire. Mais qu'est-ce qui a été fait donc véritablement, concrètement jusqu'ici, pour les victimes de violence basée sur le genre ? On peut se poser la question quand on voit ce qui se passe sur le terrain. Et là, j'ai en tête, par exemple le fait qu'il n'y ait eu aucune arrestation suite aux vidéos à caractère sexuel impliquant des enfants et des femmes qui ont été circulés sans leur consentement. On peut se poser la question. Qu'est-ce qui a été fait réellement pour prévenir le trafic d'êtres humains quand on voit les lacunes présentes jusqu'ici, y compris dans l'implémentation de la loi qui est déjà en vigueur ? Je vais donc développer les points qui m'emmènent à me poser cette question, en passant en revue les différentes sections du projet de loi.

D'abord, de manière générale, je pense qu'il est important de noter qu'énormément de pouvoirs sont accordés à la police qui l'on sait tombe sous la responsabilité du Premier ministre et dont le chef – le Commissaire de police – est sujet à de nombreuses polémiques dernièrement, malheureusement. La section 5 vient amender quelque peu la section 4 de la loi principale qui date de 2009, mais le pouvoir revient toujours au Premier ministre, au ministre responsable, de mettre en place des centres pour abriter les victimes de la traite d'êtres humains. Mais désormais, il donne le pouvoir au Commissaire de police de nommer un officier de la police en charge des centres, sauf que la définition de ces centres

n'est elle-même pas très claire et que ces centres sont supposés être déjà existants depuis 2009, depuis que la loi a été votée. En 2016, l'une des recommandations prioritaires du Département d'Etat américain était justement la mise sur pied des abris pour les victimes.

L'honorable Pravind Kumar Jugnauth est assis dans le fauteuil de Premier ministre depuis 2017, et jusqu'à l'an dernier, ce sont les centres de détention et les postes de police qui accueillent les victimes de trafic d'êtres humains avant qu'elles ne soient rapatriées dans leur pays. Si cela ce n'est pas un manque quand même de volonté pour combattre la traite d'êtres humains, ben, je ne sais pas ce que c'est. La section 6 ajoute une section 4B pour créer une unité au sein de la police qui sera donc spécifiquement chargée de s'occuper des cas de traite d'êtres humains. Et encore une fois, si la volonté est vraiment là, le Premier ministre peut-il nous dire combien d'officiers travailleront dans cette unité ; qui est le *Welfare Officer*, qui sera le *Relation Officer*, puisque l'on sait que le manque de ressources humaines, et surtout le manque de formation aussi, est le principal frein dans ce genre de combat ? Il faut donc absolument que cette unité dispose de tous les moyens nécessaires pour faire avancer les enquêtes et je demande donc au Premier ministre de nous donner ces détails.

Il ne faudrait surtout pas que les officiers se contentent de placer dans les centres les victimes et puis se lavent les mains. Il ne faudrait surtout pas que ça arrive. D'ailleurs, j'aimerais, là, cité l'experte des Nations Unies, en juin 2022, qui avait dit, je cite –

“Effective investigation and prosecution are indispensable in curbing the culture of silence surrounding child sexual abuse and commercial sexual exploitation.”

Les enquêtes doivent aller vite d'autant plus que les victimes sont condamnées à rester ici, dans le pays, le temps de l'enquête. Donc, il est absolument primordial que les enquêtes avancent vite et que les victimes puissent bénéficier de conditions de vie décentes pendant la période de l'enquête et jusqu'à ce qu'elles soient rapatriées dans leur pays.

La section 10 vient définir l'exploitation des travailleurs, en d'autres mots, ce qu'on appelle l'esclavage moderne, comme l'a dit le ministre juste avant moi, comme étant une infraction, et vient ajouter une section pour les travailleurs immigrés. Mais là, je trouve quand même ironique que le gouvernement vienne avec cet amendement aujourd'hui alors que dans l'annexe du discours du budget de cette année, on se souvient qu'à la section B. 1. toute une série de mesures ont été prises pour faciliter l'accès à l'emploi pour les travailleurs immigrés. Par exemple, au bout de quatre semaines, sans réponse du ministère du Travail, l'application pour un permis de travail est considérée comme étant approuvée ; le ratio de travailleurs mauriciens par rapport aux travailleurs

immigrés est aboli pour certains secteurs ; le ministère du Travail est supposé mettre en place un nouveau cadre pour l'emploi des travailleurs domestiques étrangers ; les *carers* étrangers pourront désormais rester pour une durée illimitée. Et comme je l'avais dit dans mon discours sur le budget, à travers toutes ces mesures annoncées, le gouvernement souhaite en réalité réadapter et remettre d'actualité un modèle économique injuste et que nos tribuns ont combattu ; un modèle injuste basé sur la main-d'œuvre bon marché et l'exploitation des plus vulnérables qui viennent ici dans l'espoir d'une vie meilleure mais qui sont malheureusement en proie à toutes sortes de forme d'abus et d'exploitation.

Donc, bien sûr, nous accueillons aujourd'hui cette nouvelle provision dans la loi qui tente de protéger les travailleurs immigrés, mais je pense que c'est important quand même de faire ressortir l'ironie ici, parce qu'encore une fois, le gouvernement est pyromane et pompier à la fois. D'un côté, il crée le problème avec une politique facilitant la venue des travailleurs des pays sous-développés, représentant une main-d'œuvre dite bon marché, et qui sont amenés à faire un travail pénible, souvent dans des conditions déshumanisantes, et de l'autre, il tente lui-même d'apporter une solution aux abus occasionnés à travers les amendements apportés aujourd'hui. Et, malheureusement, la solution qui est en train de vouloir être apportée n'en est pas une, parce que nous voyons bien que les travailleurs immigrés sont fréquemment victimes d'abus et d'exploitation.

D'ailleurs, pas plus tard qu'hier, la presse faisait état d'un nouveau cas, d'un cuisinier attaché dans un dortoir –

« La police a porté secours à un cuisinier, âgé de 33 ans, qui était enchaîné au premier étage d'un bâtiment à Quatre-Bornes. Samedi matin, l'*Information Room* de la police a reçu un appel anonyme faisant état d'un cas de séquestration. »

Séquestration donc par son employeur.

Le mois dernier, le directeur d'une usine qui emploie une bangladaise aurait demandé à son employée de lui confier ses deux filles mineures pour être libre de partir. Enfin, je ne vais pas faire la liste, mais on sait qu'il y a beaucoup de cas. Et c'est aussi le cas, parce que l'encadrement nécessaire n'est pas apporté par le ministère du Travail qui est le ministère de tutelle dans ce genre de cas que je viens de mentionner.

Et avant de se diriger vers cette nouvelle unité de la police qui est en train d'être créée spécifiquement pour les cas de traite d'êtres humains, il aurait fallu que les travailleurs victimes puissent d'abord se tourner vers le ministère du Travail. Or, je dois rappeler qu'il y a tout juste un an, le ministère du Travail apportait des amendements au

Occupational Safety and Health Act, mais comme je le disais, il s'agissait d'amendements cosmétiques là encore, ne protégeant pas comme il le faudrait les travailleurs immigrés.

La section actuelle du ministère s'occupant de la sécurité et de la santé au travail ne possède toujours pas de structure pour recevoir d'abord et entretenir ensuite les plaintes des travailleurs, des syndicats, y compris les travailleurs immigrés - Je suis contente que le ministre arrive à ce moment-là. L'*Occupational Safety and Health Inspectorate* n'a toujours aucune obligation de faire avancer les plaintes. Il n'a qu'une obligation d'inspection, donc, les droits à la santé et à la sécurité des employés au travail, y compris les travailleurs immigrés qui, comme on le sait, sont beaucoup exposés à des travaux manuels et physiques, leur santé et leur sécurité sont mises à mal. Les travailleurs étrangers ne peuvent même pas faire une plainte aujourd'hui puisque personne au ministère du Travail ne comprendra leur langue. Le gouvernement prétend vouloir les protéger, mais qui va pouvoir les écouter ? Je l'avais déjà souligné dans mon discours l'an dernier, mais il n'y a toujours pas de liste de traducteurs à disposition au sein du ministère du Travail d'ailleurs et du département qui venait d'être créé et qui est chargé de la santé et de la sécurité des travailleurs.

Donc, des changements profonds devraient d'abord avoir été apportés pour permettre une réelle efficacité du département responsable de la sécurité et de la santé au travail et pour permettre une meilleure écoute des travailleurs, y compris des travailleurs immigrés, d'autant plus que le gouvernement semble persister dans sa politique de permettre encore et encore l'importation de travailleurs étrangers, comme on a pu le voir dans le discours du budget, et puisque les accords continuent d'être signés. Je crois que le dernier accord qui a été signé était avec le Népal. Mais le premier ministre peut-il nous dire s'il y a actuellement quelqu'un qui parle le népalais, que ce soit au ministère du Travail ou au sein de cette nouvelle unité de la police qui est en train d'être créée ?

Concernant la section 11 du projet de loi qui vient ajouter une section 11A dans la loi actuelle pour fournir une assistance légale et financière aux victimes, c'est une bonne chose, mais aucun détail n'est donné. On ne sait pas à combien s'élève le montant et d'où proviendra l'argent. D'ailleurs, je profite ici de l'occasion pour rebondir sur une proposition qui a été déjà faite, c'est-à-dire, celle de créer un fonds spécifiquement dédié aux victimes du trafic d'êtres humains mais également aux victimes de violences domestiques. J'espère que cette proposition sera considérée. Evidemment, il faudrait ajouter une assistance psychologique pour les victimes depuis le moment où l'événement s'est produit jusqu'au moment où elles sont rapatriées dans leur pays. J'aimerais que ce

soit aussi considéré qu'on ajoute une assistance psychologique, parce que je vois l'assistance légale et financière mais pas l'assistance psychologique.

La section 12 vient ajouter une section 12A et concerne le *illegal adoption or custody of a child*. Donc, quelqu'un qui adopte un enfant, obtient la garde d'un enfant ou facilite l'adoption ou la garde d'un enfant en échange d'une compensation ou d'un paiement commet une infraction. J'aimerais encore une fois reprendre les paroles de l'experte des Nations Unies en juin 2022, Mama Fatima Singhateh –

“Regulating the process of adoption is one of the legal means to prevent the sale of children and I encourage the Government to accelerate the long overdue Adoption Bill and the establishment of the Adoption Agency.”

Ce n'est pas moi qui le dis, encore je sais que très souvent on dit que l'opposition fait de la démagogie, l'opposition ne fait pas de propositions. J'espère que le gouvernement prend note de toutes les propositions qui ont été faites jusqu'ici et de toutes ces citations que j'ai reprises d'experts de rapport.

On est signataire de la Convention de la Haye depuis 1993 et signataire de la coopération internationale en matière d'adoption depuis 1998, mais nous ne sommes toujours pas alignés avec ces conventions et la réalité est que ces conventions ne sont pas appliquées sur le terrain, puisque ces conventions nous disent que si les parents souhaitent adopter un enfant de manière définitive, ils doivent pouvoir le faire à travers un organisme agréé, qui n'existe toujours pas jusqu'à aujourd'hui. Il n'y a aucune autorité pour centraliser les demandes d'adoption, pour dresser une liste des enfants adoptables, pour rassembler les informations les concernant, faciliter les adoptions, se charger de faire les transitions entre la famille biologique et la famille d'adoption, pour informatiser les informations.

Bref, tout cela n'est pas fait et il n'existe aucun organisme agréé qui puisse le faire. Donc, qu'est-ce qui se passe ? La conséquence c'est que les parents vont chercher les enfants eux-mêmes. Les parents vont chercher les enfants qu'ils souhaitent adopter, ce qui provoque des abus et le trafic d'enfants. Pour qu'il n'y ait pas de trafic, il faut réglementer la pratique, mais ça fait huit ans qu'on entend parler de l'*Adoption Bill*.

Je vais mentionner juste quelques-unes des questions que j'ai posées sur le sujet : B/891 en août 2021, la réponse était que le *draft has been submitted by EU Consultants* ; B/113 en novembre 2021, *recommendations sent to Attorney General's Office* ; B/1037 en octobre 2022, *State Law submitted recommendations. P zuer ping pong*, et en attendant, ce sont les enfants qui continuent d'être victimes de trafic d'êtres humains.

Pas étonnant donc que l'experte des Nations Unies affirmait l'an dernier qu'il ne semble n'y avoir aucune stratégie claire pour adresser effectivement la vente et l'exploitation sexuelle des enfants à Maurice, incluant leurs causes profondes. Et j'aimerais mettre l'emphase sur la dernière partie de cette phrase, parce qu'il est bon de rappeler que notre rôle en tant que politique n'est pas simplement d'espérer ou d'appeler un résultat mais de le bâtir, d'arriver à ce résultat, d'arriver à ce qu'il n'y ait plus de trafic d'êtres humains, mais pour cela une loi ne suffit pas. Il faut s'assurer non seulement de l'implémentation de la loi mais surtout et avant tout il faut aller à la racine des problèmes pour pouvoir les régler. On ne peut pas vouloir régler le problème du trafic d'êtres humains sans, par exemple s'attaquer réellement à la pauvreté dans le pays, à la misère des gens. Et quand je parle de s'attaquer à la pauvreté, je ne parle évidemment pas de donner deux ou trois allocations. Je parle de donner à ceux qui sont au bas de l'échelle une vraie éducation et les moyens de gravir les échelons. Régler les problèmes à la source c'est ce que ferait tout gouvernement responsable, mais ce n'est malheureusement pas ce que fait ce gouvernement qui continue de réagir aux nombreux rapports accablants plutôt que d'agir rationnellement.

J'en ai fini. Merci.

Mr Speaker: Hon. Mrs Luchmun Roy!

(9.13 p.m.)

Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue): Thank you, Mr Speaker, Sir. It is indeed a real privilege for me to be given the opportunity to reflect upon Combating of Trafficking in Persons (Amendment) Bill (No. XVII of 2023).

Mr Speaker, Sir, I expected Members on the other side to have a non-partisan take upon such an important piece of legislation which touches the very existence of human beings, *les droits de l'homme*, as we have been talking about it.

At the very outset, I would like to set on record that the hon. Member on the other side, hon. Dr. Boolell, mentioned that the Prime Minister failed to mention the Trafficking in Persons Report by the United States. Well, hon. Dr. Boolell, it's good at times to be attentive when you are in Parliament. The Prime Minister did mention that in his speech. As per the rules of the House, as per the Standing Orders, I am allowed to rebut Members in the House. So, allow me, Mr Speaker, Sir, with your permission, to rebut some of the points put forward by the Member who just spoke right before me.

Mr Speaker, Sir, I am baffled after listening to the previous orator who pretends to be defending the human rights, but that person also mentions about *violence domestique*. But when you talk about domestic violence, it's not only physical violence; it's abuse, violence abusing people. Violence is also when you come into the temple of democracy and you start yelling "*zako, cochon*", I quote.

So, Mr Speaker, Sir, when they come here and they talk about psychological assistance being given to those victims, honestly I don't know how we can help you because you are always being victimised in this House by that particular Member. So, trust me, Mr Speaker, Sir, we are with you. Furthermore, talking about human rights, the worst thing that could happen is that particular Member who comes here to give us lessons about human rights, about the basic principles, *les droits de l'homme*, the very basic fundamental of us human beings, goes out and states about '*Manze Bondieu, KK Diable*', I quote that. This has been said by the Member and now today, she comes here, *c'est l'hypocrisie totale*, and tries to defend *les travailleurs engagés, les travailleurs* from international countries coming here *ou bien les femmes dans la société*, domestic violence. This is called violence, whether it is physical, whether it is abusive. It is a form of violence and trust me, the hon. Member should get back to maybe the roots; it explains everything.

The hon. Member mentioned also about what the Government has been doing, also quoting that the hon. Prime Minister, hon. Pravind Kumar Jugnauth has been in post as Prime Minister since 2016 or 2017. She mentioned that in her speech, but I have a question. The report that we are talking about today dates 2023, but the previous report dates 2009, so, from 2009 to 2014, what did that Government do? What did the Members on the other side do when they were in power? So, these are some questions that you should be asking yourself when you come to the House instead of only putting the blame.

Furthermore, Mr Speaker, Sir, there has been a selective reading on behalf of the Member of the other side, which I think is very, very cheap politics which is happening right now. We are talking about human rights; we are talking about bringing a Bill to the House, bringing amendments to correct the inequalities that have been ongoing. I have been doing some researches as well. There have been many amendments, but this Government, let's take since 2020 till today, we have presented 80 Bills to this House. So, this is a Government which is working very hard and we are bringing amendments. Recently we have had the hon. Minister Callicurn who presented a Bill with regard to *les travailleurs qui sont ici à Maurice*, for their rights as well.

Talking about the selective reading now. When the hon. Member started her speech, she started by quoting what the reports said was negative. So, this shows that *kan mem nu*

bann bon zenfan, we are trying to change what is not right. I will quote few sentences as well of that report, the Trafficking in Persons Report dating 2023, where in the introduction itself, it mentions, I quote –

“Mauritius is making significant efforts to do so.”

So, *on n'est pas resté les bras croisés*. We are working towards it. We are bringing amendments. Rome was not built overnight. So, the Report itself says it; we are, I quote it

-

“making significant efforts to do so.”

And hon. Member Dr. Boolell also mentioned about things, but I quote part of the Report which states that the Office of the Director of Public Prosecutions did not prosecute any suspected traffickers under the 2009 Anti-trafficking law nor did courts convict any traffickers. Why did we not mention this sentence as well? Who was the DPP? Why did you not quote that? Why are you only quoting the Government? Furthermore, in the same Report, it does mention that the introduction of the Children’s Act 2020 also criminalise Child Sex Trafficking and prescribe penalties of up to 10 years of imprisonment. This is called selective reading, which he will not share in the House and, of course, you want to paint the dark, like we say it, *enn tablo noir bien sur* of what the Government is doing.

The Report, Mr Speaker, Sir, is definitely bringing forward some recommendations where we are working towards it and it is a good initiative that this Government, the hon. Prime Minister is bringing this amendment to the House.

Let me get back to the gist of the debate, Mr Speaker, Sir. Talking about *droits de l’homme*, I think it’s good to always bring it on table. Talking about the human rights, it is this Government which, under the leadership of the Prime Minister, which gave the dignity to those women working in schools. It was not the other side of the House; it was this Government which recognised the hardship of the women. So, history will definitely recall that it is this Government which brought the minimum salary and, of course, it is this Government which honoured our elderly with their pension, giving them their dignity and their respect as well. But the dark side of the history will never be forgotten when in 1982, the MMM Party said that they will have to, I quote –

“remove the subsidies on rice, everything in toto.”

I quote what the hon. Member of MMM, hon. Bérenger said at that time.

(Interruptions)

Exactly! This is what was said.

Coming to the gist of the Bill, it is in the year 2003 that Mauritius had ratified the UN protocol. It says, and I quote –

“It is to prevent, suppress and punish trafficking in persons despite the numerous amendments brought to the House by different governments, it is of utmost importance to bring more robust legislation.”

The 2023 Trafficking in Persons report for Mauritius states that we are making significant effort and, of course, we are trying to meet the standards for elimination of trafficking.

Mr Speaker, Sir, we are here talking about human trafficking which is considered to be a global crime that trades in people and exploits people for their own profit and this type of trafficking can touch all people; any age, any gender, be it a man, a woman or a child; anyone can be a victim of such a crime and at times, those traffickers often have recourse to violence, fraudulent employment agencies in view to deceive their victims.

The definition of trafficking consists of three core elements according to UNODC, the United Nations Office on Drugs and Crime, I quote –

- “1. The act of trafficking which means that the recruitment, transportation, transfer, harbouring or receipt of person;
2. The means of trafficking which include threat of or use of force, deception, coercion, abuse of power or position of vulnerability,
3. The purpose of trafficking which is always exploitation.”

One should at least be able to understand what human trafficking is. It is sometimes a forced labour that is referred as a labour trafficking which encompasses the range of activities. You have domestic servitude that is a form of forced labour in which the trafficker requires a victim to perform work in private residence. You have forced child labour and, as rightly said by hon. Dr. Boolell, hopefully we do not have child labour in Mauritius. We also have the element of sex trafficking, there is the element of force, fraud and coercion to compel another person to engage in a commercial sex act or causes a child to engage in a commercial sex act.

The last one it's child sex trafficking. In cases when an individual engages in any of the specific acts with a child under the age of 18.

Mr Speaker, Sir, referring back to the report which states that the DPP, I already mentioned it, the DPP did not prosecute any traffickers under 2009 anti-trafficking law,

this brings us back to what is stated in the section 3 of the Explanatory Memorandum where it says the amendments being brought is, I quote –

“To provide for stricter penalties for people convicted of offences relating to trafficking in persons. It is being provided that those convicted persons will no longer be eligible for remission or release on parole under the Reform Institutions Act. In addition, it is being provided that the court will no longer have the discretion to inflict a term of imprisonment of less than three years for the offence of trafficking in persons”.

So, it makes sense, Mr Speaker, Sir, that following the report, we are working towards it, and we are bringing amendments so that we give a more secure place for, of course, any individual in Mauritius.

Mr Speaker, Sir, on this side of the House, we are conscious that trafficking in persons is considered to be close to modern day slavery whereby putting at stake the deprivation of human rights after their freedom and dignity. As a responsible government, we are fulfilling our duty of bringing such a robust amendment. We are also intensifying our efforts to strengthen our system; the Immigration Bill was introduced in July 2022, may be the hon. Member was suspended because of the good behaviour. So, she was not present to see the efforts. Also, a few months back, hon. Callichurn presented the Private Recruitment Agency’s Bill in October 2023 which is only last month. So, maybe she was not present again because of the good behaviour, Mr Speaker, Sir. So, she missed all these steps and all these efforts, all the Bills presented to the House to really know the effort of this government. So, in 2020, the Children’s Act criminalised child sex trafficking. So, doing some homework at times is a very good instead of coming here and bullying you, Mr Speaker, Sir.

To conclude now, Mr Speaker, Sir, this Bill is a testimony of this government’s commitment to combat the trafficking in person. By strengthening the legal mechanism, we are actually sending a strong signal.

Mr Speaker, Sir, as mentioned during the introduction, this Bill is meant to be a non-partisan because I went to the Hansard and I read all those Members who participated in the debate in 2009. There was no partisan debates, there was no cheap politics being done. So, *malheureusement, delo swiv kanal*, we don’t know. So, it’s in the DNA, maybe that’s why things are changing now but I would implore Members on both sides of the House, today we are here talking about human rights. So, we need to stand by the side of those who have been subjected or been victim of any act of trafficking.

I am done, Mr Speaker, Sir. Thank you for your attention.

Mr Speaker: MP Lobine!

(9.26 p.m.)

Mr K. Lobine (First Member for La Caverne & Phoenix): Thank you, Mr Speaker, Sir, for giving me the opportunity to speak on this very interesting Bill but also a very complex and delicate issue. It is not something that we have to take very lightly and also, it is not something that concerns only government. It concerns the whole world. It is a very difficult and complex matter to tackle, that is, human trafficking.

All around the world, countries, democracies are meeting with problems to tackle human trafficking and we have got various reports with various recommendations, with various critics at times justified but at times, not justified as well because we need also to understand our complexity, our legal system, our framework in which we work. For example, the hon. Prime Minister earlier cited that out of four cases that were being prosecuted, three has been dismissed and one is still being prosecuted or awaiting judgement.

This is the difficulty that you will find because the burden of proof in our country, in our legal system, the burden of proof is on the prosecution. So, it is a very delicate situation to prove human trafficking in all its form. It is a very difficult, in practice. As a lawyer, mostly as a defence lawyer, I can tell you it is very difficult on the part of the prosecution to prove their case beyond reasonable doubt with regard to human trafficking because to collect evidence in such a case is difficult and at times to get the witness to attend court is almost impossible where they have left the country or where they have been deported and this is why after 2009, it is very important to update our legislation and having those amendments being brought today, it goes along with the recommendation of the Palermo Protocol and it goes also in hand with what all the main stakeholders in the world are saying, for example, in his speech, the UN Secretary-General, Antonio Guterres says –

“Globally, national responses particularly, in developing states appear to be deteriorating.”

It is not just in Mauritius, it is a global phenomenon. Detection rates fell by 11% in 2020 and convictions plummeted by 27% illustrating a worldwide slowdown in the criminal justice response to traffic. So, what do we do as a democracy, as a country? We have to amend the law. Yes, we are amending the law but what do we do next to meet all those recommendations from those reports? We are not bound by those reports but we

need to meet those recommendations. We have to move with proper amendment to the 2009 legislation. That is why, Mr Speaker, Sir, there are certain amendments that are being brought that, in my opinion, does not justify why it is being done. For example, I shall refer to section 4 (4) of the main act with regard to, I quote –

“A Judge in Chambers may, on the application of an investigating officer, order that an adult shall be admitted to a Centre for such period as he may determine.”

And in the amendment being proposed, this section is being repealed and it is being repealed and we are empowering an officer. So, there will be an authorised officer now who would take over this particular role who to admit who not to admit in that shelter. So, I do not see why we are repealing this particular section whereby we are not going through the Judge in Chambers, the discretion of the Judiciary to intervene in any manner, in any application from any individual, being a foreign national, being a local with regard to having access to that shelter. So, why do we have to repeal this power being vested upon on the Judge in Chambers?

I would go a bit further again, Mr Speaker, Sir, with regard to clause 6. Clause 6 is introducing a new section of the law, section 4B. We are creating a specialised unit whereby within the Mauritius Police Force there will be a new unit that will combat trafficking. Well, in this particular section of the law, this unit is most welcomed, but how this unit will work, this is the crux of the matter. Because, whatever legislation you will be bringing in, it is at the level of implementation. It is not an issue of Government or Opposition, or having diverged views with regards to what we need to have in the Act or not. But, it is with regard to how we implement this particular legislation when it will become an Act of Parliament.

So, creating a specialist unit does not suffice because in the provisions of this new section 4B, we do not speak about education. We do not speak about formation, we do not speak about innovation in the approach of those Officers that will be called upon to monitor and work in that unit. Because, in practice again, Mr Speaker, Sir, we do meet with loads of difficulties from Officers that are not very compassionate to victims, especially foreigners, Mr Speaker, Sir. When a foreigner will go to a Police station, there is not a conducive atmosphere for him/her to give a declaration because the Officer most of the time will say ‘you are losing your time because when the case will be called, you will not be in the country, you will be gone’. So, I hope that this amendment will bring to life Officers with a fairer approach, that is, they will have the care to be given assistance by relevant stakeholders, international enforcement agencies to have a more compassionate approach to this problem.

We have seen in the newspapers about students calling into the Police about sexual abuse and they are not very much welcomed or they are afraid about the atmosphere to give their declaration. So, I will urge upon the hon. Prime Minister, when this unit will be set up to have a well-balanced personnel in that unit. Women of different origins but also try to recruit people who has got a background of knowing different languages as well. We have got tourist guides; we have got many foreigners working in this country now. We need to have people who know different languages of foreigners working in this country attached to that particular unit to help to provide a service, not a Police force but a Police service – provide a service. I think it is a golden opportunity for us to show to the world, to show to all those writing those recommendations and the reports, that we, as a democracy, are creating a specialist unit that is also disseminating information. That is, they will go around, work with entrepreneurs, explain to them what the law is all about so that they do not indulge in illegal activities which amount to human trafficking. So, for me education should be also a very important component of this unit that the Police will handle.

Mr Speaker, Sir, there is another section that also is not, to me, very clear. It is with regards to the new section 4C, with regards to witness protection. So, there is the subsection (2) whereby it is written –

“(2) A request made under subsection (1) may be approved by the Commissioner of Police subject to a proper risk assessment being carried out by the Unit and after consultation with the Director of Public Prosecutions.”

I am of the humble view that we should preserve the sanctity of the Office of the DPP. Here, such an important role cannot be left to the Commissioner of Police. I feel that it should be with the approval or with the consent of the Director of Public Prosecutions instead of just mere consultation. So, I am of the opinion that this should be amended so that we keep the sanctity of having an Office of the Director of Public Prosecutions as per his role, as per the Constitution, with regards to prosecution or to decide who will be a witness or who will be given immunity with regard to prosecution.

With regards to the law in itself again, I will join hon. Dr. Boolell, but also hon. Joanna Bérenger. Hon. Joanna Bérenger has given her views with regards to various scenarios, various examples that we have to take into account. But, I believe, I feel that we should keep to a more sober approach to that piece of legislation. It is very important for us to speak with one voice because we are a land of immigrants and we have got many people working in our country and we are also asking many people to come. We have got a serious problem whereby we will have to ask people, foreigners to come and work in our country in certain sectors because we are witnessing that we need those people to come.

But, for those people to come we need to lay a proper atmosphere, a conducive environment for them to work, and this goes along with the philosophy of this Bill, that is, bringing a legal framework that will serve its purpose with regards to protecting those immigrants, those workers coming to work in Mauritius, plus also people coming to Mauritius as foreigners to visit our island.

Unfortunately, in certain quarters we are getting a bad name with regards to sexual exploitation. Be it in Mauritius, be it in Rodrigues, there are talks about Mauritius becoming an island where we have got sexual exploitation of children despite the fact that we do not have many cases reported or prosecuted in Court. But, these are certain facts, certain opinions that are being expressed in certain quarters. So, this amendment will go along to address these issues and it will be up to how we implement those amendments.

I would conclude, Mr Speaker, Sir, by keeping with the philosophy that was developed on 30 July of this year where we celebrated the World Day Against Trafficking in Persons. And here, to end I would like to quote – for it to go on record – a very interesting saying of former US President, Barack Obama. With your permission I will end by quoting what he said –

“It ought to concern every person, because it is a debasement of our common humanity. It ought to concern every community, because it tears at our social fabric. It ought to concern every business, because it distorts markets. It ought to concern every nation, because it endangers public health and fuels violence and organized crime. I’m talking about the injustice, the outrage, of human trafficking, which must be called by its true name – modern slavery.”

I thank you for your kind attention, Mr Speaker, Sir, because this is a very complex matter and I am of the view that the hon. Prime Minister will address all these issues that we have raised from this side of the House, but also to implement all those amendments with regards especially to the specialised unit of the Police force. They need innovation, they need proper personnel, they need guidance and they need formation.

I thank you, Mr Speaker, Sir.

Mr Speaker: Hon. Dhunoo!

(9.40 p.m.)

Mr S. Dhunoo (Third Member for Curepipe & Midlands): Thank you, Mr Speaker, Sir. At the very outset I would like to thank the Prime Minister for bringing this Bill to the House because it is such an important Bill.

Listening to the previous orator, he said, the complexity of this issue and how it is very important that we tackle it, and the object of the Bill is to combat the trafficking in persons and to consolidate our existing legal provision for Combatting of Trafficking in Persons and to provide legal framework to address the issue of this trafficking more effectively.

Mr Speaker, Sir, the crime of human trafficking consists of three core elements. It is important that all Members of the House understand that -

- 1) the act;
- 2) the means, and
- 3) the purpose.

When we talk about it, it is physical and sexual abuse; blackmailing; emotional manipulation; and the removal of official documents is used by traffickers to control their victims. We have seen that how exploitation of a victim can have in his own country when we talk about it internationally.

Mr Speaker, Sir, despite increase in international attention by the UNODC and also from States and other non-governmental institutions, the number of people falling victim to human trafficking around the world continues to grow. Between 2008 and 2019, the number of human trafficking victims identified worldwide has more than quadrupled from around 30,000 to nearly 120,000. With the COVID-19 pandemic, the number of trafficking victims fell as travel restrictions made human trafficking more difficult but was back at pre-pandemic level in 2022. However, trafficking in persons has been an illegal practice that is shaded in secrecy and that is, therefore, nearly impossible to measure it in its entirety.

Now, when we are bringing this amendment to the law, Mr Speaker, Sir, I would like to shed some light to the former orator who spoke before me. The Steering Committee is very important so that we have a more coordinated approach. We know, earlier, hon. Dr. Boolell mentioned about the three Ps, when we talk about Prevention, Protection and Prosecution, but he forgot to mention about the fourth P, which is Partnership, because it is important that we have a collaboration. Because the issue, as mentioned by hon. Lobine, is not something that we can deal with only in Mauritius, it is worldwide and we need the collaboration of each and every one. It is being tackled at a global level and it is important that we have the collaboration.

The setting up of this special unit in the Police Force, I know that they will have the proper training and we do not need to recruit tourist guides for language. We can train

our Police officers. Even at the Ministry of Labour, we have persons who know different languages. For instance, Mr Speaker, Sir, I myself have been able to learn Spanish here in Mauritius. We can even train our officers here to learn different languages where they can deal with the aspect of talking to the immigrants.

One issue that hon. Ms J. Bérenger mentioned, about what we are doing, bringing immigrants, bringing workers. It is important that she understands that the world is a global village. You have Mauritians working worldwide. Even hon. Lobine was contradictory on what she said, that we will need imported labour. We know what we are facing nowadays; try to see if you can get the bread that you eat in the morning, if it has not been made by foreign workers. Go to a *boulangier*, Mr Speaker, Sir, *vous allez voir qu'il y a des bangladais ou des népalais; sinon vous n'avez même pas de pain le matin*. Thanks to what we have been doing, the past Government, the present Government; what we have been doing to bring our country to a high income economy. This has brought our people to have a better future and to see how they can form themselves in different fields and work internationally.

Mr Speaker, Sir, when we talk about the four Ps, the Prevention, it includes mitigating risk and actually preventing trafficking cases by spreading awareness, ensure regulation and reaching out to the potential victims to ensure they know their rights. It is important that we do that.

Now that we are talking about doing these special centres, it is important because this was missing in the past and it forms part of the four Ps; it forms part of the Protection. Centres identifying the victims, referring them to protective psychological and legal services; it also includes the support and reintegration of survivors into society in a way that they ensure that they do not fall victim of trafficking again. It is important that we follow these three Ps.

We have been talking about prosecution earlier to focus on identifying the perpetrators responsible for committing these crimes and bringing them to justice. It includes all steps from criminal investigation. In this unit, we will need to train our prosecutors, our police officers and how they are going to be trained, whether they are going to be trained overseas. I know that we have to work with the United Nations, with different countries *comme c'est fait avec l'office du OSCE en Europe pour la sécurité et contre le crime*.

M. le président, c'est important qu'on travaille en collaboration, en partnership. Et c'est là que le quatrième élément, le partnership, on both local and international levels, is essential for tackling trafficking which is inherently, comme l'a dit l'honorable Lobine,

c'est complexe and it is often transnational crimes. We know that partnership helps ensure victims receive wide-ranging support and perpetrators are not able to exploit geographically or national boundaries to avoid punishment. It is important that we go in this direction but we will need to see, here, in Mauritius different aspects also.

M. le président, c'est important aussi de voir d'autres aspects. Je pense que la section 4, *Steering Committee*, va aussi prendre en compte que nous avons des fois des étudiants qui viennent étudier à l'île Maurice et qu'on doit voir comment ils sont exploités aussi.

Et, M. le président, je sais qu'avec notre Premier ministre, avec la vision qu'il a pour travailler dans la direction qu'il veut pour apporter les changements qu'il veut pour que ce pays aille bien, je sais combien il travaille dur et on va dans la bonne direction. M. le président, c'est sûr et certain qu'avec les amendements qu'on va apporter, on pourra tacler ces problèmes-là.

Et il y a d'autres choses aussi parce que, comme l'a dit l'honorable Lobine, c'est très complexe le *child trafficking*. Même en Europe, même en Amérique, les pays où le *child trafficking is on the high rise, we have the challenge to do it but we are bringing the right amendment*.

The Prime Minister said it earlier, the Workers' Right Act has been amended; the Non-Citizens (Employment Restriction) Act has been amended. The Private Recruitment Agencies Bill has been brought to this House. We welcome that Mauritius will become a regional data centre for the SADC Region.

Si on ne faisait pas bien, M. le président, vous croyez que le *United Nations* allait nous choisir pour être le *regional data centre* pour le *SADC* ici, comme l'a dit le Premier ministre ? M. le président, il y a beaucoup de chose à faire mais nous allons dans la bonne direction avec un capitaine à bord qui sait qu'il apporte le pays dans la bonne direction. Avec le challenge que nous avons parce que comme je le répète encore une fois, la complexité du *child trafficking*, c'est difficile mais on pourra et on le fera.

With the commitment of our Prime Minister, I am sure that we are going to combat child trafficking even combat trafficking in person, Mr Speaker, Sir.

I would like to end, Mr Speaker, Sir, to say that based on the UNDC Report, it has been said that the perpetrators, now with internet, it is so easy, that has been changing and it's so dynamic. We have to keep on moving in the right direction and we will need to bring other amendments maybe in the future but now we have to focus on what we are going to do.

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

Mr Speaker: MP Uteem!

(9.51 p.m.)

Mr R. Uteem (Second Member for Port Louis South & Port Louis Central): Mr Speaker, Sir, the Combatting of Trafficking in Persons Act was adopted in 2009 to give effect to the United Nations Protocol to prevent, suppress and punish trafficking in persons. Just like the Opposition supported the Act, when it was introduced back in 2009, the Opposition today supports the proposed amendments to the Act which is in the Bill before this House but supporting the amendment does not mean that the Opposition has to pay lip service to Government and ignore all the criticism that has been levelled against Government in its effort to combat human trafficking.

Despite the fact that the Act came into force 14 years ago, it would appear that in practice offenders are rarely prosecuted or convicted under this Act. The hon. Prime Minister provided the figures of the numbers of people prosecuted and convicted under the Act for the past four years, only one or two per year that's all. So, if you secure only one or two conviction per year, there is a problem.

The police and the Office of the Director of Public Prosecution prefer to prosecute offenders for lesser offences with lesser penalties and I concur with my learned colleague, hon. Lobine, who precisely sets out the difficulties which the prosecution faces to bring charges and secure conviction under the Act and this is one of the observations made by the Department of State of the United States of America in its 2023 Trafficking in Persons Report Mauritius. This Report has been referred to, by I think, almost every hon. Member who intervened before me in this House. I am not going to read the whole Report which is only six pages long but I will read the gist of the Report which is as follows and I quote –

“...government did not demonstrate overall increasing efforts compared with the previous reporting period...”

Therefore and now I am quoting from the Report –

“Therefore Mauritius was downgraded to Tier 2 Watch List.”

We were Tier 2 last year. We have been downgraded to Tier 2 Watch List. So, I really don't understand why hon. Mrs Luchmun Roy does not understand the meaning of the word downgrading. You only get downgraded when you fail. You only get downgraded when your performance is unsatisfactory and any student that just sits down for PSAC

Exam can give you the definition of downgraded. So, Mauritius has been downgraded because the international community is not satisfied with the Government's effort to combat human trafficking and hon. Ms Bérenger has every reason to point out the various shortcomings of this Government in its inability to take us out of this Tier 2.

The Report is submitted every year and, yes, I can see it every year there are criticisms. Hon. Callichurn referred to the Reports of 2012, 2013 and 2014. He stopped at that time because after that it is the MSM which went into power but it is interesting to note what has been the reaction of the Government, not this one but the previous one, the MSM Government since 2015, there has been a number of PQs asked in this House, especially by hon. Veda Balamoody of the MMM to the then Prime Minister. And since 2015, the then Prime Minister, whenever he was answering PQs, was in a complete state of denial, for example on 19 July 2016, the then hon. Prime Minister stated and I quote –

“I must say that the contents relating to Mauritius are grossly exaggerated and inaccurate...”

Then on 31 July 2018, the same Prime Minister stated –

“Well, if the hon. Member believes in every word that is there (in the report), I must say that as far as I am concerned, the person writing this nonsense must have been dreaming.”

So, the policy of the then Government was to treat the Report as nonsense and I am glad that the current Prime Minister today is taking heed to the criticism levelled in the Report and he said it himself: with this Bill, a number of criticism that has been addressed, leveled against the Government is being addressed and hopefully once this Bill is voted and fully implemented, we will be upgraded and one day reach Tier 1 in the combat against human trafficking.

The Report identified that traffickers exploit foreign migrants, particularly Malagasy women, recruited under false pretences of employment of tourism, in sex trafficking and domestic servitude in guest houses, hotels and massage parlours. But it is not just the department of trade that criticised us; the witness in the fight against trafficking involving children was recently highlighted in the Report of the United Nations Special Rapporteur on the sale and sexual exploitation of children, Ms Mama Fatima Singhateh from Gambia. The Report was presented to the Human Rights Council in February 2023, it's a 20 pages Report.

At paragraph of the Report, the United Nations Special Rapporteur noted as follows and I quote –

“The Government has made significant efforts to improve legislation, policies and practice to protect children from sale and sexual exploitation.”

The Government has made significant efforts.

“However, the measures taken have had a limited impact on the prevention of the sale and sexual exploitation of children and the protection of child victims. This is largely due to the lack of adequate human, technical, financial and administrative resources to effectively tackle the sale and sexual exploitation of children, and provide children with recovery, rehabilitation and reintegration services, along with awareness-raising.”

So, the United Nation Rapporteur recognises that a lot of effort is put in bringing appropriate legislation and even this year, I agree, the hon. Minister for Labour, hon. Callichurn did bring a very good legislation about the licensing of agencies involved in recruitment of foreign workers. But the problem is not with the law. The problem is we bring the law and there does not seem to be a major improvement in our effort to combat human trafficking. The UN Rapporteur further noted at paragraph 86 of her Report that and I quote –

“At the time of the visit which took place between 21 of June and 30 of June last year, there was no comprehensive strategy on prevention of child abuse and sexual exploitation nor any nationwide child protection policy.”

She also expressed concern about the sexual exploitation of children in the context of travel and tourism. She referred to a report of the Committee of the Rights of the Child which expressed concern, as far back as 2015, about the increase in the sexual exploitation of children, especially child sex tourism and noted that the Tourism Enforcement Unit was not even aware of the code of conduct for the protection of children from sexual exploitation in travel and tourism.

Mr Speaker, Sir, it is unfortunate that the hon. Minister of Gender Equality and Family Welfare is not intervening on this Bill because we all would have been very interested to hear what actions have been taken by her Ministry following the report of the UN Rapporteur which made several recommendations to effectively combat child sales and child exploitation.

The Prime Minister: She is on mission.

Mr Uteem: Yes. I am sure the Prime Minister can summarise what action the hon. Minister took during his summing-up.

The Prime Minister: Do not criticise her; that she is not here!

Mr Uteem: The hon. Callichurn criticised people for not intervening in the Bill. So, he can criticise the Opposition not intervening, but I can't criticise the Minister from intervening.

Mr Hurreeram: *Pa ler pou plore la.*

Mr Uteem: I will now turn to some provisions of this Bill. We welcome the proposed amendment to the definition of exploitation to include debt bondage. Debt bondage is a modern form of slavery. People in debt bondage work for no wages or wages below the minimum in order to repay the debt contracted. When they have nothing left to give in repayment of their debt, these poor people end up giving their physical labour, and too often the value of the work they carry out, the services that they perform exceed the value of their debt.

Bonded labourers are often required to work long hours, odd hours during weekend, in breach of the provisions of the Workers' Rights Act. In some cases, they even have to offer sexual services to their oppressors and very often they are working not to repay their debt but the debt contracted by other members of a family, and they can't complain.

Debt bondage was not covered by the definition of forced labour in the current version of the Act because often these labourers consented to becoming bonded labourers and, therefore, the element of coercion which characterises forced labour was hard to establish. Section 5 of the Bill gives the power to the Minister to set up one or more centres to provide temporary accommodation to victims of trafficking and a Police Officer not below the rank of an Assistant Superintendent of Police will be in charge of a centre.

Hon. Callichurn referred to these centres and seemed to have overlooked the fact that the hon. Prime Minister already had the power to set up one or more of these centres as far back as 2009. So, it's not something new. So, the real question is: in these 14 years, how many such centres have been set up by the hon. Prime Minister? How many victims have been accommodated in these centres? According to the Report of the Department of State 2023, there was one centre for adult male trafficking victims in Vacoas, but officers confirmed that the centre was not even opened nor provided services to victims. Is that true? Is there a centre in Vacoas which is not operational? I hope the hon. Prime Minister enlightens the House in his summing-up.

Still, according to the Report of the Department of State, it would appear that there are no centres for adult female trafficking victims. Adult female trafficking victims are currently referred to NGO-run shelters, which do not adequately meet the specific needs of

trafficking victims. Obviously, an NGO runs a shelter; it's not the same as a centre. The centre under the Act is under the responsibility of a Police Officer. So, there are measures at that centre to protect the victim, to prevent any interference by his or her aggressor. That is also being amended to do away with the requirement to obtain a Judge's Order for an adult victim to be admitted to a centre.

Instead, the investigating officer can represent to an authorised officer that the victim of trafficking needs to be admitted to the centre to prevent interference with that person. Hon. Lobine rightly pointed out the danger of doing away with the existing provision which enables a Police Officer to seek an Order from a Judge in Chambers to place a victim in a centre. In our humble opinion, the hon. Prime Minister should reconsider retaining this flexibility of allowing a Police Officer to apply to a Judge in Chambers where his own safety and security requires him to be placed in the centre.

Now, obviously, if the victim voluntarily goes to the centre, we don't need to go to a Judge in Chambers. But where he is reluctant, in order to ensure his security he has to be placed in that centre, then, at least there should be this flexibility of going to a Judge in Chambers and getting an Order.

Section 6 of the Bill makes provision for the setting up of a Combating of Trafficking in Persons Unit under the responsibility of the Commissioner of Police. We welcome this initiative. It is important to have a dedicated team in the Police Force and subject to what has been said by hon. Members who intervened previously about the trading, the composition of the Unit, the availability of translators, the availability of women, we are all in favour of having this Unit.

Section 7 of the Bill amends Section 6 of the Act to give the Prime Minister the power to allow a victim to remain in Mauritius until the disposal of the case. As the law currently stands, a victim was only allowed to stay in Mauritius for a non-renewable period not exceeding 42 days. Now, obviously, 42 days were too short a period for investigation to be carried out, cases to be lodged and prosecuted.

However, Mr Speaker, Sir, the victim should be free to return to his country or her country and should not be compelled to stay in Mauritius for the whole duration of the enquiry up to the hearing of the case. Again, one of the criticisms of the Department of State in its 2023 Report was to the effect that, and I quote –

“Observers reported government officials required victims to stay in the country until investigations were complete - some of which took over two years - by denying

requests for repatriation, closely monitoring and restricting victims' freedom of movement, and in some cases, holding the victims' passports."

Now, this can't be tolerated. The government official cannot withhold the passport, cannot force a victim to stay in Mauritius; this is illegal. If ever Mauritius wants to bring back the victim after he has been repatriated home, it can do that, or even better still, hearings can be heard by videoconference without the victim having to travel to Mauritius, as was done during the COVID-19 pandemic.

Section 9 of the Bill introduces a new provision, allowing investigating officers to apply to a Judge in Chambers for a warrant to place under surveillance for a period not exceeding six months the telephone lines used by persons suspected of participation in the offence under the Act.

Mr Speaker, Sir, this is phone tapping and it will require an Order of a Judge in Chambers. Last week, I asked a PQ to the hon. Prime Minister requesting him to obtain information from the Commissioner of Police as to the number of times he has applied to a Judge in Chambers for it to be able to intercept telecommunication. Up to now, unfortunately, the answer has not been provided. We know that the Government has spent over 15 million dollars, Rs675 m. to purchase interception equipment from the Israeli company, Verint Systems Ltd. I hope that before the Police tap anyone's phone, including suspected offenders under the Act, they will secure the necessary Judge in Chambers before doing so.

We welcome the amendment in Section 11 of the Bill to the effect that any person who is victim of trafficking can be provided with such financial and legal assistance as may be prescribed. This victim-centred approach is currently lacking in the Act, and that was also highlighted in the Report of the Department of State. This victim centred approach is currently lacking in the Act and that was also highlighted in the report of the Department of State. Now, the victim will not only be assisted legally and financially but he will also be able to be granted a work permit to work.

In addition, the victim with the consent of the Director of Public Prosecution may be granted immunity from prosecution. This is particularly important, Mr Speaker, Sir, where there are several victims and one victim may have been involved as an intermediary and in doing so could have committed an offense under the Act. Now, the DPP can grant him immunity from prosecution.

However, it is unfortunate that in this Bill there is no amendment to section 16 of the Act which allows the Court to order a person who has been convicted of trafficking in

persons to pay compensation to a victim. Currently, the Court cannot award a compensation in excess of Rs500,000, and we are talking Rs500,000 back in 2009. But today, the physical, psychological trauma to a victim, the cost of treatment that he has to undergo, his loss of income, all is likely today to exceed Rs500,000, especially after the massive depreciation of our rupee. But, unfortunately, Government has chosen not to increase the maximum compensation that the Court can award to a victim and this is *une occasion ratée*.

My colleague, hon. Ms Bérenger, has spoken lengthily on the new section 12 relating to illegal adoption or custody of a child. I fully agree with what she stated and I will urge Government to come up with this Adoption Bill as soon as possible.

Mr Speaker, Sir, trafficking in human...

Mr Speaker: Try to conclude!

Mr Uteem: Yes, that is my conclusion. Trafficking in human is a form of modern slavery. Human traffickers prey on the most desperate and vulnerable. Having good laws and properly trained enforcement agency is important but not sufficient. Government must also tackle the root cause of human trafficking, which is poverty.

Thank you.

Mr Speaker: Hon. Gobin!

Mr Gobin: Mr Speaker, Sir, I move for the adjournment of the debate.

The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo) seconded.

Question put and agreed to.

Debate adjourned accordingly.

ADJOURNMENT

The Prime Minister: Mr Speaker, Sir, I beg to move that this Assembly do now adjourn to Tuesday 28 November 2023 at 11.30 a.m.

The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A Husnoo) seconded.

Question put and agreed to.

Mr Speaker: The House stands adjourned! Adjournment – specific matter! I will ask the Deputy Speaker to take the Chair.

At this stage, the Deputy Speaker took the Chair.

The Deputy Speaker: Thank you very much. Please be seated. Hon. Ms Joanne Tour, please!

MATTER RAISED

(10.14 p.m.)

DOMESTIC VIOLENCE COURT – SETTING UP

Ms J. Tour (Third Member for Port Louis North & Montagne Longue):
 Merci, M. le président. J'interviens ce soir pour parler d'un problème sensible, en l'occurrence la violence domestique, un mal qui malheureusement aujourd'hui encore brise nos familles mauriciennes, traumatise nos enfants et creuse la société.

M. le président, nous avons tous été bouleversés la semaine dernière par ce témoignage poignant d'une maman qui pleurait la mort de sa fille sous les coups d'un mari violent, après 20 ans de violences conjugales.

Comment rester insensible aux larmes de douleur de cette mère qui raconte les coups, les maltraitances, allant jusqu'aux dents cassées ? Comment ne pas être interpellé par tous ces témoignages douloureux qui montrent combien les proches sont souvent démunis et impuissants face à de telles tragédies ?

Un féminicide de plus, c'est un féminicide de trop. C'est pourquoi je viens ce soir devant cette auguste Assemblée avec la proposition de la mise sur pied d'une cour dédiée pour la résolution des cas de violence domestique à Maurice. Pourvue en personnels, magistrats et officiers spécialement formés, une cour spécialisée aurait juridiction exclusive en matière de violences conjugales et domestiques. Ce projet permettrait une prise en charge plus rapide des cas de violences familiales, dans une démarche intégrée. Un tribunal spécialisé aurait aussi le mérite de soulager nos institutions judiciaires déjà très engorgées par toutes les affaires criminelles, parmi lesquelles la violence domestique tient malheureusement une grande place.

Ce dernier féminicide en date, dans lequel parents, voisins et amis se sont sentis impuissants, nous montre que, dans la configuration actuelle de nos institutions, la violence domestique reste difficile à enrayer, et ce pour des raisons très complexes. Je suis donc tentée de dire, M. le président, qu'avec une *Domestic Violence Court*, nous serions mieux équipés pour arrêter la spirale infernale des violences familiales.

Pensez, M. le président, combien de vies ainsi pourraient être sauvées, combien de familles pourraient être épargnées, combien de conjoints violents pourraient être remis sur le droit chemin ?

Ce n'est nullement une utopie, car une étude américaine datant de 2010 a montré qu'avec des *Domestic Violence Courts*, les victimes se sentent mieux protégées et les *protection orders* sont mieux respectés. La même étude a montré que le système de *Domestic Violence Courts* permet aussi d'empêcher les récidives et même d'obtenir la réhabilitation des conjoints violents. Au niveau local, depuis le *Domestic Protection Act* de 1997 et la création en 2003 de la *Family Welfare & Protection Unit*, l'Etat mauricien a lui aussi reconnu que la violence domestique requiert une approche spécifique.

En effet, on ne peut pas, M. le président, traiter un cas de violence conjugale comme on traite une affaire de vol ou une effraction. L'exercice de la justice dans les cas de violence domestique comporte une dimension de protection et de prévention très importante. Sans compter l'aspect de réhabilitation. Elle demande aussi de pouvoir agir dans l'urgence, car il en va souvent de la vie des conjoints concernés et des enfants.

De plus, la violence domestique comporte plusieurs aspects, allant de l'intimidation à la violence physique voire la mort, en passant par la violence économique, sexuelle ou psychologique. L'exercice de la justice dans les cas des violences familiales demande donc des compétences spécifiques, à l'intersection du droit, de la médiation, du travail social et de la psychologie.

Je suis convaincue, M. le président, que le judiciaire mauricien aurait beaucoup à gagner avec la mise en place d'une cour spécialisée pour mieux répondre à ce fléau des violences familiales. Si nous avons pu mettre en place une *Children's Court*, alors il ne nous est pas interdit de penser qu'une *Domestic Violence Court* puisse voir le jour, dans cette même optique d'une justice encore plus proche du peuple, une justice protectrice et préventive.

Dans les pays qui ont fait l'expérience de *Domestic Violence Courts*, comme le Brésil, le Népal, le Venezuela et différents états américains, de nombreux résultats positifs ont été constatés. Non seulement ces cours spécialisées permettent de mieux assurer la sécurité des victimes et de préserver leur dignité, mais de plus elles facilitent l'identification des comportements abusifs et le repérage d'autres problèmes annexes conduisant à la violence, comme les addictions.

Ces cours spécialisées favorisent une meilleure responsabilisation des conjoints, de leurs actes violents et même leur réhabilitation. Le système de *Domestic Violence Courts*

permet aussi d'améliorer les relations entre les membres des familles touchées. C'est donc tout le tissu social qui pourrait être renforcé grâce à la création de ces cours dédiées.

Notre Premier ministre a lui-même réitéré l'engagement fort de ce gouvernement pour l'élimination de la violence sous toutes ses formes, et tout particulièrement la violence contre les femmes et les filles lors d'une fonction de l'*UNDP* en novembre 2021. Je cite l'honorable Pravind Kumar Jugnauth qui, lors de son discours, a affirmé que –

“together we must uphold our commitment to build a future in which everyone feels safe.”

Alors, M. le président, oui, un projet de *Domestic Violence Court* pourra contribuer à bâtir ce futur voulu par notre Premier ministre, un futur où tous les Mauriciens et les Mauriciennes pourront se sentir en sécurité.

Ce projet nous permettra de renforcer les capacités de l'État mauricien en matière de la protection du citoyen et de la famille, et d'accroître la confiance du public dans nos institutions et dans l'État de droit.

Je suis bien consciente qu'un tel projet est ambitieux et requiert une étude approfondie des avenues et des différents modèles possibles. Je suis convaincue que l'*Attorney General* accordera à cette proposition toute l'attention nécessaire pour un sujet de société aussi sensible. Je lui laisse donc le soin d'estimer la pertinence d'une telle proposition et la forme qu'elle pourrait revêtir par rapport à notre système judiciaire existant.

Je vous remercie de votre attention, M. le président.

(Applause)

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

The Attorney General, Minister of Foreign Affairs, Regional Integration and International Trade (Mr M. Gobin): Thank you, Mr Deputy Speaker, Sir.

First of all, in the name of Government and in my personal name, I wish to thank my colleague, hon. Ms Joanne Tour for raising this matter, and once again, I think, she deserves an applause.

(Applause)

Mr Deputy Speaker, Sir, protection from domestic violence is indeed very high on the agenda of this Government and this can be illustrated by the work of the High-Level

Committee on the Elimination of Gender-Based Violence, which is presided by no less a person than the Prime Minister of our country.

Before I come to the specific issue of the proposed Domestic Violence Court, let me say that we have had specialised courts since a very long time in this country, perhaps one of the most well-known specialised court is the Industrial Court, which exists for a number of years and which has demonstrated its importance.

Insofar as this Government is concerned, we have set up specialised courts, and I am saying courts as opposed to specialised tribunals. There are administrative tribunals in the field of employment, in a number of other fields, but I am talking of specialised courts within the jurisdiction of the Judiciary. I can give examples; how this Government has set up the specialised Land Division of the Supreme Court, the specialised Financial Crime Division both at the Intermediate Court and the Supreme Court and recently, the specialised Children's Court. I think the Children's Court has operated for more than a year together with the auxiliaries because such a specialised court does not operate only like traditional courts with only a Magistrate and Court Officers but also *les services sociaux* which operate together with the Court. So, we are in the process of assessing how these specialised courts have functioned, especially the latest one being the Children's Court.

The proposed Domestic Violence Court goes in the same line as those other specialised divisions or specialised courts which we have set up. On the question of this proposed Domestic Violence Court, maybe it can have another name, but the proposed specialised court is to be found in the National Strategy and Action Plan of the High-Level Committee on the Elimination of Gender-Based Violence, which, I have to underline once again, is chaired by the hon. Prime Minister. One of the outputs of the National Strategy and Action Plan of this High-Level Committee on the Elimination of Gender-Based Violence is for, I quote –

“Specialist Courts responsive to the needs of Survivors and direct/indirect victims.”

The National Strategy and Action Plan is now working towards the preparation of a conceptualisation paper for the setting up of such a specialised court. I am, therefore, pleased to inform the House that this is ongoing work. Once again, it is not only a question of setting up a court with a Magistrate and Court Officers but also the accompanying auxiliaries. So, we will be pleased to report at a later stage on the progress made on this ongoing work, Mr Deputy Speaker, Sir. Once again, I wish to thank hon. Ms Joanne Tour for raising this matter.

Thank you, Mr Deputy Speaker, Sir.

The Deputy Speaker: Thank you very much. Have a safe trip back home.

At 10.27 p.m., the Assembly was, on its rising, adjourned to Tuesday 28 November 2023 at 11.30 a.m.

WRITTEN ANSWERS TO QUESTIONS

MV WAKASHIO – COURT OF INVESTIGATION – REPORT IMPLEMENTATION

(No. B/1515) Ms J. Bérenger (First Member for Vacoas & Floréal) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the report of the Court of Investigation set up to look into the grounding of the MV Wakashio, he will state the findings of the Inter-Ministerial Committee set up to examine the recommendations contained therein, indicating –

- (a) where matters stand as to the implementation thereof, and
- (b) if he will now table copy thereof and, if not, why not.

(Withdrawn)

TRIOLET – RAVE PARTY – DRUG SEIZURE

(No. B/1517) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Police raid carried out at a rave party in the vicinity of Triolet on or about 11 November 2023, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the –

- (a) quantity of drugs seized thereat, indicating the –
 - (i) nature, and
 - (ii) market value thereof, and
- (b) number of persons arrested in connection therewith, indicating if the Police has objected to the grant of bail thereto.

(Withdrawn)

**FOREIGN WORKERS – EXPIRED WORK PERMIT – ILLEGAL STAY –
TRACKING & REPATRIATION**

(No. B/1518) Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to foreign workers, he will, for the benefit of the House, obtain from the Passport and Immigration Office, information as to the number thereof whose work permit have expired and are currently staying illegally in the country, indicating the measures taken for their tracking and repatriation.

(Withdrawn)

MEDICINAL CANNABINOIDS – MEDICINAL CANNABINOIDS

(No. B/1521) Mr A. Ittoo (Third Member for Vacoas & Floréal) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to medicinal cannabinoids, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number thereof prescribed by the Police Medical Officer to date, indicating if there has been any follow up thereon, giving details thereof.

(Withdrawn)

**MS H. O. R. – PURPOSE OF VISIT TO MAURITIUS – ARRIVAL &
RESIDENCE PERMIT**

(No. B/1523) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to Ms H. O. R., he will, for the benefit of the House, obtain information as to –

- (a) the date of arrival thereof in Mauritius;
- (b) the purpose of her visit, and
- (c) if she has applied for a residence permit, indicating the date of –

- (i) application, and
- (ii) approval therefor, further indicating the grounds therefor.

(Withdrawn)

MBC – FIFA WORLD CUP & UEFA EURO 2024 - BROADCASTING RIGHTS

(No. B/1524) Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Mauritius Broadcasting Corporation, he will, for the benefit of the House, obtain therefrom, information as to –

- (a) the cost incurred to acquire the broadcasting rights for the free-to-air package for the FIFA World Cup 2023, giving details thereof, and
- (b) if negotiations for the retransmission on television of the UEFA Euro 2024 to be held in Germany have been initiated thereinto and, if so, where matters stand.

(Withdrawn)

CONSTITUENCY NO. 4 – GOVERNMENT SCHOOLS – RENOVATION WORKS & COST

(No. B/1553) Ms J. Tour (Third Member for Port Louis North & Montagne Longue) asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to the renovation works undertaken in Government schools in Constituency No. 4, Port Louis North and Montagne Longue, she will give a list thereof since 2020 to date, indicating in each case the –

- (a) scope of works, and
- (b) related costs.

(Withdrawn)

**ANSE LA RAIE REGION – STATE LANDS – LETTER OF
RESERVATION**

(No. B/1554) **Dr. M. Gungapersad (Second Member for Grand' Baie & Poudre d'Or)** asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to State lands in the region of Anse La Raie stretching from Paradise Cove Boutique Hotel to Anse La Raie Fish Landing Station, he will give a list of the letter of reservation issued therefor to date, if any, indicating in each case the extent and purpose thereof.

(Withdrawn)

**NEW COURT HOUSE – VENTILATION SYSTEM – REMEDIAL
MEASURES**

(No. B/1555) **Mr R. Uteem (Second Member for Port Louis South & Port Louis Central)** asked the Attorney-General, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the ventilation system of the New Court House, he will, for the benefit of the House, obtain from the Master and Registrar, information as to if she is in presence of any complaint of the breakdown thereof and, if so, indicate the remedial measures that have been taken in relation thereto.

(Vide Reply to PQ B/1540)

CASINOS DE MAURICE – NON-STRATEGIC ASSETS – SALE

(No. B/1558) **Mr D. Ramful (First Member for Mahebourg & Plaine Magnien)** asked the Minister of Finance, Economic Planning and Development whether, in regard to the sale of the non-strategic assets of the Casinos de Maurice, he will state where matters stand.

(Withdrawn)

CWA - RESERVOIRS – WATER VOLUME - INSPECTION

(No. B/1559) **Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien)** To asked the Minister of Energy and Public Utilities whether, in regard to the volume of water in the reservoirs, he will, for the benefit of the House, obtain from the Central Water Authority, information as to if an inspection has been carried out to assess the current level thereof following the recent heavy rainfall.

(Withdrawn)

HERMITAGE – SOCIAL HOUSING UNITS – CONSTRUCTION

(No. B/1560) Mr K. Lobine (First Member for La Caverne & Phoenix) asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to the construction of social housing units at Hermitage in Constituency No. 15, La Caverne and Phoenix, he will, for the benefit of the House, obtain from the New Social Living Development Co. Ltd., information as to the –

- (a) number thereof being constructed;
- (b) names of the contractors, consultants and project managers selected therefor, if any, and
- (c) surface area and locations earmarked to be used as green spaces and parks, giving details thereof.

(Withdrawn)

DIRECTOR AGRICULTURAL SERVICES – PROPOSED RECRUITMENT

(No. B/1561) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Agro-Industry and Food Security whether, in regard to the proposed recruitment of a Director Agricultural Services on contract from India, he will state –

- (a) the reasons therefor, and
- (b) where matters stand.

(Withdrawn)

HOTEL PROJECTS – CONSTRUCTION APPLICATIONS

(No. B/1562) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière) asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to hotel projects, he will, for the benefit of the House, obtain information as to the –

- (a) number of applications for the construction of new ones received and approved, indicating in each case –
 - (i) the locations earmarked for the construction thereof;
 - (ii) if EIA licences or PER approval have been issued thereto and conditions imposed, if any, and
- (b) name of the promoters therefor.

(Withdrawn)

CAMP CAROLL - CONSTRUCTION OF DRAINS - PROGRESS

(No. B/1563) Dr. M. Gungapersad (Second Member for Grand' Baie & Poudre d'Or) asked the Minister of National Infrastructure and Community Development whether, in regard to the construction of drains at Camp Caroll in Grand' Baie, he will, for the benefit of the House, obtain information as to the work in progress of the remaining 40 per cent thereof.

(Withdrawn)

**BAIE DU TOMBEAU CHILD DAY CARE CENTER – VANDALISM -
INQUIRY**

(No. B/1564) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Minister of Gender Equality and Family Welfare whether, in regard to the recent acts of vandalism at the Baie du Tombeau Child Day Care Center, she will state if an inquiry has been initiated thereinto and, if so, indicate the actions taken in relation thereto.

(Withdrawn)

CULTURAL EVENTS - BIDDERS

(No. B/1566) Mrs A. Navarre-Marie (Fourth Member for GRNW & Port Louis West) asked the Minister of Arts and Cultural Heritage whether, regard to cultural events organised by his Ministry since 2020 to date, he will table the list of the bidders therefor, indicating in each case the –

- (a) name of the successful bidder, and
- (b) amount quoted.

(Withdrawn)

ST CROIX - ROAD ACCIDENTS - MEASURES

(No. B/1568) Ms J. Tour (Third Member for Port Louis North & Montagne Longue) asked the Minister of Land Transport and Light Rail whether, in regard to the road accidents in the region of Ste Croix, in Constituency No. 4, Port Louis North and Montagne Longue, he will state the measures taken to curb down the occurrence thereof.

(Withdrawn)

**BUDGET SPEECH 2023-2024 - CHILDCARE FACILITIES -
WORKPLACE**

(No. B/1569) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Minister of Finance, Economic Planning and Development whether, in regard to the

budgetary measure announced in the Budget Speech of 2023-2024 to make it compulsory for all companies with more than 250 employees to provide the necessary childcare facilities in the workplace, he will state where matters stand.

(Withdrawn)

PETIT RAFFRAY - NATIONAL ARTS CENTRE

(No. B/1573) Mrs A. Navarre-Marie (Fourth Member for GRNW & Port Louis West) asked the Minister of Arts and Cultural Heritage whether, in regard to the proposed setting up of a National Arts Centre at Reunion Maurel, Petit Raffray as announced in the 2022- 2023 Budget Speech, he will state where matters stand.

(Withdrawn)

PLAINE VERTE, KHADAFI SQUARE - FOOD COURT- LIGHTING SYSTEM

(No. A/15) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the Food Court of the Khadafi Square, Plaine Verte, he will, for the benefit of the House, obtain from the Municipal City Council of Port Louis, information as to if the lighting system therein is defective and, if so, indicate the urgent remedial measures being envisaged.

Reply: I am informed by the Municipal City Council of Port Louis that the Food Court of the Khadafi Square, Plaine Verte comprises of sixteen stalls. Each stall is provided with lighting facilities and same is properly illuminated.

I am further informed that the lighting system at the Food Court is in good working condition. In case there is any complaint regarding any defective lighting, same is urgently repaired by the Lighting Section of the Council.

COCOTERIE ROAD – RESURFACING

(No. A/16) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the street, situated at the Cocoterie Road, a few metres from the roundabout, in Roche Bois, near Marine Radar Sales & Services Ltd., he will, for the benefit of the House, obtain from the Municipal City Council of Port Louis, information as to if same is in a bad state with the presence of hole, causing inconveniences to vehicles and, if so, indicate the urgent remedial measures that will be taken.

Reply: I am informed by the Municipal City Council of Port Louis that the street situated at the Cocoterie Road, a few metres from the roundabout in Roche Bois is in a bad state and requires complete resurfacing over a length of 145 metres.

I am further informed that a complete resurfacing of the road will be undertaken by the Council at the cost of Rs850,000 and the works will be completed in two to three months.

**CENTRAL MARKET, PORT LOUIS – VEGETABLES SECTION –
LAMPS**

(No. A/17) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the vegetables section of the Central Market of Port Louis, he will, for the benefit of the House, obtain from the Municipal City Council of Port Louis, information as to if the switching off of lamps thereat during the day is being envisaged and, if so, indicate the reasons therefor.

Reply: I am informed by the Municipal City Council of Port Louis that no decision has been taken to switch off the lamps during daytime in the Vegetables Section of the Central Market.

**SUDDEN INFANT DEATH SYNDROME - REPORTED CASES -
ACTIONS**

(No. A/19) Ms J. Bérenger (First Member for Vacoas & Floréal) asked the Minister of Gender Equality and Family Welfare whether, in regard to the Sudden Infant Death Syndrome (SIDS), she will state the –

- (a) number of reported cases thereof since September 2014 to date;
- (b) awareness campaign put in place to promote safe sleep practices and SIDS awareness to date, and
- (c) actions being envisaged in relation thereto in the long term.

Reply (The Minister of Health and Wellness): The Sudden Infant Death Syndrome is the unexpected and unexplained death of an apparently healthy baby under the age of one year. It usually occurs at home and such cases of deaths are referred to the Police Medical Officer through the Accident and Emergency Department of hospitals. Reported cases of Sudden Infant Death Syndrome usually do not appear in the Medical Records Office at hospitals as these cases are not admitted to Paediatric wards. However, as per the Health Statistics Unit of my Ministry, the number of reported cases of Sudden Infant Death Syndrome for infants under one year, from September 2014 to August 2023

is 56. It has been observed that 70% of the Sudden Infant Death Syndrome occurs before four months of age of a baby.

As regards part (b) of the question, it is important to understand that the cause of Sudden Infant Death Syndrome is not known. There are no consistent warning signs to alert us that a sudden death might occur, but there are risk factors to consider. These include vulnerability, age and external risk factors such as over-heating and unsafe sleeping practices.

In this context, the Ministry of Health and Wellness, through antenatal clinics and the Maternal and Child Health Handbook, creates awareness among pregnant women on good habits and proper practices. For example, pregnant women and couples are encouraged to quit smoking prior and during pregnancy. The Maternal and Child Health Handbook provides key information on how to reduce risks of Sudden Infant Death Syndrome.

During Well Baby Clinics and Expanded Programmes of Immunisation, babies are consistently monitored for any risk factors or any warning signs by skilled health professionals. These clinics are points of contact with parents, especially new mothers and awareness is created on Sudden Infant Death Syndrome and information is given on how to properly care for a baby.

Parents are advised to practice safe sleep practices such as putting babies on their back to sleep, keeping a baby's head uncovered, sleeping in the same room as a baby, use clean, firm and flat mattresses without duvets or pillows, and protecting a baby against the side effects of smoking during and after pregnancy as well as providing a clean and comfortable sleeping environment for a baby.

Additionally, in line with the National Action Plan on Breastfeeding 2022-2027, the importance of exclusively breastfeeding an infant for the first 6 months of life is being actively promoted. Breastfeeding is an important component of child health care and has consequently been linked to reducing infant mortality rates and risks of Sudden Infant Death Syndrome.

The campaign to raise awareness on Sudden Infant Death Syndrome is ongoing. Health Information Education and Communication (HIEC) materials have been produced which include ways to prevent Sudden Infant Death Syndrome. Sensitisation sessions in the community on Maternal and Child Health as well as Breastfeeding are ongoing.

Concerning part (c) of the question, I wish to highlight that before handing over of babies to parents upon discharge, all parents are counselled about the prevention of

Sudden Infant Death Syndrome and its associated risks. Concurrently, regional hospitals have been advised to create more awareness on the Sudden Infant Death Syndrome and to educate parents on the prevention thereof. Additionally, hospitals have been directed to place posters in nurseries, postnatal and paediatric wards as well as in out-patient departments with a view to further sensitize the population on the prevention of Sudden Infant Death Syndrome.

**CITÉ MADELEINE, TRANQUEBAR – DRAINS - CONSTRUCTION
DETAILS**

(No. A/20) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central) asked the Minister of National Infrastructure and Community Development whether, in regard to the on-going construction of drains in Cité Madeleine in Tranquebar, he will state –

- (a) if any technical study has been conducted by the Land Drainage Authority for the construction thereof;
- (b) the scope of works;
- (c) the name of the contractor and contract value thereof, and
- (d) if complaints have been received against the contractor and, if so, indicate the measures being taken to address same.

Reply: The construction of drains at Cité Madeleine, Tranquebar, is being implemented by the Municipal City Council of Port Louis (MCCPL). A contract was signed on 01 September 2023 between the MCCPL and Contractor J. Dookhun and Sons Ltd for a contract value of Rs29,170,000 inclusive of VAT and contingencies for the construction of drain and cross drain at Langlois Street/Cotillon Street and in front of Garage Gawtam, Tranquebar. A copy of the detailed scope of works is being placed in the Library of the National Assembly.

I am informed by the MCCPL that works has started on 11 September 2023 and are expected to be completed by January 2024 and no complaint has been received against the contractor.

The Land Drainage Authority has not conducted any technical study specific to the above mentioned project. However, following rainfall events during the last 2 years, the LDA recommended for a holistic approach to the problem of water accumulation in the region of Tranquebar.

**ASSOCIATED BOARD OF ROYAL SCHOOL OF MUSIC –
EXAMINATION FEES – PAYMENT MODALITY**

(No. A/22) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to students studying music on a private basis, she will, for the benefit of the House, obtain from the Mauritius Examination Syndicate (MES), information as to if the payment of the examination fees for the Associated Board of Royal School of Music is still being effected by the MES and, if so, give details thereof, if not, why not.

Reply: I am informed that in the past, the examinations for the Associated Board of Royal School of Music (ABRSM) was conducted by the Mauritius Examinations Syndicate (MES).

Candidates paid the examination fees and this included the fees to MES for conducting the examinations locally.

In 2021, candidates approached the MES to conduct the theory examinations and MES accordingly contacted ABRSM informing them that it is ready to collaborate and conduct the examinations. However, ABRSM stated they would rather have that the candidates apply directly and take part in online examinations run by ABRSM itself.

Candidates now sit for online examinations run by ABRSM and MES is not involved in the transfer of fees.