



SEVENTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

FIRST SESSION

FRIDAY 05 JULY 2024

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MAURITIUS

Seventh National Assembly

FIRST SESSION

Debate No. 18 of 2024

Sitting of Friday 05 July 2024

The Assembly met in the Assembly House, Port Louis, at 4.00 p.m.

The National Anthem was played

(Mr Speaker in the Chair)

ANNOUNCEMENTS**PNQ 05 JULY 2024 – STANDING ORDERS 21 & 22(1)(a) – INADMISSIBILITY & NON-COMPLIANCE**

Mr Speaker: Hon. Members, I have to inform the House that the hon. Leader of the Opposition, Dr. Boolell gave notice of a Private Notice Question which he intended to put today to the hon. Prime Minister.

I wish to draw the attention of hon. Members to the provisions of Standing Orders 21(1) and (2), respectively, which provide as follows –

“21. (1) The proper object of a question shall be to obtain information on a matter of fact within the special cognizance of the Minister to whom it is addressed.

(2) Questions may be asked of Ministers relating to public affairs with which they are officially connected, or any matter of administration for which such Ministers are responsible.”

Hon. Members, a perusal of the PNQ as submitted does not comply with the abovementioned Standing Orders, in as much as it contains four different subject matters directed to different Ministries for which the hon. Prime Minister is not responsible.

Besides being cross cutting, the PNQ, as put, is open ended, vague and lacks precision as to a particular subject matter contrary to the provisions of Standing Orders 22.(1)(a) which provides that –

“not more than one subject shall be referred to in any one question (...).”

One subject, one question!

In that respect, the following excerpts from Erskine May at paragraphs 22.3 and 22.17, respectively, are worth noting, I quote –

“In order to be admissible, an oral question should be so worded as to indicate, within broad terms, a particular subject matter.

It is not in order to put to a Minister a question for which another Minister is more directly responsible (...).”

Hon. Members, the hon. Leader of the Opposition was duly informed that his PNQ was found to be inadmissible for non-compliance with the provisions of Standing Orders 21 and 22(1)(a).

Dr. Boolell solicited a meeting with me and came to see me privately, accompanied by hon. Assirvaden.

However, the meeting had barely started when both hon. Assirvaden and hon. Dr. Boolell left on their own without making any representation.

Hon. Members, as the PNQ did not comply with the Standing Orders referred to above, it is most regrettable that the PNQ could by no means be sub-edited by the Clerk, thereby leaving the Speaker with no other alternative than to disallow same.

I thank you for your attention.

I have a second announcement.

**HON. BHAGWAN – PRESS CONFERENCE 05 JULY 2024 – SPEAKER’S DUTIES –
CASTING ASPERSIONS**

Hon. Members, I wish to inform the House that it has been brought to my attention that hon. Bhagwan has stated the following to my address in a press conference this afternoon –

« Kifer li agir kumsa

Speaker pe agir coumment Agent Politique

Coumment Agent MSM

Speaker ine mette son manteau agent politique

Pravind Jugnauth ine donne li lordre. »

Hon. Members, by uttering the above words, hon. Bhagwan has cast aspersions on my conduct in the performance of my duties as Speaker and has offended the dignity of the House.

I am, therefore, requesting hon. Bhagwan to present his unreserved apologies to the House, failing which, I will be left with no other alternative than to ask him to withdraw from the Chamber.

Mr Bhagwan: I call a spade a spade and I won't withdraw! It is a fact *ou enn azan politik; to enn azan politik !*

Mr Speaker: So, I am asking you to withdraw and I am naming you at the same time!

Mr Bhagwan: Reste quelques mois *pou twa ! Res 2-3 mois mem la, apre to ale dan poubel twa ! Dan poubel to pou ale !*

Mr Speaker: Serjeant-at-Arms!

Mr Bhagwan: Eh, I don't...

Mr Speaker: Pick that man out! Pick him out!

Mr Bhagwan: *Ki li kapav fer ta!*

Mr Speaker: Pick this man out!

Mr Bhagwan: *To pou ale la!*

An hon. Member: *Pas la guerre ta !*

Mr Bhagwan: *Laisse, li ki tapeur !*

Ms J. Bérenger: Shame!

Mr Bhagwan: *Mo pena lintere guet twa mwa!*

Mr Speaker: Pick this man out!

Mr Bhagwan: *Mo pena lintere ekout twa mwa!*

Mr Speaker: Pick this man out!

Mr Bhagwan: *Eh ress laba do!*

Mr Speaker: Pick this man out! He should not offend you in your police duties!

Ms J. Bérenger: *Calmez !*

Mr Speaker: Other policemen can assist the Serjeant-at-Arms?

Mr Bhagwan: *Pa menas la polis do ta ! Pa menas la polis !*

Mr Speaker: All policemen to assist the Serjeant-at-Arms!

Mr Bhagwan: *Bandit ! Soulard !*

Mr Speaker: Get out from here!

PAPERS LAID

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

A. Office of the President

The 50th Annual Report of the Office of the Ombudsman for the year 2023.

B. Ministry of Energy and Public Utilities

The Annual Report and Report of the Director of Audit on the Financial Statements of the Mauritius Renewable Energy Agency for the year ended 30 June 2023.
(In Original)

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

The Annual Report and Report of the Director of Audit on the Financial Statements of the National Solidarity Fund for the year ended 30 June 2023.

D. Ministry of Arts and Cultural Heritage

The Annual Report and Report of the Director of Audit on the Financial Statements of the Islamic Cultural Centre Trust Fund for the year ended 30 June 2022.

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.

PUBLIC BILLS

Second Reading

THE CONSTITUTION (AMENDMENT) BILL (NO. V OF 2024)

&

THE POLITICAL FINANCING BILL (NO. VI OF 2024)

Order read for resuming adjourned debate on the Constitution (Amendment) Bill (No. V of 2024) and the Political Financing Bill (No. VI of 2024).

Question again proposed.

Mr Speaker: Hon. Mrs Jeewa-Daureeawoo!

(4.15 p.m.)

The Minister of Social Integration, Social Security and National Solidarity (Mrs F. Jeewa-Daureeawoo): Thank you, Mr Speaker, Sir, for giving me the floor to intervene on the Constitution (Amendment) Bill and the Political Financing Bill; two Bills intended to further promote public confidence in our democratic society.

Mr Speaker, Sir, the Political Financing Bill is a very important piece of legislation. It is absolutely necessary to review the way funds for elections are used. We have, therefore, a duty as a responsible government to improve and enhance the existing system.

Mr Speaker, Sir, I have listened very attentively to the orators from both sides of the House who have intervened so far. I sincerely expected all parties – I say it again, I sincerely expected all parties – to understand the importance of this legislation and rise above politics partisanship, joining Government in promoting this much awaited piece of legislation. *Néanmoins, l'histoire retiendra que le Parti travailliste et le MMM ont choisi de fuir leur responsabilité en étant contre cette loi révolutionnaire qui prône la transparence et la bonne gouvernance.* I am referring to the Labour party and the MMM because so far, Members of these two parties have intervened.

Having said that, Mr Speaker, Sir, let me start with the introductory remarks of the hon. Prime Minister. The Prime Minister in his introductory remarks provided clarity on three things

–

- (i) the object of the Bill;
- (ii) the salient features of the Bill, for example, how this Bill can contribute in conducting a fairer and more transparent elections, and
- (iii) the enforcement of the Bill.

I must say his intervention was clear and concise. The hon. Prime Minister presented the Bill dispassionately; no politics on such an important piece of legislation.

However, on the other side, what have we not seen and heard? Cheap politics, *de la démagogie à l'outrance*. In fact, they have taken the advantage of the presentation of this Bill in the National Assembly to attack the MSM party and the Prime Minister.

Mr Speaker, Sir, what concrete comments, suggestions or ideas have they proposed? Nothing! Not a single suggestion from the four Members of the Opposition who have taken the floor so far. In one line, it is clear that they do not want a proper legal framework designed to ensure transparency, accountability, integrity in our political financing system. If they really wanted this as they pretend, they would have joined Government in promoting transparency, accountability and integrity. Their stand is clear: they are against the Bill. *Pourquoi, M. le président, sont-ils contre ce projet de loi? La réponse est simple : ils ne veulent pas que le*

peuple sache comment leurs partis sont financés. En l'absence d'un contrôle, en l'absence d'un cadre légal, ce sera du business as usual.

Worse, Mr Speaker, Sir, even before the Bill was circulated in the National Assembly on 14 June 2024, Members of the Opposition had already openly declared that they would not vote for the Bill. At this stage, I refer the House to a press conference of *l'Alliance Parti travailliste-MMM* held at *l'hôtel* Labourdonnais on 27 April. I say it again, *en avril*, well before the Bill was circulated in the National Assembly.

Hon. Bérenger stated that they would not have to vote against the Bill because Government does not have a majority of three quarters of vote. So, what does this infer? What does this mean? Without seeing the Bill, without even taking cognizance of the contents of the Bill, they have already made up their mind; they will not support the Bill. Correct me if I am wrong, even if we would have brought the best of bills, still they would have voted against. Mr Speaker, Sir, if this is not an example of bad faith; I wonder what you will call bad faith!

M. le président, une chose est évidente, le but d'un projet de loi est d'améliorer un système existant dans l'intérêt de la population dans son ensemble et du pays, non pour favoriser un parti politique.

So far, hon. Leader of the Opposition, hon. Bérenger, hon. Ramful and hon. Uteem have intervened; barely any word, any comment on the Bill. Did they go clause by clause, Mr Speaker, Sir? The answer is no. Did they say which clause needs improvement? The answer is no. Did they make any proper suggestions? The answer is no. So, what have we seen? It has been a usual demagogical approach. *Ils ont politisé le débat ; de la politique partisane sur un projet de loi si important.* History repeats itself; the House will recall the extensive debates in 2019. Today, we are witnessing the same negative attitude from Members of the Opposition as was the case in 2019. Their stand has not changed. They still do not want transparency. They still do not want integrity. They still do not want accountability and more or less the same Members of the Opposition are intervening this time. *Toujours le même refrain* and yet – I have to highlight this – there have been changes in the new Bill. Let us go back to 2019, what did they say about the Bill? The Bill has come *à la veille des élections générales*. They are saying the same thing today, I quote –

“The Bill is being moved on the threshold of dissolution of Parliament.”

Mr Speaker, Sir, when I introduced the Protection and Promotion of the Rights of Persons with Disabilities Bill back in March 2024, *le même refrain*: on the eve of election.

Donc, depuis le début de cette année, ils attendent toujours les élections générales, on dirait qu'ils savent mieux que nous. M. le président, peut-être je demanderai aux membres de l'opposition de nous prêter leur boule de cristal car ils semblent être au courant de la date de la tenue des élections générales, n'est-ce pas ? Donc, *they keep on saying on the eve of the elections since at the beginning of this year*.

M. le président, il est vraiment difficile à comprendre une chose – when the Labour Party was in Government, they did not at all bring any Bill to regulate the financing of political parties. During their mandate, they made vain false promises on several other legislations, for example: the Children's Act, the Protection and Promotion of the Rights of Persons with Disabilities Act, Workers' Rights Act, to cite a few. We kept waiting *Anne, ma soeur Anne, ne vois-tu rien venir ?* Nothing? During the 10 past years? Now that we are doing the needful to bring the legislations that they failed to, they keep on saying *à la veille des élections*. So, *difficile de comprendre*, what should we do? Sit back and watch? Stop working? Wait for the elections to come? Or continue working till the end of our mandate?

Mr Speaker, Sir, we have a work to do, so we are doing our work. The hon. Leader of the Opposition even said that the new Bill, I quote –

“(...) is almost a copycat of the July 2019 legislation, (...)”

Hon. Uteem said that none of his criticisms, I say it again, that none of his criticisms made in 2019 were addressed. He even went so far as saying that none of us read the Bill, Mr Speaker, Sir. The question I rush to put: are they even listening to what they are saying? Let me inform hon. Uteem that we read the Bill, in fact, we read the Bill thoroughly and we are still reading the Bill. Finally, Mr Speaker, Sir, I have come to realise that there are some Members of the Opposition who just love criticising for the sake of criticising.

Mr Speaker, Sir, at this stage, allow me to give some examples to show to the hon. Members on the other side of the House what significant changes we have brought to the first

version to address their queries? To start with, hon. Uteem stated in 2019 that the definition of “donation in kind” is limitative. With the new Bill, we have thus broaden the definition of “donation in kind” under clause 2 of the Bill to include such donations as transport facilities, public address system, equipment, goods or facilities including marquees and hall. In 2019, hon. Uteem, hon. Bérenger and hon. Duval deplored that only the treasurer of the political party could receive a donation. We have addressed this issue also. We have introduced in the present Bill the concept of a recipient under clause 4 of the Bill.

In 2019, hon. Uteem criticised and highlighted the absence of an appeal mechanism if registration of a political party is rejected, again in the present Bill, this issue has been addressed and changes made. So, I would like to direct the hon. Member to clause 22 of the Bill concerning registration of political parties, sub clause 22(7) provides for an appeal mechanism to the Supreme Court within strict delays to ensure that the political party who is aggrieved by the decision of the Commission not to register can appeal against such decision. Now, what was the hon. Member stating last Tuesday? The appeal delay is too restricted, only four days, *extrêmement dangereuse, voire antidémocratique* – serious allegation, Mr Speaker, Sir. On hearing the words ‘*dangereuse*’, ‘*antidémocratique*’ from the hon. Member, I have had to go and verify whether there is any law with similar provisions. I did my homework, what have I come across? Strict delay in an appeal is not a new thing, it is not novelty. We do have a similar provision relevant to elections. Under regulations 12(10) of the National Assembly Elections Regulations 2014, any person whose nomination paper is held invalid, should within 3 days appeal to the Supreme Court. So, there is nothing *antidémocratique* in the provisions of clause 22.

Mr Speaker, Sir, as the Prime Minister mentioned in his introductory remarks, for the preparation of this Bill, various institutions have been consulted. The Prime Minister already listed the institutions in his intervention but still some Members of the Opposition are insisting on wide consultation – consultation with whom, on what? We don’t know. But I can confirm, Mr Speaker, Sir, having been part of the Ministerial Committee chaired by the hon. Prime Minister on the preparation of this Bill, we have fully invested ourselves in the assignment. *On s’est rencontré plusieurs fois pour parfaire le projet de loi.*

Believe me, Mr Speaker, Sir, working on such a complex Bill has been a very daunting and challenging task but what is important at the end of the day is that the work has been done and the Bill is now before us. For two decades, successive Governments have been talking of political funding; the need to provide a proper regulatory framework but nothing was done. It takes courage and determination to bring real change. The Bill on our table today shows the courage and determination of the hon. Prime Minister to further enhance democracy.

The House will recall that every time a question was put to the former Prime Minister of the Labour party regarding political financing, he would hide behind the technicalities of the draft Bill. When you go through the replies provided by the former Prime Minister of the Labour party, it is clear that there was never any will or any determination to introduce such legislation before the Assembly. Mr Speaker, Sir, here I am just stating facts so, I will invite hon. Members of the House to check Hansard. The question on regulating political financing was put to the previous Government – not in one year, Mr Speaker, Sir, in 2007, 2008, 2009, 2011 and 2012 and during all those years, the then Prime Minister kept on saying that he was having consultations and that he would come forward with a Bill.

As we can see, *il y a eu beaucoup d'effets d'annonce mais rien n'a été fait*. Moreover, in their Government programme 2005-2010 and 2010-2015, they said that they would address the issue of political party funding, 10 years; a decade went by and nothing. This shows a lack of political will to bring forward such a Bill. We had their promises and yet no Bill. As my colleague hon. Gobin rightly pointed out, in other democracies, I quote –

“Opposition call for transparency and here the opposition is saying that it does not want transparency.”

So, Mr Speaker, Sir, this is a Bill with 28 clauses and all that the Leader of the Opposition could say is – it is a mere eyewash. While listening to the hon. Member, one thing comes to my mind, the hon. Member *vit dans le futur*. He is under the illusion that the Labour party will make up the next Government. Mr Speaker, Sir, you know this is very disturbing; the opposition Members are today opposing the Bill and they will be the first one to rush to court to aver that the elections were not free and fair.

We have seen the saga of the electoral petitions lodged following the result of the 2019 general elections. *En toute humilité, M. le président, permettez-moi de dire aux honorables*

membres de laisser cette tâche aux électeurs. Dire qu'ils vont former le prochain gouvernement avant les élections générales est un manque de respect envers nos électeurs qui attendent patiemment chaque cinq ans pour exercer leurs droits.

It is in the hands of the people to decide who truly advocates for democracy and who does not. On this side of the House, it is an undisputed fact that a legislation to control how parties are funded was long overdue. I would like to pause here and commend the unwavering commitment and determination of our Prime Minister, hon. Pravind Kumar Jugnauth, to bring this Bill in the National Assembly as promised in our Government programme 2020-2024. Despite all the malicious attempts and ill intention of the opposition Members, the Prime Minister honoured his promise, truly a man of his word. Mr Speaker, Sir, we know very well that law is not static, it evolves, changes may be made as and when required.

No law is perfect but the passing of such a piece of legislation will definitely strengthen people's confidence in our democracy. We need, as has been rightly by our Prime Minister, to start somewhere. That is why the Bill is before us today, it is just a beginning. I will reiterate what other hon. Members of Government have said, funding of political parties is a necessary component of any democracy. It enables political participation and representation. If there are no proper legal instruments, the integrity of political institutions can be jeopardised and as a result, the quality of democracy may suffer.

Mr Speaker, Sir, history will bear witness that this Government, under the leadership of our Prime Minister, has brought the Political Financing Bill to further promote integrity, accountability and transparency in our society, in our country. I would humbly tell the hon. Members on the other side of the House, *qu'il n'est jamais trop tard pour bien faire, comme voir le verre à moitié plein*. So, I encourage all Members of the House to vote in favour of the Bill.

On a concluding note, let us put our country above party. Once again, thank you hon. Prime Minister for bringing such an important piece of legislation in the National Assembly. Thank you.

Mr Speaker: I now call hon. Xavier-Luc Duval!

(4.38 p.m.)

Mr X. L. Duval (Third Member for Belle Rose & Quatre Bornes): Mr Speaker, Sir, indeed where I would agree with the previous speaker, is that legislation and the financing of political parties is long overdue in Mauritius. More than 90% of democracies have such legislations which include some sort of financial reporting requirements, more than 90%. Therefore, Mauritius, having neither legislation nor any form of financial reporting requirement for political parties, is clearly amongst a very small minority of let us say renegade countries. Mr Speaker, Sir, whilst I also agree with the previous speaker that the present legislation in many respects represents an improvement on the previous Bill presented in 2019, nevertheless, because the present version still falls short of the expectations of the PMSD as the present version contains what we believe to be a threat to fair and free elections therefore to our democracy, the PMSD will be unable to support this Bill.

In other words, the changes brought to the 2019 Bill fall short of what we require. Were we not, Mr Speaker, Sir, on the eve of the general elections, I would have requested that the debate be paused to allow for some sort of committee, Select Committee, meeting of minds to examine the various aspects of the bill that remain so that some sort of agreement could be reached. But it is clear listening to everyone that there is no appetite on either side of the House for any Select Committee or any meeting of minds, Mr Speaker, Sir.

As far as the improvements are concerned, apart from what the hon. Minister just mentioned, I would say that I welcome the increasing financial penalties from Rs1 million to Rs5 million, which is obviously an improvement.

Also, I personally welcome that a number of responsibilities have been transferred from the Electoral Supervisory Commission, which is a board consisting of political nominees. These have been transferred to the Electoral Commissioner, although not fully transferred, but many have been transferred to the Electoral Commissioner himself, a person appointed by the Judicial and Legal Service Commission. I will come to that later, Mr Speaker, Sir.

So, I will come to the crux of my speech. I believe, Mr Speaker, Sir, the law contains a major flaw/drawback that needs to be remedied. I have listened and I have read speeches from both sides of the House and I cannot see that this has been mentioned anywhere. So, this is why I want to mention it this afternoon.

Mr Speaker, Sir, this bill authorises a much higher level of expenditure during election campaigns. A party fielding 62 candidates nationwide will be able to spend up to Rs120 million in mainland Mauritius and another Rs4.5 million for Rodrigues. You add to that the amount allowed to be spent on municipal elections, which will be coming, I presume soon, because they are long overdue, and you have another Rs36 m. that you are authorised to spend. So, in all, up to the end of this year, political parties may have to find up to Rs160 m. according to what is proposed in this Bill.

But the problem is that at the same time the expenditure limits are increasing, possibilities for political parties to raise funds legally from bona fide donors are being dramatically discouraged in this bill. This is my problem, Mr Speaker, Sir. We are dramatically increasing levels of expenditure, and yet we are also constraining, restraining, and discouraging companies that wish to finance democracy. That is my big problem, Mr Speaker, Sir.

In particular, I am talking about Clause 7 of the Bill, which I am not sure has been canvassed in this Assembly. Clause 7 of the Bill requires each and every company to disclose in its annual published accounts the amount of contribution it has made to each and every political party. Every company has to disclose in its financial statements the political contributions individually that it has made to each political party. This, Mr Speaker, Sir, is causing fear and disarray. If it is passed, the bill will utterly destroy the willingness of bona fide donors to contribute to political parties, especially those political parties that are in opposition.

Mr Speaker, Sir, contributions to any opposition party, every single government will treat it the same way. I am not saying this particular government more than any other one or others, but every government will react the same way on seeing companies financing the opposition. It will now all be public if this Bill is passed – it will not be –, but it would all have been public. Now, that would automatically be seen as an act of aggression against the government of the day: ‘I see you have got the contract here, but you are financing the opposition! You have got a permit, but you are financing the opposition! You have got this and that, but you are ungrateful; you are financing the Opposition party!’ This is, Mr Speaker, Sir, the issue! If tomorrow I were in a Board of Directors and this Bill was passed, and it would be up to us to decide whom to finance, it would be silly for any Board of Directors to finance any party in the Opposition

because that would be disclosed individually in the financial statements. You would see that any government of the day would react strongly to that.

Not to mention, Mr Speaker, Sir, the threat of MRA investigations, the threat of FCC investigations, FSC investigations for financial services companies, Bank of Mauritius investigations, and, as I mentioned, the denial of permits, of work permits, the reluctance to include these companies on tender shortlist, anything like that would be possible. In my view, this would be happening because, as I mentioned, any disclosure financing of the Opposition party would be seen by any government in Mauritius as an act of aggression.

Now, what is the present situation? The present situation is that there is no requirement in the Companies Act for companies to disclose political contributions. The only requirement is in the Code of Corporate Governance. The Code of Corporate Governance, as we know, deals with extremely large companies, for most part, companies with Rs1 billion turnovers, etc. What does the Code of Corporate Governance say?

The Code of Corporate Governance, Mr Speaker, Sir, says that you should disclose in total the contributions made to all political parties. So, you just put one line that you have given Rs1 m., Rs2 m. or Rs3 m. as political contribution. Full stop! You do not disclose who it is. Now, the Code of Corporate Governance has also a bit that encourages companies to give more details, but according to my research, no company ever provides any more details than the strict minimum required by the Code of Corporate Governance. We are talking about very large corporations and they rightly do so, as I mentioned before, because it is not good for them to disclose that, Mr Speaker, Sir.

Now, democracy is not free. What they say is that it is the best form of government. It isn't something that you get for free. It has to be financed; there is a cost for the government to finance the elections by civil servants, the Police, etc. There is also cost for political parties to participate in the elections. We all know what it is: transport, public address system, printing, etc. All the costs are quite substantial and getting higher and higher every day. So, Mr Speaker, Sir, if we are going to dry up political party funding from the private sectors, what will then happen in the absence of any public funding?

When I chaired the committee back in 2016, hon. Mrs Jeewa-Daureeawoo, I think was on that committee – we both had restrictions on the disclosure of private funding but also of public funding. In my view, I am absolutely certain of what I'm saying: this bill, if ever it were to go through, would dry up completely funding for Opposition political parties at least, and it does not provide any remedy as far as public funding is concerned. As if to say, the Mauritians should believe that democracy is something that does not have to be paid for. It has to be paid for! It has a cost!

Mr Speaker, Sir, many democracies fund political parties. According to our research, 75% of the world democracies fund political parties. Mr Speaker, Sir, I understand that it is not something that you want to put on the eve of the election. I can understand that the Government is being a bit reluctant to do so, but nevertheless, it has to come at some point or another. Mr Speaker, Sir, I believe it is going to be extremely important: transparency, bone fide donors, but also public funding. Otherwise, what will happen? You are going to drive the whole of the funding of political parties underground. You are going to have only people who have bad reputations, who are undesirable, and who have black money that are going to fund political parties. This is definitely not what the PMSD wants, Mr Speaker, Sir!

Therefore, this is very important for me, that if ever we are going to look again at this Bill, and I hope that we do because I did say there are some improvements on the previous Bill, the question of excessive disclosure – I hope that I am putting my point right – does more harm than good, unless, of course, we are going to supplement any shortfall by public funding.

Of course, there may be parties that have such huge war chests that they do not actually bother about any funding at all but this is not the case for us. We are not big spenders in the PMSD. We are small spenders but whatever money we get, we get from *bona fide* people who want to help democracy and I am sure that is the case also for many other parties in Mauritius. That is, Mr Speaker, Sir, therefore a dangerous threat to democracy if that clause were to remain as it is, Mr Speaker, Sir.

Now, in the famous words of Winston Churchill, this is what he said –

“Democracy is the worst form of Government except for all those other forms that have been tried from time to time.”

So, if we agree that it is, in other words, the best that can be obtained, then, Mr Speaker, Sir, we must also agree that it has a cost.

Mr Speaker, Sir, I want to come quickly to the Electoral Supervisory Commission. The Electoral Supervisory Commission's members are appointed under the Constitution and under clause 22 of this Bill, it is the ESC that has the supervision of the whole process of political funding and registration. It also has supervision; it also has control over the registration of political parties. Now, we have seen in other countries how various political parties from Opposition have failed to register. They have not been able to register but I am not saying that is going to happen but it is always a possibility.

Now, Mr Speaker, Sir, I have never been happy about the way that members of the ESC are appointed in Mauritius. I have never been happy about that. The Electoral Supervisory Commission is the apex body for our electoral process. Now, under clause 38(3) of our Constitution, any person can be appointed by the President of the day, provided he is not a member of this Assembly, a candidate for election, or a public or Local Government officer; any other member can be. I am presently a MP; if the President was so minded, he could appoint my mother on the ESC. That would be authorised. He could appoint my brother; he could appoint my children, anyone.

There are, Mr Speaker, Sir, hardly any constraints on appointing members of the ESC so far except for what I have said: members of the Assembly, etc. So, we are not dealing in any way with conflicts of interest. And what has happened in the past and with the previous regime as well is that we have, in my opinion, appointed people that are potentially conflicted. And that, Mr Speaker, Sir, to me, destroys the independence of the apex electoral body in Mauritius and that is wrong, Mr Speaker, Sir. Therefore, if we need – in my view – to amend the Constitution as we are proposing to, it would also be important to amend the Constitution so far as appointments in the Electoral Supervisory Commission are concerned. That is very important. Like is done in the UK, where there is a Select Committee, which is there presided over by the Speaker. I am not sure it would be such a good idea here but it is presided over by the Speaker. It has members on each side of the House in that Committee. There is an independent panel which assesses proposals made by each political party for appointment to the ESC. The Independent Panel recommendations are assessed by the Select Committee and the Select Committee then

proposes the names to Parliament for the appointment of the Electoral Supervisory Commission members in the UK. Compare that to Mauritius, where, in fact, it is the President himself who one day wakes up and, for whatever reason, decides: 'I am going to appoint X, Y, and Z on the Electoral Supervisory Commission'.

There is a big difference between what it pertains to in the Westminster model and what we do here in this country. Mr Speaker, Sir, this, to me, is totally unacceptable and needs to be changed because if we do not change that, then who is the independent body that will supervise all these issues? Who is going to do that if nobody trusts the ESC, if over the years it continues to be filled with politically conflicted persons, and who will be able to look after and have the trust of political parties because we would then be releasing lots and lots of information to this Electoral Supervisory Commission?

Mr Speaker, Sir, I finish by mentioning the role of the Electoral Commissioner. As I mentioned, we have a particularly good Electoral Commissioner. He is not going to stay for very long. There will be another one coming and the Electoral Commissioner, according to this bill, has the power to call for all the records of any political party. At any time, he may do so. There is obviously a danger that he was to do so on the eve of an election and then that would create tremendous reputational damage to any political party.

Therefore, Mr Speaker, Sir, whilst I understand the need for the Electoral Commissioner to have access to records of political parties, I strongly believe that this should be only upon obtaining a Judge's Order where he would put to the Judge the reasonable suspicions that he has. Because otherwise, Mr Speaker, Sir, there could be a danger to our democracy, a danger to our free and fair elections if this were to happen.

Mr Speaker, Sir, that is all I have to say on these points. I believe therefore that, as I mentioned, the PMSD will not vote for this law, but if tomorrow there was a genuine will on both sides of the House to bring the improvements, at this point in time in the future, certainly, Mr Speaker, Sir, we consider a bill to be urgently required in Mauritius.

Mr Speaker: I now call hon. Minister Ms Ramyard!

(4.58 p.m.)

The Minister of Industrial Development, SMEs and Cooperatives (Ms N. Ramyad):

Mr Speaker, Sir, I thank you for giving me the floor to lay my voice in the debates on the Constitution (Amendment) Bill (No. V of 2024) and the Political Financing Bill (No. VI of 2024), which I deem is of pivotal importance in a democracy.

The main values to a real democracy are justice, freedom, transparency, equality, and accountability, and this Bill brings a valuable share in strengthening them. Every real patriot will rise in unison to vote for a Bill which regulates our electoral process, which needed a reform to bring equality, fairness and modernity. This Bill brings along some of the most needed elements, such as –

- (i) a level playing field for all;
- (ii) an equal chance to all;
- (iii) disallows improper influence, lobbies whether it be a regional, national or international;
- (iv) disallows unhealthy competition;
- (v) provides the foundations for accountability and transparency, amongst others.

It represents the first milestone to the electoral process reforms. I lay my voice to the Political Financing Bill, as I strongly believe that this Bill will bring the required major changes in the electoral processes in the country.

Our electoral system is a system which has laid our stronghold on our democratic system. Our institutions regulating and supervising our electoral processes are recognised internationally for their professionalism and good will. The Political Financing Bill adds up to the transparency and accountability elements of money trails to our electoral process. We have seen that during the last decades many questions have not and are still not being answered. Questions like: ‘where did the money from the coffer saga come from?’ *Réponse? Un silence assourdissant.*

Questions like –

- How come some have guaranteed tickets to contest an election, whilst others strive hard through loyalty and dedication, but after having *laboure le terrain* on the eve through permutation and combination exercises, forced *à la porte de sortie*, all on the altar of sacrifice, sacrifice for whom and why?
- Why victims of an opaque system again and again, while some born with a golden spoon never have to sacrifice or are even catapulted to heights as they were born under the good purple stars? *Là aussi, silence radio!*
- *Pire encore, pourquoi ceux et celles qui étaient avant courtisés par les médias pour des déclarations ou même des interviews avec titre : « L'étoile montante du MMM » sont maintenant traités par cette même presse comme des lépreux ? Attention, qu'ils révèlent les réalités derrière le purple curtains. Là aussi, silence radio !*
- *Pourquoi les grands défenseurs autoproclamés des droits de la femme, des droits humains, de la démocratie vivante, qui gèrent les ONG comme Gender Links, Soroptimist et les autres ne sont nullement concernés par cette opacité que pratique la classe politique mauve puisqu'ils ne sont là que pour des colloques, séminaires et échanges et non pour défendre en action ces mêmes droits ? Et là aussi, silence radio !*

This is why it is important to bring that dose of change to our electoral process. Transparency and accountability are at the helm of fairness, justice, and equity.

I have heard, during the course of his intervention, hon. Paul Bérenger stating that he will not vote for this Bill as he will bring another Political Financing Bill, along with the Bill to *réforme* our electoral system. Should he seem to get elected? When will MMM politics leave aside hypocrisy and this act of *militantisme* and role-play, *d'agir avec la tête haute et la main propre*? I have till now avoided bringing certain facts to the National Assembly during my intervention as I decided to witness how far some politicians may reach or linger in their quest for power. Power at all costs, even if it means trampling loyalty, dedication, and values. The MMM today has reached a non-reversible limit to this practice of valiant and resilient hypocrisy.

Mr Speaker, Sir, I will today during my intervention state that I will vote for this Bill to evoke the plights of *les sans-voix laissés sur le pavé de l'histoire par pure cruauté de la part d'une personne qui jure d'être le plus droit et le plus féministe que tout, sur toutes ces*

plateformes politiques, mais pourtant en action, zéro. Il a ouvert la porte du débat en évoquant l'Electoral Reform Bill, qu'il souhaite emmener, s'il forme le gouvernement un jour, pour assurer la représentation féminine au sein de l'hémicycle par un tiers. Allons, faisons face à la vérité.

J'interviens dans ce *Bill* pour ces patriotes mauves mauriciennes qui se sont engagées dans la politique avec vigueur, force, détermination et professionnalisme telles que Vidula Nababsing, Mira Tapesar, Jocelyne Minerve, Leela Devi Allear, Dorine Chukowry, Jenny Mootealoo, Jenny Adebiro, Sundee Beedassy, Gayatree Dayal, Vedwantee Bikhoo, Lysie Ribot, Françoise Labelle, Zabeen Mooraby, Nita Juddoo et tant d'autres qui se reconnaîtront, et là, dernièrement, Madame Rouma Bahadoor. Les sacrifiées à l'autel de ceux qui déclarent prôner que si un jour ils seront au gouvernement, ils emmèneront une réforme électorale pour assurer la représentativité adéquate d'un tiers pour les femmes. Mais, excusez-moi, Monsieur, croyez-vous que nous sommes des Alice au pays des merveilles ? Qui vous en a empêché pendant ces quatre dernières décennies ? Notre processus actuel donne tout le pouvoir aux leaders des partis de choisir son *ratio* ou proportionnalité de candidats hommes et femmes, et même encore plus. Mais là, je choisis de prendre la cause féminine comme exemple.

Même avec 20, 30, 40, 50 ou 60 tickets, personne ne vous empêche d'assurer la proportionnalité féminine. Alors, pourquoi se cacher derrière l'*Electoral Reform Bill* ? Et en plus, vous n'avez pas voté ce *Bill* en 2019 et vous osez jouer la taupe ? Les femmes militantes n'étaient et ne sont pas dupes. Si elles savent s'engager pour construire une nation plus juste, plus méritante, plus chaleureuse où règne la justice, l'harmonie, la solidarité et l'unité, elles savent aussi en dire – 'assez'. Cessez ce cycle d'hypocrisie où vos paroles et actions sont totalement en contraire. Pourquoi ne pas demander ces mêmes sacrifices que vous évoquez, surtout avec ce slogan pour le bien-être supérieur du pays, à l'honorable Joanna Bérenger ou à l'honorable Foo Kune- Bacha en 2024 ? Pourquoi encore et encore ce sont les Rouma Bahadoor, les Dorine Chukowry, les Adebriro, les madames Allear entre autres qui doivent être ces sacrifiées ? Pourtant, elles étaient des membres qui ont été fermes et loyales dans leurs engagements et, le plus important, elles ont fait leur cheminement politique en passant des années dans les différentes structures du MMM, l'Aile Jeunes, l'Aile Féminine, Régionale, etc.

du parti mauve. Elles ont grandi et se sont prouvées dans ces structures, mais leur sang, peut-être, n'était pas assez mauve.

Mais, heureusement, que les sacrifiées de la *realpolitik* militante ne sont pas dupes, ni faibles et ni des frustrées. Une patriote reste une battante et toutes ces femmes militantes que j'ai mentionnées là-haut ont à emmener leur pierre à l'édifice pour construire cette nation mauricienne à différents niveaux, même aujourd'hui. Et là, je le dis à Madame Bahadoor, ne vous en faites pas, le monde politique est plus propre et juste loin des pavillons mauves.

M. le président, je voterai pour ce texte de loi puisque j'en crois fermement que cela emmènera de la transparence dans l'exercice électoral, établira une justice sociale dans ce même processus. Je voterai ce *Bill* pour ces centaines de jeunes qui se sont joints à la politique active ou même passive, se sont engagés pour construire une société plus juste où il y avait plus d'égalité, d'équité méritocratie, d'opportunité pour tous mais après se sont vus devant un fort inébranlable construit par des politiciens historiques seulement parce qu'ils avaient une chose que les jeunes n'avaient pas, l'argent, l'opacité financière et le pouvoir de dicter les termes et conditions seulement parce qu'ils ont vécu, encouragé et cultivé cette opacité de *money politics*.

Oui, M. le président, je le dis et je le redis, je voterai pour ce *Bill*, pour ces centaines de jeunes qui ont quitté leurs engagements politiques sur l'autel de l'opacité politique. Je le voterai pour ces centaines de femmes qui, du jour au lendemain, entendent : '*li pa fer pwa*', pour se faire sacrifier par ce leader historique sans même savoir la raison pour laquelle elles ont été mises à l'écart. Je voterai ce *Bill* pour ces centaines de Mauriciens professionnels anonymes sans patronyme familial, pour ces parents d'enfants issus des familles modestes qui ont investi dans l'éducation pour que leurs enfants puissent réaliser leur rêve mauricien. Je voterai ce *Bill* pour mes amis qui avaient joint la jeunesse militante dans les années 2000-2010 et ont donné leurs énergies, partagé leurs connaissances, échangé leurs idéaux pour une île Maurice moderne, ont généré une synergie de patriotisme parmi les jeunes qui ne s'intéressaient même pas à la politique, mais qui se sont tous mûris dans un silence à cause de l'opacité de la politique partisane. Mais ils ont tous fait face à cette même vérité dans les vestiaires du MMM, l'opacité, la justice, l'hypocrisie et une force occulte de protection qui régnaient dans ses coulisses. J'emprunterai le titre de l'ouvrage de Jayen Cuttaree pour définir cela, *behind the purple*

curtains. Je voterai pour le *Bill* pour emmener une dose d'équité à un processus électoral longuement utilisé comme une façade démocratique, tandis que le leader du MMM continue à bernier des milliers de jeunes et de femmes patriotes qui s'engagent en politique parce qu'ils aiment leur pays indéfiniment.

En tant que Mauricienne patriote qui s'est engagée en politique pour servir son pays, je félicite le Premier ministre, l'honorable Pravind Kumar Jugnauth, d'être celui que l'histoire retiendra comme celui qui a osé emmener cette dose de transparence et *d'accountability* – la redevance politique. Face à l'histoire, c'est le MSM qui a emmené un texte de loi sur la réforme électorale et sur les financements des partis politiques. La représentativité féminine adéquate a commencé à travers le MSM en assurant 10 élus en 2019 ; un quart de ses élus dans l'hémicycle, cinq ministres, quatre PPS, un *Deputy Whip*. Et c'est seulement le MSM qui assurera cette représentativité féminine, pas seulement à travers un texte de loi, mais plus important, en pratique, en action.

Amending the Constitution to bring this dose of level playing field will undoubtedly open the doors to every Mauritian born in any Mauritian family, not related to status, creed, or riches, to hold any constitutional post in this country. Transparency will ensure never again le droit du silence be used as a defence in a case related to political financing.

I commend the hon. Prime Minister for his strong and unflinching commitment towards bringing fairness, accountability, transparency, and equality at every level. The way to construct is worthier than les *donneurs de leçons*, whose contributions towards modernity, justice for all, and nation-building are still questionable.

We, on this side of the House, have decided to stand by our mission and vision of bringing the country towards the true values of democracy, under the direction of our Prime Minister. Whether you, on the other side of the House, decide to enter the wagon of building and action is your choice, *mais ayez l'audace d'assumer votre choix au moins. Ne vous cachez pas derrière des excuses qui ne tiennent pas debout.*

Je termine mon discours en disant que je voterai pour ce texte de loi avec mon cœur et âme.

Merci pour votre attention, M. le président.

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

At 5.14 p.m., the Sitting was suspended.

On resuming at 5.55 p.m. with Mr Speaker in the Chair.

Mr Speaker: Please be seated!

ANNOUNCEMENT

HON. BHAGWAN – NAMING

Hon. Members, earlier today, I requested hon. Bhagwan to tender his unreserved apologies to the House for having attacked the conduct of the Speaker in the discharge of his duties in a press conference this afternoon and for offending the dignity of the House.

The House may wish to note that upon being called to withdraw the offensive words and to tender his unreserved apologies to the House, hon. Bhagwan instead uttered the following words to my address, I quote –

“I call a spade a spade and I won’t withdraw. It is a fact *ou enn azan politik; to enn azan politik!*”

Thereupon, I ordered hon. Bhagwan to withdraw from the Chamber and I also named him.

Whilst leaving the Chamber, hon. Bhagwan also uttered among other words: “*to pou al dan poubel twa,*” “*mo pena lintere get twa,*” “*bandit,*” “*soulard.*”

MOTIONS – S.O. 17(3) & S.O. 29(1)

The Prime Minister: Mr Speaker, Sir, in view of your decision to name the First Member of Beau Bassin & Petite Rivière, hon. Rajesh Bhagwan, I beg, under Standing Order 17(3), to take the time of the House for urgent business.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun) seconded.

The motion was, on question put, agreed to.

The Prime Minister: Mr Speaker, Sir, having obtained your permission, I beg to move, under Standing Order 29(1), to present a motion without notice.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun) seconded.

The motion was, on question put, agreed to.

The Prime Minister: Mr Speaker, Sir, in view of your decision to name the First Member of Beau Bassin & Petite Rivière, hon. Rajesh Bhagwan, I beg to move that the hon. First Member of Beau Bassin & Petite Rivière, hon. Rajesh Bhagwan, be suspended from the service of the Assembly for today's Sitting and the next five Sittings unless unreserved apologies are tendered to the House.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun) seconded.

The motion was, on question put, agreed to.

Mr Speaker: I will now call hon. Minister Ramano!

(5.57 p.m.)

The Minister of Environment, Solid Waste Management and Climate Change (Mr K. Ramano): M. le président, nous sommes aujourd'hui en présence de deux *Bills*, notamment *the Political Financing Bill* et *the Constitution (Amendment) Bill*. Deux *bills* qui ont fait l'objet de multiples questions parlementaires, deux *bills* qui ont enflammé le débat politique quant au principe de *fair and free election*, deux *bills* qui ont été le cheval de bataille de nombreux partis politiques.

M. le président, nous avons écouté avec attention un discours qui s'apparentait bien à un discours de *guest appearance* de l'honorable Paul Raymond Bérenger. Celui-ci nous dit d'attendre, d'attendre à ce que le MMM retourne au pouvoir, d'attendre pour venir de l'avant avec un nouveau *Political Financing Bill*. M. le président, le MMM célèbre cette année sa 55e

année d'existence, 55 ans de vie politique avec un bilan qu'on qualifierait de décevant pour les militants et décevant pour la population.

55 ans de vie politique, tenez-vous bien, huit ans au pouvoir et 47 ans dans l'opposition ! Ils ont le toupet de nous dire aujourd'hui d'attendre, d'attendre à ce que le MMM retourne au pouvoir pour pouvoir espérer d'un éventuel *Political Financing Bill*. Est-ce qu'on doit attendre 20 ans, 25 ans, 30 ans, 40 ans encore, M. le président ? Ce serait bien d'avoir une réponse du leader historique du MMM !

M. le président, quelle est cette logique des *seasoned politicians*, des leaders historiques et peut-être bientôt préhistoriques, les soi-disant amoureux fous de la démocratie qui nous demande de retirer les présents *Bills* de cette auguste Assemblée parce que le timing est mauvais. En parlant de timing, M. le président, il faut bien le rappeler, M. le président, nous sommes aujourd'hui au mois de juillet et le *draft bill* a été bel et bien circulé depuis le 29 avril 2024 à tous les membres de cette Assemblée, à l'*Electoral Supervisory Commission*, à l'*Electoral Commissioner*, la *FSC*, la *Bank of Mauritius*, le site *International Institute for Democracy and Electoral Assistance* et une copie de ces deux *Bills* ont été postées sur le *website* du *Prime Minister's Office*. Aucune réaction de l'opposition, aucun commentaire des leaders Bérenger et Ramgoolam, et on ose aujourd'hui parler de mauvais timing.

Parlons du timing, M. le président. Nous entamons la dernière année de notre mandat électoral, nous enchaînons des séances parlementaires l'une après l'autre avec des projets de loi, l'un tout aussi important que l'autre. Nous sommes venus de l'avant avec des lois extrêmement importantes : le *Disability Bill*, l'*Environment Bill*, bientôt le *Finance Bill*, et on nous dit qu'il faut attendre. Attendre le bon timing, attendre à ce que le MMM et le PTr finalisent leur deal, attendre à ce que Bérenger et Ramgoolam retournent au pouvoir.

M. le président, nous pensons que cette farce a assez duré. La population reconnaît aujourd'hui les vrais bâtisseurs, des fossoyeurs de la démocratie. C'est une énième fuite en avant de cette opposition qui s'est fixée comme objectif depuis novembre 2019 de mettre en doute la légitimité de ce gouvernement à travers des pétitions électorales bidons, mettre en doute la présidence de cette auguste Assemblée et ou encore créer un sentiment d'insécurité dans le pays en général et dans le monde des affaires.

M. le président, nous sommes aujourd'hui en présence de deux Bills d'une extrême importance pour la démocratie. Ce que nous préconisons à la base et ce que toute démocratie qui se respecte reconnaisse, c'est la chance égale de chaque candidat de se faire élire, et ce, sans que la force de l'argent soit un élément déterminant d'une élection. C'est cette même logique qui s'applique aux différents partis politiques. Maintenant que l'esprit de cette réforme a été défini, comment mettre cela en pratique ? Le *political financing* passe nécessairement par une refonte des partis politiques par la mise en pratique des principes de *transparency and accountability*, idem en ce qui concerne la responsabilité des candidats.

M. le président, le présent projet de loi aborde sans détour le très controversé rôle des partis politiques quant au plafond des dépenses. À l'état actuel des choses, seules les dépenses des candidats étaient limitées. Les candidats indépendants comme les candidats des partis sont unanimes à dire que les dépenses électorales doivent refléter les chiffres réels des dépenses tant au niveau des élections nationales, au niveau *du Rodrigues Regional Assembly* ou encore des *local elections*. M. le président, un phénomène du folklore électoral mauricien et rodriguais que tout le monde déplore, mais que ce présent projet de loi aborde à bras-le-corps, c'est la prolifération des bases à l'approche des élections.

M. le président, gérer un pays, ce n'est surtout pas se rendre populaire à n'importe quel prix ou encore tomber dans la bassesse pour quelques gains politiques ou encore caresser la bête dans le sens du poil ou encore sombrer dans le populisme. Gérer le pays, c'est avant tout se soucier de la collectivité, se fixer des limites pour la défense de la démocratie, prendre des décisions et légiférer, quitte à laisser quelques plumes électorales.

M. le président, comme l'a si bien souligné le Premier ministre dans son intervention, à travers ces *bills*, nous sommes en train de remplir nos responsabilités internationales et régionales, notamment sous la *United Nations Convention Against Corruption* signée par Maurice en 2003 et ratifiée en 2004 sous l'article 7 (3) qui préconise que les State party doivent s'assurer que les mesures législatives et administratives soient en conformité avec la Convention et assurer la transparence du financement des candidats et des partis politiques où applicable.

Ou encore l'article 10 de *l'African Union Convention on Preventing and Combatting Corruption* signée en 2003 et ratifiée en 2018 qui encourage les *State parties to adopt legislative and other measures to proscribe the use of funds acquired through illegal and corrupt practices*

to finance political parties and to incorporate the principle of transparency into funding of political parties. M. le président, il est évident qu'il n'existe pas de loi idéale pour le financement des partis politiques, mais en tant que démocrates, il nous appartient de ne pas faire de compromis quant à la mise en pratique des principes de la démocratie.

M. le président, c'est un fait que chaque parti politique reçoit des donations pendant une campagne électorale ou en dehors des campagnes électorales. Quand on écoute certains membres du MMM et du PTR, quand on écoute l'honorable Paul Raymond Bérenger, Joanna Bérenger et Rajesh Bhagwan parler du *Sun Trust*, on a envie de rire ou aussi de pleurer pour ces pauvres militants. Le MMM, un parti politique qui célèbre ses 55 ans d'existence, a pris part à pas moins de 12 élections générales, autant d'élections municipales, 55 fêtes du 1er mai sans compter les élections partielles et lorsqu'on connaît très bien les énormes contributions qu'ont bénéficiées le MMM et lorsqu'on regarde l'état du bâtiment servant de quartier général du MMM à la rue Poudrière qui est louée à bail et je me rappelle très bien des difficultés à faire le salaire des employés.

On est en droit de se poser la question toute simple : où est passé tout cet argent généreusement contribué par les généreux donateurs du MMM, M. le président ? C'est là où le bât blesse, c'est cela le scandale du siècle, M. le président, la tête haute, la main propre, tu parles !

An hon. Member: *Cheque dan pos.*

Mr Ramano: *Cheque dan pos.*

(Interruptions)

M. le président, dans le manifeste électoral du MMM en 2019 pour les élections générales, ils promettent d'introduire un *Financing of Political Parties Bill* efficace pour permettre aux partis politiques d'assumer démocratiquement leur rôle sans les ficelles des financements occultes. C'est à tort de rire, M. le président. Il ne nous appartient pas de remonter le temps pour démontrer l'hypocrisie du MMM. Référons-nous simplement à la *PQ* de l'honorable Salim Abbas Mamode du mardi 02 juillet.

Soon after hon. Paul Raymond Bérenger assumed office as Prime Minister in September 2003, he had a meeting with Mr T. L. on behalf of IBL Ltd where the Agaléga project, an

unsolicited proposal, was discussed. *Septembre 2003, la fameuse rencontre et le 27 janvier 2004*, a letter of intent was issued to IBL *par* le Ministry of Housing and Land. An industrial lease over an extent of 25 arpents of State land with a beach frontage of 400 metres on the south west coast of North Island *et ce n'est pas fini*, un additional 87 arpents of State land for landscaping purposes with beach frontage of 400 metres. *On ose parler sans les ficelles des financements occultes, M. le président.*

Le Parti travailliste, on n'en parle pas, le coffre-fort, servir comme *bar* dans le salon du leader. Les cartes de crédit font le bonheur des frasques du leader aux Champs-Élysées et au quartier huppé de Londres et les députés du PTR sont au bord des larmes, ils n'arrivent même pas à participer aux élections municipales de 2015, faute d'argent. Ils boudent pour la fête du travail par faute de moyens. Heureusement que le ridicule ne tue pas, M. le président.

Que nous dit expressément la loi, M. le président? La *clause 2* de la loi définit expressément le *political donation, monetary donation* et *donation in-kind*, une définition très large. Le *political donation* inclus *monetary donation* and *donation in-kind*. Le *monetary donation* inclut *donation in cash* ou encore toute somme prêtée qui a pu être annulée sur décision du prêteur aux partis politiques, et le mot de *donation in-kind* inclut toute une liste de *sponsorship* et de services.

Qui peut accepter les donations politiques ? Quelles sont les sources autorisées des donations ? Quelles sont les règlements à respecter pour les donations des entités privées ? La donation est permise aussi longtemps que cela soit canalisée à travers le trésorier ou le leader dans les sept jours de réception et que cela soit répertorié dans les *schedules* tel que prévu par la loi. Idem pour les entités privées. Dans son intervention, le député Reza Uteem donne l'impression que tous les excès sont permis des entités privées par le présent projet de loi.

Dans le milieu du PTR, on parle même de *hijacking* de la politique pour le privé et pourtant la section 7 du *Bill* est, de plus, claire : aucune entité du privé ne peut faire de donation sans une résolution écrite de son *governing body*. Cette donation doit être mentionnée expressément dans les *financial statements* tout en indiquant les montants des *cash donations* ou la valeur monétaire des *donations in-kind*. Pour couronner le tout, toutes ces donations doivent être faites *by cheques or electronic means* et ces *private entities* incluent les associations, les

fondations, les *Limited Liability Partnerships*, les sociétés, les *Trust* ou toutes autres entités privées comme prescrit.

M. le président, chaque membre de cette auguste Assemblée a une histoire, une anecdote à raconter concernant les bases, les fameuses bases. Le nombre de bases varie de circonscription en circonscription. Des fois, ces bases se comptent par dizaines.

M. le président, chacun a ses opinions quant à l'utilité des 'baz' mais trop souvent, ces 'baz' sont tout sauf un bureau pour la politique, avec des activités qui trop souvent s'éloignent de la chose politique. Ces même 'baz' trop souvent sont encore source de marchandage et de chantage à l'approche de la date des élections. Le fameux 'vir baz' est chose courante. Cela ne reflète ni plus ni moins des manœuvres pour soutirer de l'argent.

M. le président, ce projet de loi tend ni plus ni moins à mettre de l'autre dans un système décrié par tous. Les termes sont clairs –

“(1) No party, group or candidate who does not belong to a party or group shall set up –

(a) more than one political headquarters per constituency, Municipal City Council, Municipal Town Council, District Council or local region, as the case may be, and

(b) more than one temporary political campaign quarter, commonly known as “baz”, per polling station.

(2) Notwithstanding subsection (1), no political headquarters or temporary political campaign quarter shall be set up before the date on which writs for a general election are issued.”

M. le président, dans cette même lignée on peut se vanter d'avoir eu le courage d'aborder sans détour la question de dépenses électorales. La Commission Sachs avance sans hésitation –

“The violation of expenditure ceilings as being as being a big loophole in our law which makes a mockery of the whole issue of placing sealing on expenses.”

Depuis ce moment, c'était évident qu'on devait venir de l'avant avec des chiffres plus réalistes, M. le président.

M. le président, l'opposition PTr-MMM affiche ouvertement leur refus aussi au *Constitution (Amendment) Bill*. Que préconise cet amendement, M. le président? –

“The object of this Bill is to amend the Constitution, to provide additional powers and functions to the Electoral Supervisory Commission and Electoral Commissioner in matters relating to political financing.”

Qu'est-ce que nous faisons aujourd'hui, M. le président ? M. le président, ce que nous faisons aujourd'hui, c'est de renforcer le rôle constitutionnel de *l'Electoral Supervisory Commission* et de *l'Electoral Commissioner*, et précisément, dans l'approfondissement de la démocratie.

M. le président, que nous rappelle cette posture adoptée par le PTr-MMM dans un passé récent ? Quel est le respect que démontre le PTr-MMM à *l'Electoral Supervisory Commission* et *l'Electoral Commissioner*? Dans leur soif du pouvoir, detrouver à n'importe quel prix des prétextes à leur énième défaite électorale, ils n'ont pas hésité à mettre en doute la crédibilité de *l'Electoral Supervisory Commission* et *l'Electoral Commissioner* dans leur pétition électorale des plus bidons.

M. le président, la perplexité du PTr est chose connue pour leur énième défaite, mais la posture du MMM sera de plus surprenante. Le MMM, qui avait toujours évité de questionner l'impartialité de *l'Electoral Supervisory Commission*, est allé plus loin pour faire plaisir à son partenaire, le PTr, en réclamant la démission de *l'Electoral Commissioner*. Après avoir fait tant de mal à une telle institution, en bon opportuniste, hon. Paul Raymond Bérenger, déclare dans une célébration de la fête Eid à Vacoas que ce serait un drame si *l'Electoral Commissioner* démissionne de son poste. Il ne cessera de nous surprendre – le *self-proclaimed* Moïse du MMM, le faiseur de miracles du MMM, M. le président.

Le présent amendement constitutionnel, M. le président, tend explicitement à renforcer la transparence et chaque parti politique prépare et soumet *l'Audited Statement of Accounts* à *l'Electoral Commissioner*. *L'Electoral Commissioner* a le pouvoir de désigner *a qualified Auditor to audit any unaudited statement of account. All such statement of accounts submitted to the Electoral Commissioner shall be opened for consultations by the public.*

Est-ce cela qui fait peur aux partis de l'opposition ? M. le président, les pouvoirs conférés à l'*Electoral Commissioner*, un pouvoir d'investigation sous la supervision de l'*Electoral Supervisory Commission*.

Pour conclure, M. le président, je dirais tout simplement que l'avenir politique appartient à ceux qui ont la force de leurs convictions et la population a besoin des bâtisseurs.

Merci, M. le président.

Mr Speaker: Next orator would be hon. Lobine, but before I give you the floor, let me remind you that when I entered the Chamber today, you were sitting. You did not rise in courtesy to the mace and also, your oath of allegiance to the House, in respect to. I am reminding you. So, you may now proceed.

(6.16 p.m.)

Mr K. Lobine (First Member for La Caverne & Phoenix): Thank you, Mr Speaker, Sir. Thank you for giving me the floor to address this Bill, Mr Speaker, Sir.

Mr Speaker, Sir, if we look at the Explanatory Memorandum, the object of this Bill is –

“to make provisions for accountability and transparency with regard to political financing with a view to promoting a level playing field, ensuring fair competition and preventing improper influence and corruption.”

Mr Speaker, Sir, this phrase in the Explanatory Memorandum, is adhered to and is unanimously adhered to by all members of this House and all political parties. In a democracy, Mr Speaker, Sir, all political parties want to have the same level playing field. And, coming with this Bill, we are talking about timing; we are talking about the right time to introduce this Bill. Talking about this Bill, Mr Speaker, Sir, there are no big or major alterations to what was presented in 2019. And most members of this House debated on this Bill, gave their views, and there was, unfortunately, at that time, no consensual approach, and the Bill didn't go through.

We are here after five years, Mr Speaker, Sir, the same subject matter that concerns all political parties, and we have got the same spirit in this House – mistrust between both parties in this House, be it Opposition or be it government. When you get an atmosphere of mistrust, you

cannot have a consensual approach to debate on a bill that is important for our democracy. And I would emphasise what I'm saying with regard to mistrust. It does not come only from members from this side of the House.

We go back, Mr Speaker, Sir, with regard to what happened in 2019. And, here, I would quote from Hansard, what hon. Minister Ganoo – he was then an hon. Member of the Opposition. I am referring to his PQ he addressed to the then Rt. hon. Prime Minister, Sir Anerood Jugnauth, on 15 September 2015. And I quote, Mr Speaker, Sir. The question is about consideration to be given to introduce a legislation in relation to financing of political parties. And it reads as follows –

“Doesn't the Rt. hon. Prime Minister think that this is a fit case where a Select Committee should be set up with a definite time frame, presided by the Attorney General or some other Minister, to allow all the political parties in the House or outside this House to come and depone? This is a subject which interests all political parties, of course, the society at large, but a Select Committee with a definite time frame under the chairmanship of a Minister should be set up to hear evidence about what type of law do we need for the financing of political parties and is best suited for Mauritius.”

And the answer from the then Prime Minister was –

“Well, we will take this into consideration and, if need be, we will have recourse to this.”

So this was the scenario in 2019. At the end of the mandate of the then government, there was the introduction of the same Constitution (Amendment) Bill and the same Political Financing Bill in the same way that we are introducing it here, at the end of the mandate of this present Government.

The argument of hon. Minister Ramano was valid at that time, and the argument of hon. Minister Ramano is valid now also. What we from this side of the House are trying to portray, Mr Speaker, Sir, is that to move ahead with such an important component of our democracy, the same level playing field for all political parties, be it political parties present in this House or outside – we call them the *extra-parlementaires* – but also the civil society, Mr Speaker, Sir.

When we are talking about amending the Constitution, when we are talking about political financing, unfortunately, there is a component with regard to state funding which is not in the present debate, which I believe should be debated. We should ask for the opinion of the civil society. We should go and disseminate why we need political financing. We should go and talk to the private or public universities, to those youngsters who will be future leaders of tomorrow. What do they think with regard to political financing? What are their views?

It is not by circulating a draft bill to Members of Parliament that it amounts to a wide consultation. Wide consultation is: you need to go and talk to your people; you need to go and do talk shows and go on the radio. You have the MBC; you can use the MBC. Use private radios and the independent press. Disseminate that information and create a debate about it.

I believe the last time that there was a Constitution amendment was when the House introduced the law on unexplained wealth. We went before the Bar Council. I was at the Bar Council when the then hon. Minister Bhadain came and explained the whole situation with regard to amending the Constitution with a bill at that time. We also had discussions at the Law Reform Commission. So, this type of legislation, this type of bill, suits the purpose of having wide consultation with all stakeholders. Given the complexity of such a bill and given the mistrust between political parties within this House, it is only fair that the way forward is a Select Committee. What was valid in 2019 is valid now!

Mr Speaker, Sir, I will not go into the details of what hon. Minister Ganoo said in 2019. I concur with what he said on 09 July 2019. The then Member of Parliament, hon. Minister Ganoo was in the Opposition; I agree with his speech. If I had to quote, I would have to quote all of his speech. He made a splendid, marvellous speech as to why we need a consensus with regard to such a complex subject matter. He said this is why we need dialogue; this is why we need a Select Committee. I would just quote one paragraph to sum up what hon. Ganoo in the Opposition said at that time –

“[He had given an exposé with regard to why he wants a Select Committee]. Unfortunately, Madam Speaker, Government left default and abstained from treading the path of consultation and dialogue. Here was an opportunity for Government to rally the political class and to restore the trust and confidence of the public in a political class which has been suffering from an ailing credibility gap, Madam Speaker.

I say that, I stress the question of consultation dialogue and the setting up of a Select Committee, because if I have to compare with what took place in the UK, Madam Speaker (...).”

Then, hon. Ganoo gave a very vivid example of how it is done, how it should be done, and what they did in the UK. They had a Standing Committee, and Members of both sides of the House came forward with a marvellous piece of legislation in all consensuses.

When we talk about political financing, Mr Speaker, Sir, or amending the Constitution, we need consensus. This is unfortunately what we do not have here. I am new to this House, only five years. When I made my maiden speech in February 2020, I urged Members of this House that we have got a rendezvous with *l’histoire*, that is, if all parliamentarians want to change this country, we have to work together and move ahead with constitutional reforms. What I meant by constitutional reforms, Mr Speaker, Sir, was reforms to have a fair and free election, reforms to have a better way to finance our way of doing politics in Mauritius. Unfortunately, Mr Speaker, Sir, even if we go into the merits of this Bill, it does not promote that action that we need to have: free and fair elections, but also being fair to all parties.

Unfortunately, if we go by this bill, it does not promote togetherness and openness for people to create parties or to go and canvass. Smaller parties are very much disadvantaged by this bill. I would here refer, Mr Speaker, Sir, to clause 7, for example. Clause 7 speaks about donations by a private entity. I will not go into the details because hon. X. L. Duval gave a vivid example as to how, in the context of Mauritius, it is so difficult to impose such a clause, law, or piece of legislation on the private entity because it will always favour the government of the day. Whatever party wins, it will always favour the government of the day because everyone knows each other. Being a small party, it is difficult for parties in the Opposition to get funding from private entities. Now, asking them to disclose and give all those commitments, it would be almost impossible to secure clean political financing from the private entity.

The same thing again, Mr Speaker, Sir, to clause 9, which speaks about prohibited political donations. I would refer to what was not included in 2019, but to what is included now with regard to prohibiting a non-resident citizen from making political donations. Again, Mr Speaker, Sir, this is a very vile attempt to prevent our people – our citizens, people who are born in Mauritius but who are working outside, non-residents but are the Mauritian diaspora – to help

whatever party they want to help or whatever politician they want to help in a clean and transparent manner. This will prevent them, Mr Speaker, Sir, from engaging and promoting all political parties, be it in government in power or in the Opposition. This is also something that is prohibiting all political parties from being on the same level playing field.

Again, Mr Speaker, Sir, if we go to clause 22 of this Bill, clause 22 talks about application for registration. On this score, Mr Speaker, Sir, hon. Uteem explained in detail the intricacies and complexities of registering the party when there is contestation going to the court, finding a lawyer and within 24 hours to lodge an appeal. It is so complex and so difficult, especially when you are creating a new party. The right of association is the right of every citizen. At any point in time, when there is an election, if they want to stand as an independent candidate or create a political party, come before the appropriate institution to create their own party.

So, these clauses, Mr Speaker, Sir, do not favour the emergence of new political parties. It will favour, of course, well established political parties in the political arena of Mauritius. It does not favour openness and promoting other political parties that want to emerge. So, these are very complex, detailed, and serious clauses in this Bill that cannot allow me to vote for or favour this Bill.

On another score, Mr Speaker, Sir, when we talk about political financing, we need to do a balancing exercise. What is happening to other countries? For example, in 2013, Kenya had its Election Campaign Financing Act, and after so many years, they came up with various mismatches that again favoured only the big political parties. Smaller political parties, Mr Speaker, Sir, were very much disadvantaged by this Election Campaign Financing Act that was in 2013, in Kenya. We heard the case in India about what happened there. But, at the end of the day, Mr Speaker, Sir, we, in Mauritius, what do we want? What do we want as a nation, as a political party, as parliamentarians? In a couple of weeks or months, this Parliament will stand dissolved automatically in November. So, a bill of such importance ought to have been brought before this House at the very beginning of the mandate of a government, because we only had it in 2019 and it is the same group of political parties that came to power in 2019. So, it was not a difficult job to come up again before Parliament with a Select Committee where all people, all parliamentarians, could give their views.

To conclude, Mr Speaker, Sir, in the meantime, I will urge that we, on this side of the House, are all for a Select Committee so that all parties can sit down and give their views. We are all for it, Mr Speaker, Sir, as we were all for it in 2019. We have the political will. We have got the sense of patriotism to work together to make it happen because we do not need a Constitution (Amendment) Bill to come with certain amendments to be brought to the Representation of the People Act. We could have come before this House with a Representation of the People (Amendment) Bill to amend several clauses or several sections of the Representation of the People Act to make it happen with regard to *baz, oriflamme*. What is being said in clause 28, for example, with all the consequential amendments that are being brought? For example, introducing a new section 56A and a new section 72B, which deal with *baz*, with political parties, and the way they organise. So, we do not need a Constitution (Amendment) Bill for that. We could have brought the Representation of the People Act and debated it here and accepted it because most of us – I may say all of us – we know how it goes with regard to the creation of *baz*; we spoke about *aste vande baz* and all that; we know the folklore of our elections in Mauritius. So, we do not need a Political Financing Bill or a Constitution (Amendment) Bill to come with amendments with regard to those clauses, to the sections of the law.

Mr Speaker: Thank you very much!

Mr Lobine: To conclude, Mr Speaker...

Mr Speaker: Twice concluding?

Mr Lobine: I have checked, I got one minute, Mr Speaker, Sir.

Mr Speaker: One-minute conclusion!

Mr Lobine: I conclude, Mr Speaker, Sir.

To conclude, I urge Members of the Government, from the other side of the House to stay and read the conclusion and the summing up of the then Prime Minister, Sir Anerood Jugnauth, when the last Select Committee that was set up in this House, the Select Committee on the Live

Broadcasting of the Proceedings of the House. The then Prime Minister said in his summing up, Mr Speaker, Sir, I conclude with this –

“Madam Speaker, I would like to thank the hon. Leader of the Opposition and all the hon. Members from both sides of the House who have contributed to the debates on this historic motion. I am glad to see the enthusiasm and the general consensus around this project. This day will be remembered for long as it is a defining moment in the history of our Parliament.”

Dixit, the then former Prime Minister, Sir Anerood Jugnauth.

So, I urge Members of the MSM, I urge Members of the Government to stay alive to what Sir Anerood Jugnauth did with regard to consensus reached, whereby, we, here in Parliament, are sitting, we are talking and the public is listening and watching us. Because there was consensus, we brought this Live Broadcasting and at that time, the Select Committee was chaired by my good friend hon. Bodha, who at that time was Minister – because there was consensus. So, the way forward, Mr Speaker, Sir, is consensus. The way forward is to bring this Select Committee so that we all can sit, debate, come up with proposals, not just us but people outside, the civil society at large.

I thank you, Mr Speaker, Sir, for your kind attention.

Mr Speaker: Hon. Ramchurrun!

(6.36 p.m.)

Mr P. Ramchurrun (Third Member for Savanne & Black River): Mr Speaker, Sir, thank you for giving me the floor to contribute to the debates around this crucial and historic Bill. Listening to hon. Lobine talk of transparency and democracy, this is a proof of the hon. Member being a real *démocrate*. *Enn nouveau démocrate*, we must say. But when we go a few years back, Mr Speaker, Sir, I can remember the Lubinesholdings Ltd. when we talk of transparency and the Pride Bridge Ltd.

Mr Speaker Sir, elections in any democracy; more importantly, the organisation of elections must be fair and transparent. Going back to history, Mr Speaker, Sir, it is important to

note that the first general elections in Mauritius were held in 1886 and our nation has achieved a lot after 138 years. However, one of the themes which is extensively discussed prior and after each election is mainly the one about electoral funding.

Mr Speaker, Sir, our vibrant democracy has always made space for voicing out one's views, however strong they might be. Hence, in our electoral history, all political parties have had the chance to express their views on the need for a review of the political funding legal and operational framework. However, Mr Speaker, Sir, our history can witness that it is only the MSM which has turned its views into actions while it held the reins of government. Late Sir Anerood Jugnauth – very well said by hon. Lobine – was the first Prime Minister, in 1991, to have the political courage to introduce important legislative amendments around electoral expenses, and in 2019, hon. Pravind Kumar Jugnauth, the Prime Minister, introduced another such bill.

It is important to note that the Labour Party and its leader were in power for years. What did they deliver on the important topic of political financing? Nothing, Mr Speaker, Sir, not even a single paper with a single sentence was proposed. On the other hand, hon. Paul Bérenger's immense political career has been driven by his strong views on the whole subject of political financing. He has been a vocal and ardent proponent of the reforms in our electoral financing and has not missed any opportunity to voice out. His last views on the proposed legislation were a few weeks ago in the press. Together with his MMM MPs, the MMM Leader announced that he is against the proposed legislation in its current format.

Mr Speaker, Sir, we are unfortunately unable to reconcile the MMM's positions. How can a political party be a strong and vocal proponent of political funding reforms, but at every opportunity where a reform is being proposed, they are against it? They were against it in 2019, and after 5 years, they are still against it. They were against in 2019, and after 5 years, they are still against.

However, when the MMM was created in 1969, they were strongly for a reform of political financing. In 1979, that is, 10 years after political activity, they were still very keen for a reform. In 1999, after 30 years of existence, they were still very vocal for a reform, Mr Speaker, Sir.

Finally, that is now, in 2024, after 55 years of existence, Mr Speaker, Sir, they are still not supporting a reform of the political financing. However, what have they delivered after 55 years, as proposed by hon. Ramano? Nothing, nothing, Mr Speaker, Sir, not even a single paper; I won't say the word. Their *bilan* after 55 years is nothing – no proposal, no concrete action, no parliamentary debates, no proposed amendments, and not even half a page of policy paper. This political party has been telling its supporters that they will deliver *une bonne reforme* for the last 55 years.

Mr Speaker, Sir, not 5 or 10 years but 55 years – more than half a century. The saddest part is that some of the *militan koltar* are still waiting for that *reforme*. The only difference is that they are in 2024, not waiting with their *labouzi rouz* but with a *lakle rouz* in hand and a *coffre-fort* on their backs. Mr Speaker, Sir, none of their actions has demonstrated a firm commitment. Where is a copy of that famous *bonne reforme* which hon. Paul Bérenger had been referring to during the last 55 years? In fact, nobody has seen it nor will ever see it because it is a pure result of political demagogy.

If the MMM were really true to their convictions about political financing, they would have proposed amendments to each section they deemed needed changes. If they were true to their convictions, they would have prepared a paper with counterproposals. They would have circulated their draft proposals or could have announced the contours of their proposals alongside their *20 mezire fizet*. I am just trying to help them as there is still time to be on the right side of history and do justice to that *militan koltar* who has been waiting for a *bonne reforme* for the last 55 years, Mr Speaker, Sir. Unfortunately, that *militan koltar* has to wake up. *Lakle rouz dan lame* will not do justice to their *lalit*. During the debates on the Political Financing Bill of 2019, the very first sentence of hon. Paul Bérenger's intervention, which I quote from Hansard of the 9 July 2019, Debate No. 22 is as follows –

« ...le MMM pour sa part est contre le Political Financing Bill dans sa forme actuelle... »

However, what they have done in their last 55 years of existence is even worse, Mr Speaker, Sir. It cannot be pardoned. They have *vann lalit militan* to the very party, which is the epitome of what this legislation wants to reform, that is, the culture of *coffre-fort*, the culture of not showing any accountability, the culture of opacity, that is the culture of the Labour Party. Mr

Speaker, Sir, from *vann lalit militant* to *vann lalit des classes travailleurs*, how can the MMM now say that they agree that *l'argent du coffre-fort est, en fait, l'argent du Parti travailliste pour construire le quartier général ? Revenons à ce fameux quartier général*. The oldest political party in Mauritius, which celebrated its 88th anniversary this year, Mr Speaker, Sir, never planned or saw that its headquarters at Guy Rozemont was falling apart. How can a party which has been in power for 29 years out of our nation's 57 years of independence claim that they never envisaged that they needed to construct a headquarters but instead, its leader would be saving individual party membership and political contributions in his *coffre-fort*?

The country I know, Mr Speaker Sir, does not have a culture of opacity and *coffre-fort*. Our population has *l'ADN* of hard work and progress. We have a culture of living within our means, even if it means sacrificing to finance our children's studies. We have a culture of living from our wallet and saving. Mr Speaker, Sir, when I saw that famous *coffre-fort* on TV, I was terrified, and I am sure even the Labour Party's MPs were terrified. Not only did I ever see that much money in cash and foreign currency, but I did not know that there was such a massive *coffre-fort* that existed in Mauritius. I asked myself where these coffers are sold. Then I remembered – *bizin ena klas pu fer sa* and *bizin ena kas osi*.

Mr Speaker, Sir, across all democracies and even in communist countries, it is widely known that the costs associated with the political campaigns are enormous. According to a recent report by The Economist – more than half of the world's 6 billion population will be called to vote in their respective countries this year. Regrettably, Mauritius is one of these few countries which does not have an updated legislation on political funding. We missed the opportunity in 2019, as the Opposition did not propose the right amendments or engage in discussions. Five years later, our country cannot miss this opportunity again because the same Opposition still does not have an idea as to what they want.

Indeed, it is important to integrate transparency and accountability on how money is received and spent for electoral financing by setting up the right legislative and operational framework. The proposed legislation reviews the key points which the MMM has long been very vocal about, namely, the donation ceilings, traditional campaigning methods such as *baz*, *oriflamme*, banners, flyers, and everything, and the campaign expenditure caps.

In fact, Mr Speaker, Sir, the proposed legislation is a golden opportunity for the Labour Party as well, it is the Bill. If the Bill is voted, they will henceforth have a framework within which they can safely operate. There will be no risk that political contributions and party membership fees are stored in anybody's personal *coffre-fort* without even a *karne laboutik* to account for the money received and spent. The Labour Party core supporters who are still supporting the story that it was the Party's money but stored in their leader's personal safe will be protected as their Party contributions will have the traceability. As we say, *les bon comptes font de bon amis*, and it is also true, Mr Speaker, Sir, *les bon comptes font des bon leaders politiques*.

Let us assume that the coffres-fort did, in fact, have party member contributions. For the sake of transparency and accountability being upheld by the Labour Party MPs and even being supported by the MMM MPs, would the Labour Party leader publicly declare the names and the sources of funds? I hope the Labour Party's Treasurer is aware of those who contributed and how much.

If so, he will have to explain how the party's funds are treated as the personal funds of the leader. Mr Speaker, Sir, the Bill is comprehensive, and I am confident that the specifics of its provisions will provide a solid foundation to our electoral financing system. In the lead-up to a general election, it first modifies a number of rules pertaining to accounting, auditing, and disclosure for candidates and political parties. Candidates and parties will be required to submit more thorough disclosures regarding the money they have spent on elections.

The Bill will mandate that all donations and expenditures go through a financial agent designated specifically for this purpose. This agent will also be in charge of filing spending and donation reports on behalf of candidates and political parties. The campaign financing of candidates and parties will become a subject of clear public record and will foster an atmosphere of accountability and transparency in the lead-up to an election. The plans also align with other comparable systems, such as those in the UK and Canada, which impose stringent restrictions on who is able to approve expenditures and provide funding for political campaigns.

In the lead-up to the next general election, the Government hopes to foster free and unrestricted voice from a wide variety of interests by presenting this proposed legislation. The

goal of the reforms is to make sure that affluent interests do not have an excessive influence on our electoral system, nor should they be able to silence political parties and candidate's voices. In order to do this, the Bill establishes a reasonable cap on the amount that third parties may spend and greatly increases the openness of their identification and financial transactions.

Mr Speaker, Sir, expanding the authority of the Electoral Supervisory Commission, as outlined in Sections 17 to 21, is one of this legislation's key features. In fact, the Electoral Service Commission (ESC) will have more authority going forward to oversee political parties and candidates more successfully. The Bill also provides the ESC with long-needed investigative powers and specifies prohibited and suspicious donations.

The Constitution Amendment Bill, Mr Speaker, Sir, as rightly said by hon. Maneesh Gobin, is in favor to the general public, to the people at large, to all the political parties in this country. *Pour ne pas dire après, l'élection a été truquée, comme c'était pour la fois dernière.* The staff, the officers of the Electoral Commission will be empowered to look after the good running of the general election and this is in favor of everyone.

Mr Speaker, Sir, corporations donations will now be regularised by Section 7. Businesses must now guarantee a complete disclosure, guaranteeing complete transparency in the political party funding process. It will be forbidden to use unclear financing and it will be more obvious how donations should be used.

The proposed legislation, Mr Speaker, Sir, is revolutionary because it establishes precise and logical guidelines for putting good governance ideas into practice. Contrary to what some have suggested, it is not a political tool intended to stifle opposition parties. It is not a political tool, Mr Speaker, Sir. By disclosing the identities of individual donors and companies, it guarantees complete openness of political fundraising, thereby mitigating the perception of opaque financing. It balances and lessens the possible impact of significant corporate and private donations. Therefore, limiting the amount of money that private contributors can give to political parties.

Finally, the Bill's provisions are in line with those of similar jurisdictions, as similar arrangements are being made by other countries. The Bill contains a range of revolutionary beneficial provisions, and in my opinion, it will greatly increase public trust that our election

system is free and fair and has well-defined regulations to prevent misuse. I wish that the Opposition are able to meditate properly and come up with concrete proposals to the country when they will be back in the Opposition benches for the next five years.

Mr Speaker, Sir, our MSM-led government under the Prime Ministership of hon. Pravind Kumar Jugnauth has demonstrated that our actions speak louder. We have walked the talk on political financing every time we have been in power and have today called the bluff of the MMM and Labour Party who have done nothing, except talking, in their respective 55 and 88 years of existence!

Let us today write history with a single pen. Let us with one voice unite as patriots behind the hon. Prime Minister, who has marked our political history as the only person who has demonstrated the authority, determination, and vision to deliver a concrete political financing reform for our future generations.

I thank you, Mr Speaker, Sir.

Mr Speaker: Hon. Mohamed!

(6.58 p.m.)

Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East): Thank you, Mr Speaker, Sir. I have listened very carefully to my good friend, the speaker before me, hon. Ramchurun and I must say – and I say it very clearly, and I hope he does not mind, Mr Speaker, Sir, – that I do not agree with him. Now, it must come as no surprise that I clearly cannot agree with him.

He has, as usual and not surprisingly, been very nice and very meticulous in his approach of trying to congratulate the Prime Minister in his authoritative capacity of presenting a piece of legislation. He has very often during his debate presented himself with certain capacities and as though he was a locksmith himself! In French, they call a locksmith a *serrurier*. He had this obsession with keys and red keys which I fail to understand, but then again, I can assure him that his obsession with the red key is certainly a statement that would confirm that he does not hold the key to the next election victory.

I was reading an article on the website of the London School of Economics a few minutes ago whilst I was trying to listen to the intervention of the previous Member. One of the issues during the elections in the United Kingdom, England that was not raised and the results happened today, which is also a hot topic in England and which was unfortunately is not part of political manifestos. The author of the article writes on the website of the London School of Economics precisely on political financing.

Now, in Mauritius, I recall this debate came back in 2019 and I have had the opportunity of listening to all the other Members back in 2019, save and except for hon. Ganoo, who most probably in those days adopted the position we have today, but through political necessity will most probably change his tune today. I mean we call it that way: political necessity in order to be politically correct. Others call it political hypocrisy by changing their tune!

Once upon a time, as hon. Lobine rightly put it, he had said that it was important for us to meet, a meeting of minds, to have consensus for us to talk, to have a Select Committee. I wonder whether he will say the same thing today or whether he will be able to justify the absence of a meeting of minds. The authoritative capacity of the hon. Prime Minister to come up with a piece of legislation without having, during the past five years, even bothered to call any member of the political parties, the leaders, parliamentary leaders, not only the Labour Party or the MMM, the PMSD or the Nouveaux Démocrates today, not only us; not even hon. Bodha, not us, forget about us for a minute; we are his political foes. But, what about all the other ones, those outside Parliament – Rezistans ek Alternativ, his old friend then, hon. Bhadain, now not? Why didn't he call him? Why didn't they have the meeting of minds between those two old friends? I am not talking about the kissing of hands, but then they could have met, they could have spoken; they could have shared their views. How about him having met Rama Valayden? Those parties have excellent ideas; we do not hold the monopoly of ideas.

This is exactly what I said when I intervened at the debate in 2019. This was the request of the Opposition, and let it be known and let it be remembered that the majority of Mauritius is represented in terms of statistics of the Electoral Commissioner's Office. In the last elections, the majority of Mauritius happened to find their representatives in the Opposition. It is only because we have a system of election, that is, first-past-the-post, that 34%, or 30% or so, happened to form government. Many other parties have taken advantage of this system in the past, and now it

has been the turn of the MSM. Fair enough! But it is, therefore, important, Mr Speaker, Sir, to have had consultations.

I have not heard a single Member of Parliament; I have not even been able to read in the Hansard from the debates of the last Sitting, where it has come up where hon. Members on the other side have managed to explain why there have been no consultations. Why? Why is it that they are repeating this whole idea of presenting a bill in Parliament on the eve of general elections, and why did they not do it earlier on with consultations? And they dare come as far as to say that this is the right recipe to bring the country together?

I have never heard of any government, for that matter, or any cook at the head of a kitchen, trying to bring everyone together by himself doing everything and then telling you to follow suit. This is not a democracy; this is autocracy. This is not where the views of people matter, but it is simply where the view of one man matters. It is basically either you follow my way or it is the highway! This is what it is.

So, Mr Speaker, Sir, the Leader of the Labour Party very often says that the proof of the pudding is in the eating. He always says that.

An hon. Member: *Ene raison ki li dir sa. Arvin galoup derier li!*

The Prime Minister: *Li ena rezon dir sa. Li kontan manz lassere.*

Mr Mohamed: I am happy to hear that the actual Prime Minister believes that the former Prime Minister is right when he says that. I remember a day, Mr Speaker, Sir, when the actual Prime Minister sat next to the former Prime Minister and smiled at every single word that the former Prime Minister said because they were allies in those days, in 2010. It is amazing how things change.

The Prime Minister: Then I discovered the truth!

Mr Mohamed: And then he discovered the truth! So he admits that he was not very good at seeing truth in those days, but he was still asking for votes then. You should apologise to the people.

But what I am saying here today is very simple: this whole debate, back in 2019 and today, is surrounded by political hypocrisy and the *summum* of it will be when we hear hon. Ganoo speak.

Mr Ganoo: Don't worry!

Mr Mohamed: I am not. I will be entertained.

Mr Speaker: Don't do that.

Mr Ganoo: You will!

An hon. Member: *Tonn' bien dir!*

Mr Speaker: Both of you ...

Mr Mohamed: So, maybe then, when we speak today and as I said in the United Kingdom, the whole idea of political financing has not been debated as it should have, as experts required should have, and today, we see that the new Prime Minister of the United Kingdom, hon. Keir Starmer, of the Labour Party in the United Kingdom. It is a sign of things to come soon in Mauritius, where then you will see the truth smile away, Sir.

(Interruptions)

Smile away!

(Interruptions)

And it will come to bite you; reality bites.

(Interruptions)

And now, Mr Speaker, Sir, maybe the hon. Prime Minister, if he is so allergic to the whole saying that the proof of the pudding is in the eating, let me serve him a slice of a pudding, and I would like him to answer that. If he is to tell us the truth, let us not try to be babies or babes in arms; let us not try to be hypocrites; let's try to be truthful; at least on this side of the House, we are used to it.

He says to believe him. He comes with legislation in order to show that he wants to stop corruption in the field of politics. Okay! If we are to believe him for a minute, let us judge him through his own actions. The hon. Member speaking before me talked about a *karne laboutik*, he will recall, apart from having shown us his ability to act like a locksmith. He talked of a *karne laboutik*. There is someone else in this august Assembly who once referred to another document that he called *karne laboutik*: the Kistnen documents. The hon. Prime Minister said, I recall when I had put a PNQ on the Kistnen Papers and the former Leader of the Opposition, now actual Leader of the Opposition, had also put a question on those Papers where precisely electoral expenses are referred to therein.

Mr Speaker: You are referring to Kistnen Papers?

Mr Mohamed: I am referring to a former PNQ I put.

Mr Speaker: You are referring to Kistnen Papers. You have no right to refer to that. This is not an official document.

Mr Mohamed: Okay. Fair enough!

Mr Speaker: I have listened to them. Whatever they have referred to, this is in news; this is under inquiry; this is in court. So, you are referring to Kistnen Papers. These are not official documents.

Mr Mohamed: I am referring to Hansard.

Mr Speaker: Fabricated documents!

Mr Juman: ... *karnet laboutik!*

Mr Mohamed: How do you know it is fabricated?

Mr Speaker: I am telling you fabricated documents and you have no right!

Mr Mohamed: How do you know?

Mr Speaker: I am telling you!

Mr Mohamed: How do you know?

Dr. Boolell: Fabricated?

Mr Speaker: Do you want to continue your speech or you want to walk out?

Mr Mohamed: I want to continue.

Mr Speaker: Walk out if not!

Mr Mohamed: I want to continue.

Mr Speaker: Continue! Quiet!

Mr Mohamed: But don't scream at me!

Mr Speaker: You don't scream to the House!

Mr Mohamed: I am not screaming

Mr Speaker: I will listen to you quietly now.

Mr Mohamed: Thank you. You mean to say you will be quiet or me? I continue?

Mr Speaker: You have no speech now. I call the next orator. Hon. Teeluck!

(Interruptions)

Next orator! Hon. Teeluck!

(7.09 p.m.)

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

Mr Assirvaden: *Bizin pa koz Kistnen Papers ditou!*

An hon. Member: *Zot pe atan sa zot!*

An hon. Member: *Sabotaz !*

Mr Teeluck: It's a pity, Mr Speaker, Sir, that...

Mr Mohamed: Yes, you are right!

At this stage, the Opposition Members left the Chamber.

Mr Teeluck: The previous orator, Mr Speaker, Sir, kept talking about this Bill being introduced at a late stage or that no consultations were held, Mr Speaker, Sir. If he could have taken the trouble of reading Hansard as he said, he would have seen that the Prime Minister, when introducing this Bill in the House, has lengthily talked about consultation exercises which were held with various institutions, but also with all Members of the National Assembly. After the Ministerial Committee worked on the Bills, which were sent to the Attorney General's Office, they were also sent to various organisations and circulated, Mr Speaker, Sir, to – I say it again – all Members of the National Assembly. The public and various organisations were consulted.

So, it is a pity, Mr Speaker, Sir, to come here and start his speech on the foundation that no consultations were held and that it is being introduced at a late stage. Mr Speaker, Sir, we have started the month of July. We still have four long months to go until we come to the end of our mandate. And the work, Mr Speaker, Sir, – we have to remind the population watching us – started way before the Ministerial Committee.

I will come back to the whole sequence of events leading to the re-introduction – Mr, Speaker Sir, this is very important – re-introduction of the Bills in this House because we are re-living the same sad episode that we lived in 2019 where they did the same *cinéma* as they are doing today, whether in Parliament or out of Parliament.

Mr Speaker, Sir, what are we calling members of this House to for? It is extremely important for people of our country, for voters, for those involved in politics, and for the nation to understand what the objectives of these bills are. Mr Speaker, Sir, political parties in Mauritius might be one of the very few, if not the only entity, though having the status of a *personnalité civile* that are not accountable in any manner when it comes to the accounts. There is nothing today in our laws that requires a political party to disclose anything when it comes to the accounts. Can you imagine, Mr Speaker, Sir, we are today, in our democracy, where the nation calls for more transparency, where the nation calls for more accountability, from their political leaders? Political parties are today immune from any legislation or any legal obligation to show

their accounts. Today as it is, no political party is answerable on donations if received. Where does the money come from? Where does the money go? How is the money used?

A political party, for instance, is on every wall. MMM receives a cheque of Rs10 million from a company. What the money is used for, where the money goes; no one knows. Who is contributing? No one knows. Whether the money is coming from abroad, what are the sources? Are the funds from legitimate sources? There is absolutely no accountability to it! There is total opacity when it comes to the accounts of political parties.

Mr Speaker, Sir, it is not a secret that political parties receive donations, especially during election periods, and this is not only in Mauritius; it's in any other country. We are talking about elections in the UK; we had elections in India; we will be having elections in America. This is normal practice that political parties receive donations, but the question is not about receiving donations. There is nothing unusual in a party receiving donations. The question is about who is giving the money, where the money is being kept, and what the money is being used for. The question is about bringing to light an opacity that has existed for too many years now, Mr Speaker, Sir.

In our legal system, a company, whether a small company, whether a large company, public, listed, or global business company, is accountable in a certain manner. SMEs are accountable; a foundation *ou une fondation* is accountable. A trust, an NGO (Non-Governmental Organisation) is accountable; they have to submit their accounts. They have to submit their financial statements. Mr Speaker, Sir, we are all involved in politics; we all go around in constituencies. Even when you contribute in a *mandir*, in a *shivala*, in a temple – forget about companies, forget about other legal structures – even when you contribute in a *shivala*, in a temple, they provide you with a receipt because they have an account and they are accountable to the Registrar of Association. Then why oppose this bill? Why so much resistance in giving the Electoral Supervisory Commission and the Electoral Commissioner powers to look into the accounts of political parties?

Till now, when it was announced that this Bill will be introduced, when we had our second reading on Tuesday and even tonight, not a single valid reason, not a single valid argument was either given in 2019 or not a single valid argument has been given now to show why such

opposition against the introduction of a Political Financing Bill. I say it bluntly, Mr Speaker, Sir. The Labour Party nor the MMM have the slightest intention to regulate the financing of political parties. They do not want it, Mr Speaker, Sir. And by the way, the Labour Party was given the opportunity to bring the law in 2005. They had everything on a platter. They had it.

In 2002, under the prime ministership of the late Sir Anerood Jugnauth, came the Sachs' Report, and when you read the Sachs Report, Mr Speaker, Sir, in the introductory remarks of the Report, there is a very interesting fact. It says that in the 2002, 2000, and 2005 governments, they had actually the 75% majority. Sir Anerood Jugnauth could well have introduced the Bill in Parliament, amended the Constitution, and introduced the law at that time, but interestingly, we have a way of governance. The Prime Minister has a way of governance. Sir Anerood Jugnauth had a way of governance; that is consultancy. Groundwork is essential; it is important. That is the reason *on a commandité la Commission Sachs* which produced the Sachs Report.

And of course, after the Sachs Report, there was the Select Committee that came in, under the Chair of the QC Leung Shing, to examine further the recommendations of Sachs' Report and make proposals on the subject of funding of political parties. The report was submitted in 2004, but unfortunately came the elections in 2005, and since 2005 à 2014, 9 years, Mr Speaker, Sir, never ever was the financing of political parties on the agenda of the Labour Party for 9 years. They had the opportunity in 2005; they missed it. They had the opportunity in 2010, but they missed it again. And remarkably, that was not in their manifesto in 2014, but God bless this country. In 2014 came the government led by MSM and Sir Anerood Jugnauth.

And again, Mr Speaker Sir, it has to be highlighted that when the MSM-led government presented its manifesto during the election, financing of political parties was on the agenda of the manifesto in 2014. And thereafter, when they came into government in 2015, they set up the Ministerial Committee that produces a report in April 2016. Unfortunately, the report was not complete because it did not allow the Attorney General to produce a proper bill. It rather put questions that needed to be clarified. Another Ministerial Committee under the Chair of Minister Mentor was set up that worked on the recommendations, clarified everything, and came up with the proposed bill. That was in November 2018. General consultations were held in January 2019 and the bills were introduced, and we know the result.

The same position, the stand that the oppositions are taking today was similar, bis repetita that was the identical stand they took in 2019, but, even though they opposed it, even though they opposed transparency, they opposed accountability. The Prime Minister made sure that the manifesto of 2019 mentioned expressly again that we will come back with a law to regulate political party financing, and this is what we are doing today. It is not on the eve of the election because when we have a new government, we have new allies, there are new members joining the party, sitting in Parliament, and it is natural that there are new consultations. They worked on this again. There was a Ministerial Committee that was set up that worked on it again. Here we are, today, with the two bills in Parliament.

But again, Mr Speaker, Sir, the population needs to understand what the Opposition is opposing, what they opposed in 2019, and what they are proposing today. Mr Speaker, Sir, I think we might find the answer. It is not an opinion; actually, it is a *mea culpa!*

On 15 September 2016, the leader of the Labour Party put a post on his own Facebook page, a post that would speak about the *R 220 million* and his coffers found at his residence. I quote, Mr Speaker, Sir –

« J'ai toujours cru qu'il ne faut jamais avoir peur de dire la vérité. À une question qui m'a été envoyée via Facebook : D'où venaient les 200 millions des coffres ? Je souhaite répondre avec la plus grande sincérité (...). [He goes on. Bien sûr, il fait mention des per diems.]

Ensuite, il y avait les contributions des uns et des autres pour les élections, pour le parti et pour son nouveau quartier général. Nous avons déjà le projet prêt et les plans pour le nouveau bâtiment. Si nous récupérons cet argent, nous irons de l'avant avec ce bâtiment. Voilà la vérité. »

Now, Mr Speaker, Sir, relying purely and simply on the statement of Dr. Ramgoolam, I am not going to give my opinion; I am not going to imagine anything; I will rely on what he said himself. He says that the money comes from donations, and the reason why they are opposing the introduction of this law, whether in 2019 or today, is because, Mr Speaker, Sir, *allons dire que cette loi* existed in 2014, *allons dire que* the work started by Sir Anerood Jugnauth, they

continued with that, and they did introduce something during their mandate 2005-2010. You know what would have happened, Mr Speaker, Sir? The *3 million de dollars* that were found in the coffers and 3 million US dollars amongst which were 17 bundles, each containing thousand notes of hundred US dollars, Mr Speaker, Sir, if the law had existed at that time, those 3 million US dollars would not have found their way in the coffers. You know why, Mr Speaker, Sir, because this piece of legislation would have come into operation and clause 9 would have applied, which says –

“(...) a recipient shall not accept a political donation, whether directly or indirectly, from –

(i) a foreign Government or foreign entity;”

Pa ti pou gagn dollar lerla !

Mr Speaker, Sir, if the law existed in 2014, clause 8 would have come into operation, unutilised monetary donations. Dr. Navin Ramgoolam says that the money comes from donations. Election was over. What do you do when election is over? Clause 8 says –

“(1) The leader or treasurer of a registered political party shall deposit any unutilised monetary donation received on behalf of the party into the bank account of the party.”

Not in a coffer at your residence!

Mr Speaker, Sir, the law is clear. Unfortunately, they never had the intention to introduce anything at that time.

The Prime Minister: His residence is a bank!

Mr Teeluck: We need to check if he has a banking licence!

If the law was in operation at that time, Mr Speaker, Sir, section 12 would have applied. It says –

“(1) Where a party candidate who receives political donations is not returned [He was not returned as a Member of the National Assembly in 2014, I think, if I am not mistaken.] as a member of the National Assembly, he shall, not later than 7 days after

the election results are proclaimed, prepare and submit a report to the treasurer or leader of his registered political party.”

If the law existed in 2014, the money should have been returned to the party. Unfortunately, the law never existed. That allowed him to keep all the money in the coffers at his residence! Of course, subject to his residence having received the banking licence and operating as a bank, but I believe it is not the case. This is why they are proposing today.

Again, Mr Speaker, Sir, I am only relying on the statement of Dr. Navin Ramgoolam. I am only relying on what he said. He said they are ‘donations.’

The Prime Minister: Assuming they were donations!

Mr Teeluck: Assuming they were donations, of course, hon. Prime Minister!

An hon. Member: *La banque ek pharmacie !*

Mr Teeluck: Even pharmacy, we need to check with the Pharmacy Board.

Mr Ramano: Dangerous chemicals!

Mr Teeluck: Mr Speaker, Sir, there is also another clause that I want to read to the Assembly, Accounting records of political parties. Accounting records of political parties say that the treasurer shall keep accounting records and the accounting records shall, amongst others, contain –

“entries showing all political donations received and any payment made by the registered political party and the matters in respect of which the receipts and payments take place.”

Mr Speaker, Sir, if the law existed *en 2014*, he would have had to disclose all the lavish spending in Paris and in London, spending as payment for hotel rooms, for Chanel, Ralph Lauren, Selfridges retail, London, and so many other expenses. Unfortunately, clause 13 of the bill was not in operation in 2014. *Il s’est permis de faire ce qu’il voulait avec l’argent reçu* as donation for his party.

Hon. Lobine said ‘what the population wants’; I will say what the population wants. The population wants to trust its politicians today. The youth want to trust their leaders. Even we want electors to regain confidence in our political system. Do we want political parties and leaders who are more accountable to their financiers? But this is what is happening today. Or do we want our political parties and leaders to be accountable to the country, to the electoral constituencies?

The country deserves accountability, Mr Speaker Sir. They deserve transparency. What the opposition is doing today by opposing this bill is condoning corruption. They are condoning an ill practice that has been here for too many years now. We are trying, as I said again, to bring light to an opacity, to an occult practice that we have all seen in the past. The country deserves transparency. The electors deserve accountability. They are opposing this transparency.

The Prime Minister is tirelessly fighting drugs, mafia, and drug traffickers. He is fighting corruption. He is trying to bring some order. He is trying to get the country back on a safe route of good governance. Opposing this bill will only have a status quo in terms of all these ill practices. They often say money politics, money politics; actually, they are the ones who are making money out of politics. It is very different.

Mr Speaker, Sir, they always want transparency in institutions; they come up with questions, PQs and PNQs, always wanting transparency in institutions, but they don’t want transparency in their own accounts. When it comes to their accounts, then they oppose transparency. The Prime Minister has the guts to come to the House, and he has the courage to come to the House, not a first time but the second time, and hon. Maneesh Gobin said it – the Leader of the Opposition usually used that term ‘tyranny of numbers’, come and show your clean intention. MMM says *lame prop, lame prop*, come and show us that your hands are cleaned. Come and support this bill; come and show the country that your intents are clear and clean, that your hands are clean, *pas que les paroles* but also in your action. Be on the right side of history.

The Prime Minister is writing history. Whatever be *le sort de ces textes de loi*, whatever be *le sort de ces projets de loi* but the Prime Minister has inscribed his name in history by coming again in 2024 with these two bills and trying to bring some order, trying to bring transparency, trying to bring accountability in political financing, and, Mr Speaker, Sir, from my personal side,

I strongly and without any qualm or reserve, support this bill, a bill that the country needs, a bill that the population needs, a bill that the electors need.

I am done, Mr Speaker, Sir. Thank you so much.

Mr Speaker: Hon. Ganoo!

(7.33 p.m.)

The Minister of Land Transport and Light Rail (Mr A. Ganoo): Thank you, Mr Speaker, Sir.

Mr Speaker, Sir, I speak today in this House to discuss a cornerstone of our democracy. A measure designed not merely for today but for the future of our Republic. This bill is, in fact, *M. le président*, more than a legislative proposal, and it embodies a profound commitment to the principles of transparency, accountability, and integrity within our political landscape. This is why it is a matter of regret, Mr Speaker, Sir, to take stock of the stand of the Opposition during the course of these debates – in fact, even before the Bill came before this House. It's also a matter of regret when we just witness what happened a few minutes ago with the walkout of the Opposition after the misconduct, I must say, of the hon. Member who was evidently flouting our Standing Orders.

M. le président, je voudrais, pour commencer, reprendre quelques points de l'opposition. J'ai bien écouté presque tous les membres de l'opposition intervenir et ça a été vraiment une grosse déception, comme nous l'attendions. Nous savons tous l'importance de ce projet de loi. Je viens de le dire, M. le président, nous débattons aujourd'hui sur un sujet ayant trait au socle même de notre démocratie, nous débattons ce projet de loi qui est la manifestation d'un engagement profond de notre gouvernement aux principes de la transparence, de l'*accountability*, de la redevabilité, de la probité, d'intégrité au sein de notre écosystème politique. Il est de notre devoir en tant que classe politique, M. le président, de s'assurer que notre processus électoral demeure à l'abri, *untainted* par des influences néfastes, *undue influence* et que ce processus reste le miroir de la volonté de notre peuple.

Je vous dis bien, M. le président, je suis consterné, nous sommes tous consternés par la posture de cette opposition et tous les faux arguments qu'ils ont avancés pour justifier leur honteuse position, et tous ces arguments ne tiennent pas la route, que du bla-bla-bla, des arguments insensés. En vérité, l'opposition n'a fait que de la politique avec un projet de loi si important, M. le président.

Avant de quitter l'hémicycle, l'honorable Shakeel Mohamed avait dit qu'en refusant le *Select Committee*, nous ne sommes pas dans une démocratie, c'est de la dictature, *dictatorship*, M. le président. Et il a fait certains commentaires sur ma position en 2014, mon intervention aussi, sur laquelle je reviendrai très brièvement, mais cette question de *Select Committee*, M. le président, je suis un peu, peut-être le doyen de cette Chambre ce soir, l'honorable Paul Bérenger n'étant pas présent, mais je me rappelle beaucoup de choses qui se sont passées dans cette Assemblée.

Vous savez, quand le *Workers' Rights*, piloté par le Parti travailliste, on se rappelle de cette loi scélérate, infâme qui avait arraché tous les droits aux travailleurs à cette époque, quand Dr. Ramgoolam était le Premier ministre de ce pays. Moi et l'honorable Bérenger, l'honorable Cuttaree et l'honorable Soodhun, je m'en souviens bien, nous étions dans l'opposition, nous avons défendu bec et ongles l'intérêt des travailleurs ayant évidemment critiqué ce projet de loi. J'avais moi-même demandé un *Select Committee* à cette époque, suppliant l'honorable Premier ministre et son ministre du Travail à l'époque d'accéder à notre demande pour un comité d'élite, mais tel ne fut pas le cas.

M. le président, quel est le but d'un *Select Committee* ? C'est de partager ses idées, c'est une plate-forme à laquelle on est convié si on est membre et de partager nos idées, ses opinions pour que toutes les parties concernées, tous les partis politiques représentés dans l'Assemblée puissent faire connaître leur position ; et après les travaux, le président du *Select Committee* rédige son rapport soutenu par sa majorité. Voilà la raison essentielle d'un *Select Committee*, M. le président, pour partager ses idées, pour avancer ses arguments, ses idées, etc. Et finalement, on peut ne pas trouver un consensus, mais le président rédige son rapport qu'il déposera à l'Assemblée nationale. Dans le cas présent, les débats concernant le *Political Financing*, ont déjà eu lieu en 2014. Le MMM, le Parti travailliste à l'époque, moi-même en tant que membre de

mon parti à l'époque du MP, nous avons tous fait part de notre opinion en long et en large sur le sujet.

Donc, on connaissait tous la position de nos collègues, de nos voisins, des autres partis qui étaient dans l'Assemblée et, au cours de ces débats en 2014 qui ont duré plusieurs heures, nous avons tous eu l'occasion d'écouter tous les orateurs du gouvernement, de l'opposition, du Premier ministre et d'en prendre connaissance. Oui, j'avais moi-même été partisan de la mise sur pied d'un *Select Committee* parce que c'était pour la première fois que ce projet de loi venait devant la Chambre. C'était la première fois qu'un projet de loi concernant le financement des partis politiques allait être débattu devant la Chambre, M. le président.

Le *Select Committee* d'alors aurait permis à tout le monde de saisir les différents points de vue des différents courants politiques dans la Chambre. Et évidemment, comme je viens de le dire, oui, le *Select Committee* n'a pas été mis en place, mais nous avons débattu pendant des longues heures sur le projet de loi de 2014 et on s'est tous exprimé et nous avons compris nos divergences et nos différences. Donc, pourquoi un *Select Committee* aujourd'hui, M. le président ? Le Hansard est là, épais avec toutes les interventions de ceux qui étaient dans la Chambre à cette époque, et la majorité d'entre nous sont toujours ici aujourd'hui.

Alors, M. le président, un *Select Committee* cette fois-ci n'aurait pas rempli son rôle, atteint son objectif, aurait été une perte de temps, parce que de toutes les façons, ce projet de loi, comme beaucoup de mes amis de ce côté de la Chambre l'ont dit avant moi, était sur le *website* du gouvernement depuis de longues semaines et, en plus, l'opposition n'a jamais osé proposer des amendements ou faire des propositions pour l'améliorer, pour parfaire cette législation, ce projet de loi, M. le président. Maintenant, nous avons écouté combien de propositions ont été faites. Quelques propositions ont été faites, c'est vrai. Mais pourquoi ne pas avoir écrit ? Pourquoi n'avoir pas communiqué au bureau du Premier ministre ? Pourquoi ne pas avoir soumis ces quelques propositions qu'ils ont soi-disant proposées, énumérées pendant ces longues semaines avant que les débats aient commencé mardi dernier, M. le président ? Donc, en vérité, c'est une fuite en avant de la part de l'opposition en voyant leur posture aujourd'hui.

Un autre argument, M. le président, c'est du 'réchauffé, *copycat*, changement cosmétique'. Je crois que l'honorable Ramful avait parlait de 'changement cosmétique'. Voilà une autre raison pourquoi ils ne veulent pas voter ce projet de loi, c'est archifaux. Encore une

fois, M. le président, ce projet de loi est certainement une amélioration vis-à-vis du projet de loi de 2014. Comme nous le savons tous, sous la présidence du Premier ministre, le comité ministériel a pris bonne note de toutes les suggestions et critiques émises par l'opposition, par tous les députés en 2014 pour rendre ce projet de loi plus consensuel.

Mais nous savons tous qu'un projet de loi sur le *Political Financing*, comme un projet de loi sur les *Electoral Reform*, M. le président, on ne peut jamais atteindre le consensus à 100 %. Mais il faut regarder *at the bigger picture, the larger picture*, M. le président. Il faut pouvoir donc atteindre les consensus. Même qu'on ait des divergences avec le projet de loi, le plus important, c'est une fois pour toute que ce projet de loi entre dans nos *statute books* pour qu'on puisse avoir un outil pour assainir la situation au niveau du financement politique, *political financing* dans notre pays. M. le président, est-ce que c'est du réchauffé ? Est-ce que c'est le même texte de loi ? C'est certainement faux, pas vrai !

L'ancien projet de loi de 2014 contenait 23 pages, le présent projet de loi est passé à 31 pages, M. le président, huit pages de plus. Alors qu'est-ce qui est écrit sur ces huit pages, M. le président ? Ce ne sont pas des huit pages blanches, ce sont de nouvelles provisions, des nouveaux amendements, des amendements qui ont été apportés à la loi de 2014 et ce n'est pas du réchauffé, M. le président. En rédigeant un projet de loi sur le financement des partis politiques, on ne peut pas inventer la roue. N'importe quel projet de loi sur le financement des partis politiques a des paramètres : qui peuvent faire les dons, qui peuvent recevoir les dons, y a-t-il une limite sur les dons, quel est le mécanisme de contrôle imposé sur les partis politiques pour les dépenses, etc. ?

Et évidemment, chaque pays a son *Political Financing Bill*, il y a des nuances mais l'essentiel reste le même, M. le président, et il faut toujours l'améliorer, l'amender et le parfaire. Qui assure le rôle de chien de garde? Quels sont les pouvoirs de ce chien de garde? Dans notre cas, l'*Electoral Supervisory Commission and the Electoral Commissioner*. Voilà en bref les paramètres d'un tel projet de loi, M. le président. Quant à moi, je félicite le Premier ministre et le comité ministériel pour ce chef-d'œuvre, pour ce projet de loi, pour ce *masterpiece of a legislation*, M. le président.

L'honorable Paul Bérenger, M. le président, dans le plus bref discours de notre histoire parlementaire, a argué que son gouvernement viendra avec une bonne loi. Il s'est servi de ce mot

“bonne loi” plusieurs fois dans ses conférences de presse et mardi dernier aussi au Parlement. Mais il n’a pipé mot sur les manquements, sur les lacunes du présent projet de loi. Il se contente de nous faire un procès politique, *pe zet labou* et pour étayer mes dires, M. le président, je voudrais, dans le même souffle, reprendre ce que l’honorable Uteem a dit dans son discours et lui rappeler que ce projet de loi aujourd’hui contient beaucoup de nouvelles propositions parce que l’honorable Premier ministre et le comité ministériel, nous avons écouté les critiques des membres de l’opposition en 2014 et beaucoup de leurs critiques ont été incluses dans le projet de loi de 2019.

Je vous donne trois exemples que l’honorable Uteem lui-même en 2014 avait soulevés et je crois que l’honorable Madame Fazila Jeewa-Daureeawoo avait commencé à commenter sur ce que l’honorable Uteem avait soulevé comme critique à l’époque, M. le président. Il avait commenté sur l’enregistrement des partis politiques. Deuxièmement, sur le fait que le trésorier seul ne pouvait recevoir les *donations* sur une *amount of fine de R 1 million*. Tous ces trois sujets *have been taken, have been addressed, have been considered and have been amended*, M. le président. Toutes les critiques formulées par l’honorable Uteem ont été prises en compte et corrigées et constituent maintenant de nouvelles propositions dans ce projet de loi.

Donc, M. le président, ainsi pourquoi toute cette démagogie de la part de l’opposition ? Toutes ces demi-vérités, M. le président. De 2014 à 2019, nous avons fait un grand pas. La loi de 2014 avait elle-même jeté les premières bases pour contrer l’opacité et rendre le système plus transparent. M. le président, c’est pourquoi moi-même, en 2014, j’avais, lors de mon intervention –je ne vais pas me citer, mais dire, M. le président, dans deux phrases, voilà ce que j’avais dit en 2014 –

“(…) This is why this Bill today represents for sure *une grande avancée* because it proposes open and transparent funding and helps in some way to level the playing field (…).”

Je me cite, M. le président, –

“As I said, I am sure most of us do not have a quarrel with the majority of the clauses in this Bill, with its overall philosophy. We cannot deny that the underlying principles of this Bill are to favour transparency, to favour accountability, to prevent money donated to

political parties being misused. We agree with the registration of political parties, the powers of the ESC to supervise, verify, investigate and recommend legal action against offending political parties. Who can quarrel with the obligation for political parties to submit their audited accounts and their sources of funding, the amounts thereof, Madam Speaker? Who can quarrel with the accrued role of the ESC? This is a logical link in the whole process for the need to oversee and do the required monitoring. Who can disagree with the mechanism for restricting and controlling expenditure and ensuring disclosure, Madam Speaker?"

Voilà ce que j'avais dit en 2019, M. le président. Comme je viens de le dire, c'était la première base jetée pour l'assainissement du financement des partis politiques dans notre pays.

Mais la plus grande avancée de ce projet de loi, c'est l'élargissement de la compétence – les *powers* de l'*Electoral Commissioner*.

M. le président, le meilleur des projets de loi restera lettre morte s'ils ne se donnent pas les moyens d'*enforcement*, de supervision, d'*oversight*, de *monitoring*, de donner des directives, de sanctionner et de sévir. Et c'est là *le novelty*, l'innovation de ce projet de loi. *With regard to the Electoral Commissioner*, comme nous le voyons dans le projet de loi, M. le président, l'*Electoral Commissioner*, comme vous le savez, *is a constitutional creature* depuis les *constitutional talks* de 1965, M. le président, à l'époque.

J'ai le rapport de 1965 avec entre mes mains. Voilà ce qui est dit –

"The functions of the Electoral Commissioner will be to supervise the compilation of electoral registers and the holding of elections."

C'est le chapitre, '*The Constitutional Framework Fundamental Rights*' du *Mauritius Constitutional Conference* en septembre 1965.

Quand nous regardons la section 41 de notre constitution, nous voyons, M. le président, que c'est là que tout a été fait. Donc, le *Constitutional (Amendment) Bill* vient amender la section 41 pour donner plus de pouvoirs à notre *Electoral Commissioner*.

When we compare the old law, de 2019-2024, M. le président, il n’y a que deux clauses, clauses 3 et 4, Supervisory Role of Commission: Power to Inspect, Verify. Mais par contre, dans le nouveau projet de loi, nous voyons tout un arsenal, toute une liste de nouveaux pouvoirs que le projet de loi donne au commissaire électoral : la clause 17, clause 18, clause 19, clause 20 et clause 21. Donc, M. le président, en vérité, ce que nous avons fait aujourd’hui, c’est historique parce que notre constitution, déjà depuis longtemps, avait donné le pouvoir à la constitution de prescrire des nouveaux pouvoirs pour le commissaire électoral. C’est ce que nous avons fait par le biais de ce projet de loi, car nous avons amendé la section 41 de la constitution, car nous avons proposé des amendements à la section 41, nous avons donc prescribed des nouveaux pouvoirs pour le commissaire électoral comme l’avait prévu la constitution. Vous allez voir dans la constitution, Article 41 of the Constitution, speaks of “as may be prescribed.”

Donc, we are precisely prescribing today, Mr Speaker, Sir, new powers for the Electoral Commissioner and this is unprecedented. In other words, M. le président, en matière de financement politique, notre commissaire électoral, who is the right man in the right place, comme nous le savons tous, de notoriété internationale. Mais malheureusement, en matière de financement des partis politiques, le commissaire électoral était un bulldog sans dents. He had no power to investigate, to call for the books, to monitor, to supervise and to give directives. Donc, tout ceci a été remédié dans l’intérêt de la démocratie et dans l’intérêt de la transparence. D’un bulldog sans dents, notre commissaire électoral est devenu maintenant un Rottweiler, M. le président, investi avec de nouveaux pouvoirs.

C’est pourquoi quand nous avons écouté les députés de l’opposition, M. le président, cette posture, comme je viens de le dire, honteuse du MMM, qui a pendant toute son histoire – nous avons des documents comme des anciens membres du MMM – tous les congrès, toutes les grandes manifestations politiques, le MMM ne parlait que d’une loi pour assainir les finances des partis politiques, M. le président. Maintenant, ils continuent à parler de money politics et quand l’occasion leur a été donnée pour y remédier, encore une fois, ils se sont défilés. Nous, anciens MMM, ce qu’on peut dire aujourd’hui quand nous voyons le stand de ce parti et de ses députés, de son leader, M. le président, on ne peut que dire : « Pleure, oh mon ex-parti, bien-aimé ! »

Quant au Parti travailliste, M. le président, je dis ceci pour que cette Chambre puisse comprendre pourquoi le Parti travailliste a toujours été contre les grandes initiatives pourrait

donner à la classe politique ses lettres de noblesse et pour assainir la situation concernant les partis politiques à Maurice. M. le président, laissez-moi m'expliquer brièvement.

Le Political Financing legislation and the Declaration of Assets legislation, M. le président, sont deux législations qui s'apparentent au niveau du domaine de la moralité politique et de la transparence. Ils sont les deux mamelles qui irriguent toutes les sociétés démocratiques en redonnant à la classe politique sa dignité, renforçant la confiance de nos concitoyens dans les politiques. Mais quand nous regardons l'histoire de notre *Declaration of Assets Bill*, M. le président, vous allez être étonné et vous allez comprendre pourquoi et quel a été le rôle du Parti travailliste au niveau de la moralité publique et de la moralité politique.

Ce projet de loi, le *Declaration of Assets Act*, a été voté en 1985 sous un gouvernement MSM. En 1991, sous un gouvernement MSM-MMM. Je veux dire amender ou voter une nouvelle loi, par exemple, en 2002, sous le Premier ministre, feu Sir Anerood Jugnauth. La troisième occasion, 1985, 1991, 2002 et en 2019, quand le MSM est retourné au pouvoir, il y a eu un *nouveau Declaration of Assets Act*.

La seule année quand le Parti travailliste était au pouvoir, M. le président, et avait amendé ou avait tempéré le *Declaration of Assets Act*, c'était en 2011. Quand le Parti travailliste était au pouvoir, le gouvernement travailliste avait proposé à la Chambre un *Local Government Act*. Ils avaient insidieusement *sneaked in* un petit amendement caché dans le *Local Government Act* pour mettre fin à la *disclosure des assets* des membres de cette Chambre, M. le président. Revoyez l'histoire, vous allez voir.

Malheureusement, je me perds toujours dans mes papiers, mais, sinon, je vous aurai lu ce que la loi du *Local Government Act* de 2011 ou, quand le présent Premier ministre avait présenté ce projet de loi en 2018, il avait fait l'historique du *Declaration of Assets Act*, comme je viens de le dire, M. le président. En 2011 seulement – ils ont été au pouvoir de 2005 à 2014 – jamais, aucune trace d'un *Political Financing Bill* mais ce qu'ils ont fait, c'est qu'ils ont essayé d'assassiner le *Declaration of Assets Act* en rendant *nugatory* la clause qui nous obligeait à *declare our assets publicly*. Par le biais d'un *Local Government Act*, ils avaient caché une provision et en se faisant, donc, ils avaient annulé l'objectif, toute cette volonté de *la Declaration*

of Assets Act, qui obligeait les membres de cette Chambre à déclarer leurs avoirs et aussi les hauts fonctionnaires, etc., comme nous le savons.

M. le président, quelle est la vraie raison de ce refus de l'opposition ? *Why are they choosing the wrong side of history? Why are they, Mr Speaker, Sir, undermining the democratic values? Why are they defending the interest obscured by shadows? This cynicism and obstruction of the Opposition will not go unnoticed by the citizens of our country.*

La vraie raison pour moi, M. le président – oublions tous ce qu'ils ont dit, je viens de le démontrer, tous ces faux arguments qu'ils ont avancés pour ne pas voter ce projet de loi – c'est qu'ils ne veulent pas que ce gouvernement, dirigé par ce Premier ministre, Pravind Kumar Jugnauth, retienne la paternité de ce projet de loi historique qui consolide notre démocratie. Voilà la vraie raison. Ils ne veulent pas que le Premier ministre entre dans l'histoire comme celui qui finalement après de longues années, 25-30 ans on a parlé du *Political Financing Bill* dans ce pays, M. le président, ont voulu faire barrage. Ils ont voulu faire échec à ce projet de loi, M. le président, parce qu'ils savent que le Premier ministre *and his Government, we are sending through this Bill a clear message on our republican values, that we are the voice of every citizen and that we want to protect the sanctity of every vote. This legislation, Mr Speaker, Sir, is our declaration that we will not let democracy be taken hostage by any influence, local or foreign, that seeks to alter the course of our nation's future without the explicit consent of its people.*

Que l'opposition et leurs suiveurs acceptent ou pas, ce projet de loi proposé par notre gouvernement a marqué une avancée significative dans la démocratisation et la transparence de la vie politique de notre pays, M. le président. Le gouvernement mauricien envoie un message fort selon lequel il est engagé à renforcer la confiance de nos citoyens dans notre processus politique. Il faut rappeler à cette opposition, qui n'a cessé de jeter le blâme sur le processus électoral pour leur débâcle de 2019, que la transparence du financement des partis politiques constitue un pilier essentiel pour toute démocratie robuste. À cette opposition, M. le président, qui ne cherche qu'à protéger son trésor de guerre électoral, ses coffres forts, ses soutiens mafieux, ses sources occultes de dollars américain et Dieu sait quoi encore, qu'elle réalise enfin que cette loi dévoilera les circuits financiers obscurs qui manipulent notre politique.

Grâce à cette réforme, les citoyens pourront enfin identifier et comprendre les intérêts sincères ou vœux qui se cachent derrière les décisions politiques. Le financement politique transparent, M. le président, en vérité, vise à redonner le pouvoir aux citoyens. Parce que quand nos électeurs ont accès à des informations complètes sur le financement de nos partis politiques, ils sont mieux équipés pour prendre des décisions éclairées lors des élections. Cela encourage également les citoyens à s'engager davantage dans le processus politique, sachant que leur voix compte réellement et qu'elle n'est pas étouffée par des intérêts cachés, M. le président. L'unique but, la mission de l'opposition, M. le président, est de perpétuer le statu quo afin de continuer à exploiter l'opacité du système pour manipuler et corrompre le processus démocratique.

De ce côté de la Chambre, nous nous exprimons clairement et concrètement dans ce projet de loi. Notre attachement profond aussi au pluralisme politique, M. président, parce que la transparence dans le financement des activités politiques crée un cadre propice au pluralisme politique en abaissant les obstacles à l'entrée pour les nouveaux participants. Ce processus encourage, donc, une diversité d'opinions et de représentations au sein de l'arène politique, vitalisant ainsi la démocratie. Le *Bill* aurait joué un rôle déterminant dans la lutte contre les risques associés aux financements occultes et à l'argent issu des activités criminelles telles que le trafic de la drogue, les réseaux de jeux illégaux et les organisations criminelles.

M. le président, en établissant les normes strictes pour la transparence et la traçabilité des fonds, cette législation aide à prévenir l'infiltration des capitaux illicites dans le système politique, renforçant ainsi la sécurité et l'intégrité du processus démocratique.

Mr Speaker, Sir, to conclude, I will say that this legislation represents a thoroughly comprehensive and well-crafted approach to electoral governance. It will be, indeed, *M. le président*, a tremendous loss for the country if we miss this opportunity due to the fault of the Opposition to implement the significant reforms that a modern democracy demands. We are setting new standards for political integrity. The Opposition is choosing to shy away from its political and moral responsibilities. These very people who have been clamouring for free and fair elections day and night seem to have taken a holiday when the issue of a transparent electoral process comes up. Apparently, their commitment, Mr Speaker, Sir, to transparency is only as deep as an electoral campaign.

M. le président, pour conclure, moi, je dirais : *this is a sad day for democracy* parce que nous avons devant nous des faux démocrates. Je terminerai en citant une citation, M. le président, que j’avais lue dans un texte du grand juriste indien Palkhivala –

“Democracy, transparency lies in the hearts of men and women; when it dies there, no Constitution, no law, no court can save it; no Constitution, no law, no court can even do much to help it.”

J’en ai terminé, M. le président.

Mr Speaker: Hon. Bodha!

(8.09 p.m.)

Mr N. Bodha (Second Member for Vacoas & Floréal): Merci, M. le président.

C’est une lourde responsabilité souvent d’être député dans cette Chambre...

Mr Toussaint: Seul!

Mr Lesjongard: Ça se voit!

Mr Bodha: ...seul. Quand j’entends mon ami – je dirais mon ami – Alan Ganoo, je me demande comment il a fait pour faire le naufrage du *remake* en 2014, et il a réussi.

M. le président, quelle est la question essentielle devant nous ce soir ? C’est que l’argent ne devrait pas être l’élément déterminant pour que le peuple exprime son vote sacré. C’est ça la démocratie. La démocratie exige qu’il y ait un *level playing field*. Je parlais d’une grande responsabilité parce que la réforme électorale, je l’ai suivie depuis de longues années avec les amis des deux côtés de la Chambre...

An hon. Member: Aster ‘les amis’ !

Mr Bodha: J’ai suivi le rapport Sachs, le rapport de Emmanuel Leung Shing ; j’ai suivi le rapport Carcassonne ; j’ai suivi le rapport de Rama Sithanen. Il avait été question pendant un moment de ce qu’on appelait un *Omnibus Legislation* qui engloberait tout : la représentation

proportionnelle, la représentation des femmes, le *Best Loser System*, financement des partis politiques, et après, on a réussi en 2019 à venir avec des lois spécifiques et non pas un *Omnibus Legislation* parce que *l'Omnibus Legislation* n'aurait jamais remporté un consensus.

Le projet de loi par rapport à 2019 a apporté beaucoup de différences. J'ai entendu l'honorable Fazila Jeewa-Daureeawoo parler de ceux qui diffèrent, des grandes différences entre 2019 et 2024. Bien sûr, nous avons soif de la démocratie, nous voulons de la transparence, de *l'accountability* et l'enregistrement des partis politiques, les comptes en banque des partis politiques, un bon audit ; tout le monde le veut.

La question de base – nous savons tous comment cette question de base peut quelque part être un obstacle à la démocratie. Mais de là, moi, j'ai beaucoup de propositions à faire. Mais de là, à dire que *l'Electoral Commissioner* devrait agir un peu comme un MRA pour les partis politiques. Ça, c'est une autre question, ce que j'appellerai *the Level of Scrutiny*, et je rejoins ce que l'honorable Xavier Duval a dit *regarding the disclosure of the financial statements that is the amount, the monetary value of the donation in-kind, made to any recipient*.

Et quel que soit l'opposition d'aujourd'hui ou le Gouvernement d'aujourd'hui, cette obligation est excessive. Alors que le code de *Corporate Governance* impose comme il l'a bien dit ; pas d'obligation mais plutôt encourage les grandes compagnies de le faire. Ce serait bien que les compagnies puissent faire des donations mais qu'il y ait un *quantum* c'est-à-dire le toto dans leur rapport – le *Annual Report* pour rapporter le total. On peut imaginer M. le président, la stigmatisation, les contraintes politiques auxquels s'exposent toute entité, toute compagnie qui financerait des partis de l'opposition d'aujourd'hui ou de demain. Cette clause ne peut que tarir les donations car elle va créer un climat de méfiance, de peur et de vendetta politique concernant les permis, les contrats et les projets. Donc je demanderai si on pourrait revoir ça.

La question, par exemple, est aussi à Clause 5, "*any person may receive a political donation on behalf of a registered political party*" – mais c'est trop large. Any person? Est-ce que c'est un activiste? Est-ce que c'est un membre du comité central? Est-ce que c'est un membre du bureau politique? Est-ce que c'est un représentant? C'est un député? *It is too wide Mr Speaker, Sir, « where an election agent receives a monetary donation ». How many election agents are we going to have?* Et soi, ils doivent le faire sept jours avant et doivent remettre cette

somme aux candidats. Comment on peut vérifier ça ? *What are the checks and balances?* J'ai parlé de la Clause 7.

Maintenant la Clause 9 – *Prohibited donations qui étaient autorisées en 2019* – “*a non-resident citizen*”, on élimine la diaspora. À peu près des centaines de milliers de Mauriciens qui, aujourd'hui, grâce aux dernières technologies, veulent et sont toujours en communication avec nous tous les jours, ils veulent participer aux débats et construire l'avenir de notre pays et il y a même qui souhaitent, qui réclament le droit de vote, toute cette diaspora est éliminée. Et il y a aussi une autre chose dans la section (j) –

“*such other bodies as may be prescribed*”.

I would like to ask the Prime Minister what are the other bodies. La question se pose. Alors il y a une trop grande discrétion. Est-ce que ça va être réglementé par des régulations ?

Such other bodies as may be prescribed alors qu'on élimine la diaspora et par ailleurs, on est en train de placer une très lourde responsabilité sur le trésorier de chaque parti. Et tout le monde sait, au sein d'un parti, combien ce poste est un poste ingrat, d'être le trésorier d'un parti politique. Alors moi, je pense qu'il y'a des avancées, qu'il y a des différences positives, mais je souhaiterais apporter un certain nombre d'éléments nouveaux.

Concernant le *public funding*, la dernière fois, l'opposition MMM, si je me souviens, était d'accord pour voter la loi si on allait inclure le *political funding*. Et moi, je me souviens, j'ai été voir Sir Anerood Jugnauth et je l'avais dit pourquoi on ne fait pas un *political funding* symbolique. En France, aux élections présidentielles, on paye un euro pour chaque vote obtenu par candidat qui aurait traversé un seuil. Alors moi, ce que j'avais proposé à l'époque, pourquoi on ne mettait pas une roupie symbolique, puisqu'il y avait 900 000 votes, chaque électeur avait trois votes, donc ça ferait R 2.7 millions, mais symboliquement, ce n'était pas beaucoup pour l'État mais symboliquement, on aurait déjà voté ça. Et le MMM, à ce moment-là, si je me souviens bien, aurait voté, on aurait eu probablement les trois quarts.

Alors moi je pense qu'il faut le *public funding*. Pourquoi? La loi va réduire le *private funding* et il faut qu'il y ait le *public funding*. Ça existe aux Seychelles, ça existe dans des nombreux pays et cela permettrait justement de faire que les partis aient un *level playing field*.

Alors, le *public funding* si on met Rs10 pour chaque vote, ça ferait R 30 million. Mais comme une élection coûte à peu près, chaque partie devrait ou chaque alliance devrait avoir R 120 million, imaginez – 600 millions pour l'organisation. 3 ou 4 grandes alliances qui mettraient 120 million. Donc on est en train de toucher R 1 milliards pour une élection dans un petit pays comme île Maurice.

Alors moi, je suis pour le *public funding* d'autant plus qu'avec le *public funding* – parce que *it is public funds* – le directeur de l'audit aurait pu à ce moment-là avoir recours pour faire *the Scrutiny* des comptes du parti parce que le parti aurait obtenu de l'argent de l'État. Alors moi, je suis donc pour le *public funding* et je suis aussi pour le *crowd funding* et cette possibilité existe aux États-Unis, par exemple.

Why do we speak about crowd funding? Because it democratizes campaign funding, it reduces reliance on large donations from big companies, and it may create a level playing field, voter engagement. You have people who have a cause who would like to help a party, connecting the people because then it is true democracy, because the citizen feels that they have given a small sum but they have given it for a good cause.

Et je prends le cas de Bernie Sanders en 2020 aux États-Unis, bon, c'est une pratique aussi : il y a des dîners qu'on organise pour avoir des millions de dollars. Il avait obtenu à ce moment-là R 5.9 million en 24 heures. Le *crowd funding* aussi *is asking the citizen to take part in the whole thing* et moi, je propose aussi que le montant R1.5 million par circonscription, par parti, 1,5 million par candidat, donc ça fait 6 millions au fait par parti en totale. Le parti et les candidats par circonscription, ça fait 120 millions. Qui peut aujourd'hui avoir 120 millions pour faire les élections ?

An hon. Member: Ramgoolam!

Mr Bodha: It is a very spontaneous reply, it is good but I think, because we are on TV and everybody is listening and watching us.

Alors, mais tout le monde n'a pas ça. C'est ça que j'expliquais. La grande question fondamentale de départ, c'était : « Est-ce que l'argent peut être l'élément déterminant dans l'expression de la *vox populi* ? » Moi, je pense qu'il faut réduire à 1 million les dépenses pour

qu'on puisse dépenser moins, et je vais proposer quelques éléments comment on peut réduire cela.

Premièrement, en France ou en Angleterre, c'est le gouvernement qui finance les *manifestos* de tous les partis. Le *manifesto* de tous les partis est publié sur la même forma *and delivered to each one*. Donc, le citoyen, il a les *manifestos* de tout le monde gratuitement et ce n'est pas à la charge du parti ou de l'alliance, première chose.

Deuxième chose, on peut donner accès à tous les centres, aux halls municipaux pour les réunions. À ce moment-là, cela réduirait énormément de dépenses pendant la campagne. Ce se serait mis à la disposition de tous les partis qui ont une organisation nationale *on a first come, first serve basis when you qualify*. Autre chose, pour le transport dans chaque école de vote, il nous faut à peu près 10 voitures. Dans une circonscription, il nous faut à peu près 120-130 voitures. Si cela coûte R 7,000 à 8,000, mais c'est une fortune. Est-ce qu'on ne peut pas avoir un système où on a beaucoup de centres de vote à 300-400 mètres chez l'habitant ? À moins qu'il ait des situations difficiles, oui, dans certaines grandes circonscriptions, mais en général, qu'on puisse avoir un bureau de vote à 300-400-500 mètres et qu'on puisse *provide the public transport*, à ce moment-là, on est libre.

Là, *you have a level playing field, you spend less, you have access to government funding, you have access to government facilities and transport is provided to*. Il ne faut pas entrer dans la voiture pour avoir justement l'agent qui s'assied à côté avec son pavillon, et après, il prend le pavillon, il va dans les 200 mètres de l'école. Non ! Alors, si on veut une démocratie moderne, je pense que ce sont des choses qui sont possibles. Avoir des centres de vote à 200-300-400 mètres, avoir un transport gratuit, avoir des manifestes gratuits, *this is what I am saying that we have to reduce the expenses*.

Now, I would like to say something about Section 19. The Electoral Commissioner can order any person to attend before him for the purpose of being examined orally in relation to any matter, and he can order him to produce before him any book, any document, any record, or any article. *Maintenant, on a essayé, on a eu les représentations auprès de l'Electoral Commission concernant the same day counting. Je ne sais pas ce qui s'est passé. Là, il y a eu un problème, on a évoqué la question des ressources.*

Maintenant, pour faire ce travail au niveau de l'Electoral Commissionner, il faut des ressources énormes pour pouvoir faire en sorte que dans le compte des 60 candidats, le compte des 20 circonscriptions, le compte des différents partis. Et là, je dis aussi que *this extensive power needs some judicial control. I firmly believe that the Electoral Commissioner should avail himself of a judge's order before asking somebody to come in front of him.*

Je vais terminer en disant qu'il y a une urgence qu'on ait un système de contrôle et de grande transparence concernant les élections. Mais pas seulement pendant la période électorale, par exemple, le 1^{er} mai, les dépenses des partis. Nous avons besoin de cette transparence, nous avons besoin de cette *accountability*, nous avons besoin d'enregistrer les partis. La question, c'est qu'est-ce qui va se passer ? Dans le jeu politique, la majorité n'obtient jamais le soutien de l'opposition et on n'aura pas les trois quarts. Donc, il faut trouver une solution. La solution, c'est peut-être le dialogue, c'est peut-être le *Select Committee*.

Il faut qu'on arrive à le faire parce que le peuple attend cette transparence dans la vie politique et dans notre démocratie. Je pense que la meilleure chose qu'on pourrait faire, c'est justement de référer toutes ces questions à un comité parlementaire, et faire en sorte qu'on puisse arriver à ce consensus, parce que ce consensus est vital pour chacun d'entre nous, que ce soit dans l'opposition ou dans le gouvernement.

Un gros effort a été fait en 2019, un gros effort est en train d'être fait en 2024. *We have to walk the last mile.* Comme on ne dit jamais deux sans trois, peut-être qu'on aura une situation à l'Assemblée nationale où il y aura une majorité pour voter un *Political Financing Bill*.

Thank you, Mr Speaker, Sir.

Mr Speaker: I now call hon. Minister Mrs Dookun-Luchoomun!

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): Mr Speaker, Sir, I move that the debate be now adjourned.

The Deputy Prime Minister seconded.

Question put and agreed to.

Debate adjourned accordingly.

ADJOURNMENT

The Prime Minister: Mr Speaker, Sir, I beg to move that this Assembly do now adjourn to Tuesday 09 July 2024 at 11.30 a.m.

The Deputy Prime Minister seconded.

Question put and agreed to.

Mr Speaker: The House stands adjourned!

At 8.27 p.m., the Assembly was, on its rising, adjourned for Tuesday 09 July 2024 at 11.30 a.m.