TRANSPARENCY MAURITIUS
YOUTH FORUM 2017/2018
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THE RESOLUTIONS OF THE TRANSPARENCY MAURITIUS YOUTH FORUM 2017/2018

ECONOMY & ENVIRONMENT (Poverty alleviation, Sustainable Development, Blue Economy & Climate change, Private Sector & Corruption)

We, members of the Transparency Mauritius Youth Forum 2017/2018:
Mindful of the inevitable effect of development on the environment;
Recognising the urgency for Mauritius to mitigate the adverse impacts of climate change;
Regretting the lack of effectiveness of existing legislation governing environment protection,

1. Calls for immediate holistic planning for sustainable development, taking into consideration vulnerable areas;
2. Demands that crimes against the environment be sanctioned with community service pertaining to the preservation of the environment;
3. Calls for education campaigns to sensitise all stakeholders on the environmental and social consequences of their choices;
4. Recommends the implementation of environment taxes for industries;
5. Emphasises the importance of a cohesive national recycling framework;
6. Urges Government to provide further incentives for the use of renewable energy.

HUMAN RIGHTS (Provisional charges, Access to Justice, Women Rights & Discriminations, Equal Opportunities, Gender Issues, etc.)

We, members of the Transparency Mauritius Youth Forum 2017/2018:
Conscious of the need for transparency and accountability;
Regretting the abuse of provisional charges as a means to detain suspects;
Deploring human rights violations and violence against women;
Conscious of the need to sensitisise the public on human rights,

1. Calls for the ratification and enforcement of measures to protect women in line with the Maputo Convention;
2. Recommends that the practice of provisional charges be monitored by a competent and independent body other than the police;
3. Recommends that law enforcement agencies conduct all interrogations on video with typed statements;
4. Calls for a national campaign to educate children and teenagers on human rights and gender equality;
5. Encourages all stakeholders to be actively involved in decision-making processes to curb down human rights abuse.
CORRUPTION

We, members of the Transparency Mauritius Youth Forum 2017/2018:
Alarmed by the absence of proper legislation to fight corruption in the private sector;
Regretting the lack of concern of the public about fighting corruption;
Concerned by the lack of trust of citizens in the integrity of public officials;
Deploring the lack of transparency in public institutions;
Emphasising the importance of the introduction of a Freedom of Information act to facilitate the fight against corruption,

1. Demands that corruption offences be extended to the private sector;
2. Demands the conduct of sensitisation talks about corruption throughout the education of Mauritian students to fight the cultural causes and faces of corruption; 
3. Proposes the creation of a supervisory commission to bring transparency in the recruitment process of public officers; 
4. Proposes the reformation of the communication of the public sector to allow information of national and public interest to circulate more efficiently and rapidly through modern means; 
5. Emphasises the importance of creating more user-friendly, accessible and modern services for whistle-blowers in line with protocols protecting the latter.

ELECTORAL REFORM

We, members of the Transparency Mauritius Youth Forum 2017/2018:
Alarmed by the insufficient regulation of political campaigns and their funding;
Regretting the limited powers of the Electoral Supervisory Commission;
Affirming its willingness to fight communalism;
Encouraging the active participation of all components of the Mauritian society in the democratic process,

1. Proposes that all donations made to politicians and political parties be one statutorily through banking tools and not in cash;
2. Demands an effective and efficient control mechanism under the ESC to probe the source of all donations;
3. Calls for the abolition of the Best Loser System and any reference to religious or ethnic communities in the Constitution;
4. Requests the implementation of proportionality; 
5. Expresses its hope that voting is granted to the Mauritian diaspora;
6. Affirms the need for effectively implementing the constitutional power of the Electoral Supervisory Commission;
7. Recommends the implementation of:
(i) electronic voting and counting for national and local elections and
(ii) a national register accessible online.
FREEDOM OF INFORMATION

We, members of the Transparency Mauritius Youth Forum 2017/2018:
Recognising that transparency and accountability are fundamental for the consolidation of democracy;
Affirming that Government should be held accountable in its management of the State;
Stating that the Press, a key watchdog in a democracy, should be able to operate without fear or harassment by the State,
1. Calls for a Freedom of Information Bill which could include the creation of a public institution dedicated to the dissemination of public information; the institution of the de facto availability of information, notably online; and the possibility for appeal in case of denial of access to information;
2. Proposes that Freedom of the Press be included into the Constitution of Mauritius;
3. Recommends the liberalisation of broadcasting to allow, notably, the emergence of private television channels;
4. Encourages the education system to incorporate the development of critical thinking, debating and democratic discussion skills for all Mauritian students.

EDUCATION & EMPLOYMENT

We, members of the Transparency Mauritius Youth Forum 2017/2018:
Noting with deep concern that lack of transparency and meritocracy contribute to youth unemployment;
Regretting that the education system is elitist and systemically excludes a great percentage of Mauritians from benefitting from the economic development of Mauritius;
Deeply conscious of the demographic evolution of Mauritius;
Keeping in mind that the educational system in Mauritius is not responsive enough to the demands of the job market and does not frontally address contemporary topics;
Concerned by the blatant mismatch between the demands of the job market and the education system;
Deploring the unequal opportunities given to Mauritian students for their education due to the disparities between publicly funded institutions,
1. Requests the creation of a national Career Guidance institution guiding students in their choice at secondary and tertiary level in line with previsions of the demands of the job market;
2. Calls for the urgent infrastructural levelling of all schools in the public education system;
3. Considers that emphasis should be laid on entrepreneurship and digital innovation throughout the education system;
4. Strongly affirms that the learning of working skills like leadership, time management and communication skill be included in to the national curriculum;
5. Encourages the re-evaluation of the age of retirement in some sectors;
6. Insists on the importance of a national revaluation of some jobs, notably financially;
7. Recommends the implementation of a citizenship education curriculum that might include subjects of national importance like civic values, sustainable development, management of human and natural resources as well as green and blue economies.
MR RAJEN BABLEE, EXECUTIVE DIRECTOR

The Youth Forum has come to an end. We have changed the name of this project from Youth Parliament to Youth Forum. This is because after the Transparency Mauritius Youth Parliament organized last year, the Government came up with the same idea and, unlike what we do, they had a model based on that of the National Assembly with a Government and an Opposition. And we, at TM, would not encourage our young participants to adopt the same language, gesture or attitude and with a Speaker, constantly being forced to be upstanding and call for ‘Order’!

We do believe that the true meaning of democracy is to allow diversity of beliefs and opinions and that, to move forward, we must learn how to expose our ideas and take the time to listen to others. There are no wrong ideas or beliefs but they may not be timely. Strategy, such as it has been defined by Sun Tzu and other great thinkers, require us to be patient, to wait, to stay silent and listen until the time has come to bring changes with the least effort.

So the Youth forum as we have it here does not provide the participants with a place for fighting but for the expression of democracy in its ideal form: it is about confrontation of ideas while being respectful of the views of the others.

The young participants have been guided by a pool of leaders who, in spite of their busy schedules, have found time to transmit and share their knowledge and experience.

Last year, Mauritius lost 4 points in the Corruption Perception Index of Transparency International. The source which seems to be responsible for that fall is the Varieties of Democracy Project which focuses on how government works with civil society, whether there is regular consultation and participation and also access to information and press freedom.

Unfortunately, in Mauritius, we still have a criminal defamation law which hangs like a Damocles sword over journalists. And we are still waiting for a Freedom of Information Act as promised by the Government, I must reckon though that many governmental websites provide already a lot of information. However the rule should be about openness and accountability and not secrecy.

Our country can climb up in the CPI ranking as the Government hoped in its strategic plan. It will take only a few measures to achieve that goal: a law to regulate efficiently the financing of political parties and politicians; a public declaration of assets act and a freedom of information act. Of course, if the Government is also willing to review discretionary powers which a few legislations give to ministers to either appoint persons at the head of institutions or to deliver permits and licences, which would be a great step in the right direction.

Coincidentally, this year, we also had the publication of the findings of the Afrobarmometer survey. It showed that the trust of the people in public institutions has gone down. Politicians should not use those institutions as their toys and appoint people without the right credentials at their head. And political appointees should realise that they are accountable to the state of Mauritius and its people. They should not misuse the power given to them to inflate their ego or to fill their pockets or those of their peers. Responsible behaviour is what we all expect from them.

Governing a country cannot be done on isolation and the issues we have discussed in the Youth Forum are pertinent to everyone in our society. They require the concerted effort of all the stakeholders, government, civil society and the private sector. And the participants here, as our next generation of leaders, have come up with their views and strategy.

The former Secretary General of the United Nations, Kofi Annan, said:

"Young people should be at the forefront of global change and innovation. Empowered, they can be key agents for development and peace. If, however, they are left on society’s margins, all of us will be impoverished. Let us ensure that all young people have every opportunity to participate fully in the lives of their societies".

To conclude, I would fail if I do not thank all the participants for their commendable work. I also wish to place on record the active participation of the Ag President of the Republic, His Excellency Mr Paramasivum Pillay Vyapoory GOSK, the Honourable Speaker of the National Assembly, Ms Maya Hanoomanjee, the Chairperson of the Electoral Supervisory Commission, Mr Yusuf Aboobaker SC, the Deputy Director of Prosecutions, Mr Rashid Ahmine, the Director of Prevention and Education of ICAC, Mr Isswar Jheengut, the Chairperson of Business Mauritius, Mr Cedric de Speville and Mr Jean Claude de L’Estrac, former journalist.

I must not forget the two moderators, who were last year’s participants, Shameelah Mamode and Alexandre Karghoo. They have done a great job together with the TM team: Diya Kowal and Sweta Pyndiah. My thanks also goes to the CSR Foundation and to Mr Jimmy Rampton, the rapporteur of the Youth Forum and to Voila Hotel for their collaboration. Thank you!
MESSAGE OF MR RODNEY CHUNG FOR YUEN, PRESIDENT OF THE ROTARY CLUB OF BEAU BASSIN ROSE HILL

The Rotary Club of Beau Bassin Rose Hill is once again very honoured to be a partner to Transparency Mauritius for the second edition of the Youth Parliament.

It was indeed a great pleasure to see young men and women coming from all regions of Mauritius, representing the youth of Mauritius, debating on crucial issues such as: education & employment, human rights, freedom of information, electoral reforms, economy & environment, and corruption. The Youth Parliament gave the opportunity to the participants to come together, think, discuss and speak up to express their views in an organized way on several key issues and challenges which affect our society today.

Youth and Leadership are essential aspects of Rotary and we offer both clubs and programmes to help the young generations to develop their leadership skills. Interact clubs bring together students of 12 to 18 years old to carry out local service projects in their local community or at school and to develop valuable leadership and teamwork skills. Rotaract clubs bring together youngsters between 18 and 30 years to exchange ideas with leaders in the community, develop leadership and professional skills, and have fun through service.

Rotary Programmes like the Rotary Youth Leadership Awards (RYLA), Rotary Youth Exchange, and New Generations Service Exchange enable the young generation to broaden their minds and horizons while developing their personal skills and growing into the leaders of tomorrow.

On behalf of the Rotary Club of Beau Bassin Rose Hill, I congratulate all the young parliamentarians for their brilliant performance and engagement throughout this parliamentary sessions. I would also like to express my gratitude and thanks to Mr. Rajen Bablee and his team for their collaboration and I wish Transparency Mauritius plenty of success in their objectives and future endeavours to shape the Mauritian society.

MESSAGE OF MODERATORS, SHAMEELAH MAMODE AND ALEXANDRE KARGHOO

Chers amis,

Nous tenons d’abord à remercier Transparency Mauritius de nous avoir permis de participer à ce projet de nouveau : cette fois-ci en tant que modérateurs, après avoir été participants lors du Parlement des Jeunes de 2016/17. Cela a été d’autant plus agréable grâce au soutien de toute l’équipe de Transparency Mauritius avec qui nous avons travaillé en étroite collaboration. Ce genre d’initiatives est malheureusement trop rare, bien que tellement nécessaire.

Nous avons essayé, du mieux que nous pouvons, de faciliter les débats et encourager la participation de tous en nous basant sur notre expérience commune en tant que participants. En ce sens, nous pensons avoir réussi et tenons à remercier tous les participants non seulement pour leur travail mais surtout pour leurs efforts consentis pour respecter les consignes exigantes que nous avons pu leur donner lors de chaque session.

Ce que nous retenons de cette expérience:
1. La politique n’est pas chose facile. Bien souvent, en tant que simples citoyens non-engagés, il nous est facile de commenter la, le et les politiques sans réaliser à quel point ces choses sont complexe.

2. Les jeunes ont un besoin de se former, plus que jamais : le monde social et ses soucis se complexifient. Maurice doit faire face à des défis de plus en plus grands et de plus en plus globaux. Nous aurons besoin de leaders non seulement convaincus et convaincants mais surtout compétents, ayant des capacités intellectuelles solides et des capacités syn-thétiques importantes. Durant les sessions de travail, nous avons pu constater que certains défis nécessitent plusieurs heures de travail pour trouver une solution qui siérait à la majorité (en espérant ensuite qu’elle soit bonne!). Dans ce cas, la crédibilité et la légitimité de la solution ou des décisions ne peuvent se baser uniquement sur la jeunesse : elles doivent s’appuyer sur des méthodes rigoureuses, justes et intelligentes, découvertes et mises en pratique par de vraies compétences. C’est en adoptant cette discipline et cette rigueur que la jeunesse arrivera à briller.

Aux participants, nous vous disons de nouveau merci et espérons que vous en sortez aussi grands que nous, si ce n’est plus. Nous espérons aussi que cette expérience vous donnera envie peut-être pas de vous lancer dans la politique mais au moins de vous y intéresser avec sérieux, rigueur et appétit !... afin d’être de meilleurs citoyens mauriciens commentant la vie politique avec justesse et lucidité.

Bon vent,
Et au plaisir de vous revoir,
Shameelah et Alexandre
THE PARTICIPANTS OF THE YOUTH FORUM 2017/2018

Mr. Poonuth Kessaven
Mr. Hurry Jean Emmanuel
Mr. Caroopen Fabrice David Gael
Ms. Golam Rassoude Hasanah

Mr. Ismael Ashfaq-ud-din Muhammad
Ms. Dussoye Ulashnee
Ms. Armugam Diksha Melani Pillay
Ms. Prosper Marie Jennifer Catherine

Ms. Ithier Desiree Maria Elodie
Ms. Calou Marie Agnes Aurelie Emmanuelle
Mr. Arnachellum Neilsen Pillay
Mr. Rughoonauth Hemant

Ms. Seebaruth Ganesha Devi
Ms. Gungaram Neetisha
Ms. Chinnien Yesvee
THE PARTICIPANTS OF THE YOUTH FORUM 2017/2018

Ms Abdoola Bibi Mehtab Sheik
Mr Hurday Jashveersingh
Mr Damree Yaadav
Mr Lallmohamed Waajid Hussein

Mr Juddoo Prakash
Ms Hurjoon Reeti Baye
Mr Seetannah Ashley
Mr Appandi Muralikrishna

Ms Ruttun Oummey Waziah
Ms Chavrimootoo Mary Chrisinta
Ms Husnoo Bibi Warda
Ms Taher Zareenah Bibi

Ms Thandaven Marie Estelle Laetitia
Ms Sadaful Deetee
Ms Davantin Emilie Anne-Sophie
THE LAUNCHING & INDUCTION SESSIONS
M. RASHID AMINE, Assistant to the Director of Public Prosecution

Everyone should have a fair trial

Human Rights are very broad, as you are aware, Rashid Amine says. It is important to sensitize young people about this issue. In the future, he reckons, the country may be one, as it is today, where basic Human Rights prevail and people feel safe. Abroad, he adds, many believe that Mauritius is a place where the rule of law prevails in comparison to many parts of Africa. This brings people to invest in Mauritius because an appropriate structure and laws exist to do so.

Article 5 of our Constitution gives citizens of this country the right to enjoy personal liberty, he stresses. Under our Constitution, he adds, this right is guaranteed. Rashid Amine would like to focus on people who have been suspected of having committed an offence. The law says that police or ICAC can investigate but when it comes to arrest somebody, the personal liberty of that person is being curtailed. When there is reasonable suspicion, he says, a person can be arrested and brought to a court of justice. However, he adds, the police cannot arrest a person and keep him in custody unless he is brought in front of a magistrate.

The latter has the right to decide whether the detention is justified or not. When a person is arrested, a Provisional Information, which is a document saying that the person has committed a specific crime, is lodged against him, according to the Assistant DPP.

Provisional Information is not lawful but a practice, he adds. PI is mainly mentioned in very high profile cases. Rashid Amine strongly suggests that reasonable suspicion must be supported by sufficient evidence. Unfortunately this is being used in Mauritius to arrest people without good reasons. Many people just cannot afford to pay a lawyer and therefore kept in custody for long.

The government wants to come with a new law, the Police And Criminal Evidence Bill (PACE) with safeguards. The Bail Act says that liberty is the rule and detention is the exception. He points out that Section 10 of our Constitution says that a fair trial should be given to any individual and represented by a lawyer of his choice. He suggests that any person must be given adequate time and facilities to prepare his defence. The judiciary, fortunately, always sets things right.

As a conclusion, Rashid Amine hopes that the government will come with a Police And Evidence Bill to avoid unjustified arrests under Provisional Information.
AGNES CALOU

Domestic violence should be criminalised

Agnes Calou points out that Mauritius signed the Protocol of the African Charter on Human Rights, on the Rights of Women in Africa in 2005, and ratified it in September 2017. With a population of 1,221,150 people, according to the Gender Statistics report 2016 an amount of 638,267 people are women, affirming the patriarchal society in which we live in, she points out.

Moreover there has been the implementation of the National Gender Policy Framework, Family Welfare and Protection Unit, Women Empowerment Programme and Project, National Action Plan to combat Domestic Violence, the Women Empowerment Programme Project and the revision of National Remuneration Board, she specifies.

However, the increasing amount of women rights violation and discrimination each day can be attributed to the fact that provisions of the Maputo Convention are not enforceable in Mauritius, she regrets. A fact to which an alarming figure of women rights violation, as out of 670 victims of sexual arrestment, 89 % are women according to the Central Statistics Office report 2016.

In consonance, temporary special measures to victims should be provided, and necessary measures taken to ensure effective implantation of the National Gender Policy Framework and establish monitoring mechanisms to evaluate its effectiveness and to improve the system, she suggests.

Agnes Calou points out that there is a low number of shelters for women and girls and only 1 of 3 of those shelters are under the aegis of the ministry. As an outcome of the above, shelters should be improved and alternative safe living settings for women provided, she adds.

She stresses that the government should by the same token strengthen support with NGO’s that offer legal aid and shelter to women and girls by allocating greater funds from the ministry.

She concludes that because 23 % of offences are sexual offences (CSO report), domestic violence should be criminalised including marital rape by coming up with a Sexual Offenders Bill for perpetrators so as to create deterrence.

CATHERINE PROSPER

Provisional Charges constitute the iceberg’s top of archaic customs

Catherine Prosper highlights the issue of Provisional Charges in Mauritius, its origins and its conformity to the Constitution which explores the issue of arbitrary arrest and threatens human rights under this practice. She stresses the introduction of a Police and Evidence Criminal Act (PACE); the creation of an independent body and of Mauritian Criminal Procedural Code and underlines the amendment of the POTA as a prelude to arbitrary arrest which acts on assumptions similarly as the Provisional Charges. In addition of setting forth the appropriate parameters for the Provisional Charges; suggesting the implementation of the PACE (Government Program 2015-2019).

She adds that Provisional Charges practice have led in many cases to the arbitrary arrests and abuse of power by the judiciary. It has been used in many circumstances as a weapon against public enemies’ on revenge purposes. Under the Provisional Charges in its actual state, anyone could be arrested, she adds, based on unfounded allegations. It thus, allows the arrest and detention of any individual on the basis of suspicion, during an undetermined period of time.

Catherine Prosper further points out that as “power corrupts and absolute power corrupts absolutely” (Lord Acton, 1887), Provisional Charges in its original state had proved to be very a dangerous instrument as it confers too much power to the judiciary. Even though, in some specific cases this practice may prevent the tampering of evidence, its continuity in its present form should be abolished, according to her.

She specifies that the introduction of a Police and Evidence Criminal Act shall also be a considerable solution in the light of ending the malpractices of the Provisional Charges. It would set up parameters for the arrest and detention of a suspect. If there is lack of evidence, she adds, within certain prescribed hours/time, this would de facto results in the discontinuity of suspect’s detention, and any prolonged detention should be approved by a magistrate.

She highly recommends that the government should consider the introduction of the PACE and start working in view of its implementation. The Provisional Charges practice constitute the iceberg’s top of archaic customs and laws still prevailing in Mauritius. As a conclusion, its abolition or amendment shall impact positively on the democracy and good governance of the country.

YAADAV DAMREE

Primary and secondary students should study Human Rights

Yaadav Damree points out that human rights are rights inherent to all human beings, whatever be their nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. Mauritius being a democracy does have
specific laws in order to have human rights being respected. Section 2 of the Constitution states that the Constitution is the supreme law of Mauritius. Hence, all laws in the Constitution is binding to all Mauritian. Apart from Mauritian laws, he adds that the country is subjected by several conventions and treaties regarding the Human Rights.

Indeed, he reckons, Chapter 2 of the Constitution sets out the rules for the “Protection of Fundamental Rights and Freedoms of the individual”. Despite having specific provisions for the human rights of an individual, human rights problems are always being reported. Therefore, he adds, to deal with complaints for breaches of human rights listed in the Constitution, the ‘National Human Rights Commission’ was set up. However, cases usually go to the National Human Rights Commission or the Equal Opportunities Commission for inquiries.

On a point of reflection to the laws governing the Human Rights of people, Mauritius has enough specific laws in its Constitution and other statutes such as The National Preventive Mechanism Act 2012, The Protection of Human Rights Act 1998, Equal Opportunities Act 2008 and international conventions and treaties to support Human Rights issues.

Therefore, Yaadav Damree argues that to tackle these problems is having ‘Human Rights’ as a compulsory topic in the curriculum of primary and secondary students. This, according to him, will develop the mind set of young Mauritian in a positive way in regards to respecting Human Rights.

Furthermore, he adds that the appropriate regulatory and enforcement measures need to be put into place to increase compliance with specific laws. Indeed, decent laws regulating human rights issues exist, but the problem remains at the implementation level whereby the solution proposed above will resolve this issue to some extent. He points out that courts should be stricter in judgments where no proper implementation of the law is being made and this will result in helping in the enforcement measures.

**ELODIE ITHIER**

**Issues regarding gender inequalities**

Elodie Ithier focusses on the gender inequality issues in Mauritius and proposes solutions such as collection of data, economic incentives to promote equal pay, a revision of the law and education programs as a way of improving gender balance in the country.

Her remarks are:

- Expressing with appreciation the various systems and laws such as but not limited to the protection order system, the family support bureau, and others
- Congratulating the operating projects led by several organisations and groups to change popular attitudes towards gender based violence and inequalities
- High rates of gender-based violence in the country with an estimate of 1 in 4 women having suffered from such abuse.
- The existing average of 57% of pay gap between men and women (according to a study by Gender Links)
- The lack of consistency in data gathering concerning gender issues in the country with the latest report of the Equal Opportunities Act dating of 2014.

**EMMANUEL HURRY**

**Women should be as educated as their male counterparts**

Emmanuel Hurry points out that education of women by volunteers or government campaigns to educate every women in families, gives them a clear perspective of their rights. According to him, it is a fact that when 10% more girls go to school, a country’s GDP increases on average by 3% (CNN, Gwen K. Young, July 31, 2016). It is essential, according to him, to empower women to join the political sectors and involve marginalised groups in the discussion on human rights issues. Furthermore, training police officers on human rights and how to deal with different situations is a must.

He regrets the highly prejudicial effect of gender inequalities on the society and
economic reality even though Mauritius has free education, as the educational attainment sub index position of our country is 65 over 144 countries.

**As such, Emmanuel Hurry**

1. Invites the government to set up a convention to protect human rights and to gain volunteer paralegals to educate people on their rights;
2. Encourages the use of new technologies, for example the internet, to assist in the campaigning of acceptance and respect for human dignity, and ideologies of impartiality and non-discriminations by these means:
   (a) Discriminatory statements reported to an internet discrimination hotline, which has to be set up globally and will register as well as process these reports and in exceptional cases contact the police;
   (b) The media which need to promote the participation of victims of racial discrimination, xenophobia and related intolerances, allowing them to voice out the physical and emotional sufferings of being the prey to such abomination;
   (c) Requests that since racism and xenophobia are multi-faceted and include prejudice and ignorance, they must be addressed through appropriate measures such as education in the following ways:
      (1) Education needs to be the key to changing behaviour and to promote tolerance for diversity in societies.
      (2) Create awareness campaigns of the noxious effects of racism, xenophobia and related intolerances;
      (3) Education of women should be carried out about their rights to denounce such atrocious acts.
3. Urges the government to train police officers with strong emphasis on gender-based violence and human rights (United Nations Development Programme);
4. Encourages complaints lodged against the police corps to better be investigated;
5. Reminds that it is the responsibility of each State to adopt a comprehensive approach, in line with the international human rights standards, to address all manifestations of racism, racial discrimination and related intolerance in a complete and effective manner;
6. Strongly condemns police charges without evidence and arbitrary arrests and detentions on the ground of provisional charges.

**HEMANT RUGHOONATH**

**Demystification of mental health**

Hemant Rughoonath points out that people with mental illnesses are probably the most disregarded individuals in matters of human rights. In numerous groups, mental disability isn’t viewed as a genuine restorative condition, and is rather seen as a shortcoming of character or as a measure of unethical conduct. With the basic human rights denied, comes into action a psychosocial perspective into acknowledging the rights of people with mental illnesses.

Furthermore, he notes with concern that even where mental health strategies and laws do exist, a significant number of them concentrate on control of individuals with mental disabilities in psychiatric institutions and disregard to viably guard their quality rights.

He is deeply concerned with stigma related to mental illness which additionally brings about discrimination and human rights violation. Individuals with mental illnesses confront segregation and harassment at the workplace, in access to basic rights, education, accommodation and quality rights.

Hemant Rughoonath fully believes that social inclusion remains vital for social recovery and in eradicating barriers which keep those suffering from mental illness away from participating in key areas of economic, social and cultural life.

**He therefore:**

1. Recommends review of funding priorities and to prospectively inculcate mental health as a social justice issue additionally.
2. Expresses aspiration for the government to reinforce and for policies to execute and invoke the right to choice-in terms of treatment, right to complete information of the treatment and service providers and to invoke the right to refuse treatment through awareness of individual consent.
3. Emphasizes promotion of right participation in political and public life by invoking rights to equal recognition before the law.
4. Encourages the enhancement of educational policies which focus to provide access to quality education and meet individual learning and developmental needs.
5. Appeals for a human rights and employee relations act to implement provisions of complete leave of absence and eradicate discrimination, both when in employment, in the recruitment process and when looking for a job. Additionally working out a policy for medical leave for one’s mental illness.
6. Recognizes social inclusion to be a vital source of recovery, well-being and autonomy by working out a strategic framework of a National Action Social Inclusion Plan and primary provisions for mental health.
Commonwealth country, has inherited an adversarial system compared to other inquisitorial countries. Provisional charges have now become a political tool which the government of the day to victimize & intimidate people by other political persuasion. Be it any political party.

Furthermore, the police as a crucial institution did not have major reforms concerning the way of doing enquiries. After arresting someone, according to Jashveer Hurday, they often claim that they are in search of evidence and if it’s the case therefore the arrest becomes arbitrary. As such, he highly recommends that

- Provisional charges should be abolished as it has not been proved to be in conformity with the constitution where section 10(1) When a person is CHARGED, not provisionally charged with a criminal offence.
- From Jan 2015 to June 2016, 14728 Provisional Charges lodged in the courts around the country and 5217 were set aside.

As a conclusion, Jashveer Hurday notes that the provisional charges are not in compliance with our constitution and Article 5 of the European convention of Human rights which therefore needs to be abolished.

**PRAKASH JUDDOO**

**Need for public awareness**

- Prakash Juddoo notes with concern that most significant human rights problems reported include security force abuse of suspects and detainees. Enforcement can be inconsistent, according to him, and sometimes politically motivated, resulting in the appearance of impunity.
- He regrets the ignorance of authorities to advise the accused of his or her rights, including the right to remain silent and the right to have an attorney.
- Emphasizing the need for public awareness at large (including Police Officers), he advises to include Fundamental Promotion and Protection of Human Rights studies in the school curriculum.
- He strongly urges the need of legislation to prevent the authorities from acting upon order/advice from a political party and without sufficient evidence and to learn from other jurisdictions by abolishing the provisional charge and consequently to adopt a Mauritian Criminal Procedural Code, whereby the arrestor shall justify detention on a ‘minute by minute basis’.

**ULASHNEE DUSSOYE**

**Domestic violence should concern one and all**

She points out that the Human Rights Charter is a leading document that has been adopted as a contract between the government and its people all over the world and should be respected by each and every one. The right to protection from violence and to security and liberty of a person is recognised in the human rights agreements.

Domestic violence is defined, she notes, as a pattern of abusive behavior, be it is
moral or physical. It affects people of every class, gender, age and race. The violence, she adds, can begin at any stage of a relationship and it may continue even after the relationship has ended. The impacts of domestic violence are not always physically visible. But victims and survivors can face ongoing and challenging effects enduring physical, mental, and emotional abuse.

Most people, she reckons, think that domestic violence is a private, family matter and choose not to get involved. However, domestic violence impacts on the society in surprising ways. According to the report of a study carried out by the University of Mauritius on Intimate Partner Violence which was validated in May 2017, the findings revealed that women who are victims of intimate partner violence suffer silently without any supporting network such as parents, friends, colleagues and others. The study has estimated that monetary value of the burden of intimate partner violence in the form of physical, psychological and sexual abuse on the economy is Rs 2 billion.

3,250 cases of domestic violence, she further notes, have been reported to the police from December first last year to November third, this year, which amounts to approximately 295 cases of domestic violence monthly or 10 cases daily.

Effective measures, she reports, could be taken from the government like:

Collaborations between the government and NGO like Gender Links to use the empowerment approach, ground in the belief that victims of domestic violence should have access to information and education.

Educational campaign to teach young children the importance of healthy relationship and happy family. In fact, kids should know that domestic violence in any form is a violation of the Human Rights.

Enhancement of the law for abusers so that they do not dare to commit the same error twice.

Use technology to sensitize people. “The Bright Sky app” is a common tool in the UK which is being used to assist victims of domestic violence. Such an app needs to be looked into.

Conclusion:

Dear members, I have had the pleasure of addressing you today, and I am humbly request you to start acting against domestic violence. It is disheartening to read stories of those who have lost their struggle and ended up dying at the hands of an intimate partner.

There are possible solutions. Prevention education and early intervention can decrease the violence.

We need our community leaders to keep promoting non-violent solutions.

We need schools and parents to educate young people on making smart choices when using social media.

We need coaches to address the topic of dating violence. We need college fraternities to build safety measures into their social gatherings.

Most of all, as leaders and emerging leaders, we need to hold ourselves accountable and model the behaviors that support the women and children in our lives.

Everyone deserves to feel safe in their own home.

She notes that given its unique feature, no detainee pleads to a provisional charge and that no trial takes place unless it is struck out and a formal charge has been lodged. She regrets that it is a mere routine practice of police officers.

Wazihah Ruttun reckons that the concept in itself is not totally wrong but it is just being wrongly used. And argues that if an individual is subjected to a preliminary charge because there is insufficient evidence to proceed to trial, then the detention maybe arbitrary and amount to a breach of right to liberty as per Section 5 of our Constitution.

As such, some reforms need to ensure that the innocent is not provisionally charged with an alleged offence that he has not committed and he is incriminated himself under fear which completely erodes his constitutional right as per section 10 of our Constitution.

Recommendations:

Ethical and Legal Policing. Provisional charge may be unfair to the extent that it is prejudicial to the suspect. When undertaking an investigation, the police should comply to ethical and legal policing, respecting domestic standards as well as administrative guidelines on police matters.

Secondly, time limit for provisional charge- A provisional charge shall mention the details of an offence and it shall lapse after a period of 6 months unless the magistrate on a good cause shown on reasonable grounds to allow the police a further period where the charge can subsist.

Thirdly, mostly important, she urges to introduce the Police And Criminal Evidence Act that would prescribe circumstances where a police officer shall not arrest a person on the basis of mere allegation or a third party unless he has carried out all the necessary investigations. They should gather scientific, factual and verbal clues before charging a suspect.

YESVEE CHINNIEN

Form of lawful custody

Yesvee Chinnien points out that here has been a debate over the years on the legality and propriety of the use of a Provisional Charge which is meant to put a person under Judicial Control, following his arrest and
release on bail subject to certain conditions. She notes that the purpose of a Provisional Charge is to bring the arrest and detention of a person under judicial supervision and control, it is in conformity in Section 5 of our constitution, “right to liberty”, which requires an arrestor to bring a detainee suspected of crime before a Magistrate with a least possible delay. Given its distinctive feature, no detainee pleads to a Provisional Charge and a trial takes place on the basis of a Provisional Charge.

But, as she rightfully adds, the question is that whether a person being held on a remand on a provisional charge still entitled to his civil rights?

In Fakeemehaa v The Commissioner of Police, the applicant being held on remand at a prison on a provisional charge of murder was allowed to stand as a candidate at a municipal election. On being elected, he asked for an order directing the authorities to allow him to leave the prison to take an oath as a municipal councillor. The Judge sitting in Chambers said that there was no specific legislation in Mauritius which spells out clearly and exhaustively the rights which a prisoner may be allowed to exercise whilst being detained in prison either on remand or following conviction.

“...And indeed, this absence of specific legislation on that subject is not peculiar to Mauritius, as in many countries of the world, it has been thought wiser that no hard and fast rules should be spelt out and that the judiciary be left to take decisions on a case by case basis, having regard to human, constitutional and other legal rights on the one hand and other relevant considerations on the other hand.”

Therefore, she concludes that there should be a line between what can be authorized and what cannot be authorized, bearing in mind the presumption of innocence and also bearing in mind that remand pending trial is nonetheless a form of a lawful custody such that a fill exercise of many rights is not normally compatible with lawful detention.

**Solutions proposed**

Police Officers should be placed on to first of all carry out a thorough enquiry, then consider whether an offence has been committed and eventually in the light of all circumstances of the case decide on the lodging of any information, if any, it should be subject to the consent of the DPP.

Additionally, as mentioned above, it is the Judiciary in the Judicious exercise of their discretion, to draw a line between what can be allowed and what is not, taking into consideration the presumption of innocence and also bearing in mind that remand pending trial is nonetheless a form of a lawful custody such that a fill exercise of many rights is not normally in accordance with lawful detention.
MAURITIAN YOUTH (EDUCATION & EMPLOYMENT)

HE MR PARAMASIVUM PILLAY VYAPOORY

To privilege character rather than appearance

Mr Vyapoor starts by congratulating the Young Parliamentarians for having succeeded in having the concept of Youth Parliament included in the government 3-year Strategic Plan 2017/18-2019/20. Through this project, he says, they will formally discuss about the future of the country and adds that the future belongs to them, leaders of tomorrow. He wishes to talk about education and employment.

In Mauritius, as far as enrolment is concerned, he says, it is practically universal at the preprimary and primary levels, 100%. When it comes to the secondary level, the enrolment ratio drops to 72% for children aged 12 to 19 years. It is hoped, he adds, that with the Nine-Year Schooling Program as from 2018, the totality of children aged 12 to 14 will continue and stay in secondary education thus reducing the drop-out rate for children aged 12 to 14 from 28% to hopefully 0% which will already be a great achievement. And this is one challenge, he argues, to make it happen.

The question that arises will be: What will be drop-out rate as from age 15 years? This will be another challenge, he reckons, that should be reduced as much as possible. And if the percentage drop-out of youngsters from 15 to 19 could be reduced, then the enrolment at tertiary level could be raised at a higher level. It is known worldwide, he points out, that there is a positive correlation between enrolment at tertiary level education and economic development of the country.

The government, he says, is keen to develop the Knowledge Hub as a new pillar of our economy by attracting more local and foreign students to our universities. In order to attract more students, the global ranking of universities in Mauritius becomes an important deciding factor. For the moment the University of Mauritius, he sets as an example, occupies a very low ranking, 2564th compared to 191th for the University of Cape Town, our neighbour, 152th for the University of Bangalore in India, 22nd for the Australian National University, 12th National University of Singapore. Eighth position going to Imperial College of London, sixth, University of Oxford, fifth, California University of Technology, University of Cambridge, Harvard University, second, Stanford University and the first one in the world being Massachusetts Institute of Technology.

This, according to him, is another important challenge: improving the global ranking of our university and asks that our youth can discuss about how to achieve this and make propositions to the government. Another important factor, he underlines, is the quality of our education. We often hear that our universities are like glorified secondary schools where students only listen and take notes passively. This is not altogether true but to some extent, he adds, it is true when we compare ourselves with what happens in other universities in France or other European countries. Therefore, this has got to change, he stresses, and is an area we need to ponder on.

Education at tertiary level should emphasize on development of skills rather than mere acquisition of information and inert factual knowledge. He adds that education should be dynamic, lively, interesting, passionate aimed at developing skills and character and that the heart and the mind should be educated. The development of soft skills should be given prided place in the curricular. Problem-solving skills through experiments and projects, critical and analytical skills using the scientific method and the law of cause and effect, organisational skills, communication skills, specially public speaking skills (which you will demonstrate here) are important, he adds. Not to mention interpersonal skills, the ability to work in a team and avoid conflicts in order to achieve results. These skills can only be developed, he says, through practical, real-life, hands-on activities whereby the students are given responsibility to conduct projects from start to finish with the tutor or lecturer only acting as a guide or facilitator. It is important for any individual to achieve position, popularity and build up a positive self-image. These personality traits are however on the outside, that people see, he reckons.

What is more important, he points out, is on the inside, the development of character. He quotes that letter that Abraham Lincoln, maybe the greatest President of America, wrote to the headmaster of the school that his son was attending, where he wrote: "Teach him that a dollar earned is far more valuable than a dollar found. Teach him that it is far more honorable to lose than to cheat."

Teach him that a dollar earned is far more valuable than a dollar found. Teach him that it is far more honorable to lose than to cheat.

How many people cheat in life to gain a position, but in the end it is not worth it, Mr Vyapoor says. When you earn something, you can hold your head high. You gain self-confidence and self-esteem which drives you to further progress, he adds.

This is the type of education that gives character, which we must all aim at, he concludes.
CATHERINE PROSPER

Local recruitment should be favoured

Catherine Prosper highlights the issue of Youth Unemployment taking close reference to the out-dated educational system in Mauritius which gives more merit to academic training rather than vocational training. She suggests three recommendations concerning the issue of youth employment and educational system in Mauritius. The first one is the de-stigmatization and the empowerment of Vocational Education Training as vocational training is often viewed as last resort for students who have failed within the conventional Mauritian education system. Secondly and also connected to the VET, she underlines the need for schools to review their curriculum design and adapt themselves to the needs of the Mauritian economy. Pertaining this issue, she asks: “What does the Mauritian economy need?” She recommends a study on the question. Furthermore, she highlights the need for the government to impose quota on industries and multinationals employing foreign workers in order to favour local recruitment rather than foreign recruitment.

Recommendation 1: De-stigmatization and empowerment of vocational education and training.

We should encourage youngsters to follow vocational apprenticeship training rather than only focussing on the academic aspect of education. The term education in itself should be broaden and also encompass vocational education training.

The education system in Mauritius is free from primary school to tertiary education (Joosery 2014, p.2). In contrast, vocational education and training (VET) is not free and is payable at all levels. The education system is set and mostly based on an academic performance and vocational training is not implemented in the curriculum right from the beginning. Therefore vocational training appears to be an alternative only when students are not successful academically. Consequently, going to vocational training only when one fails to adapt to the conventional education system directly devaluate the VET, creating a stigma on vocational training. A solution would be to implement vocational training at school, alongside with the academic curriculum (Vartan, 2016). Just as sports are considered to benefit the development of a child, so is vocational training. Schools should opt for a dual style curriculum, offering academic classes subjects/ modules while providing workshops for VET. According to European Centre for the Development of Vocational Training (2011, p.6), VET is directly “linked with a nation’s productivity and competitiveness”. The report also underlines that there are numerous benefits of VET at Macro, Meso and Micro level.

The education system in Singapore is claimed to be one of the most interesting and effective and basically one of the best system of education in the world. Singapore’s education system is structured in such a way that every student is given a chance to find a job later in life. From the beginning, they are divided in groups based on their capabilities. Singapore implements vocational training very early in their school curriculum and this is a way to prevent youth unemployment. It has to be noted that Singapore youth unemployment rate is very low and could eventually be an example for Mauritius. However, Obeegadoo argue that the Singaporean system which had worked in the 70s-80s in Mauritius is now outdated and should be reviewed. In fact, the world had since faced booms in various sectors, including technology and machinery. Our educational system should therefore evolve according to those developments.

Recommendation 2: The curriculum design should be drafted according to the means of the Mauritian society.

There should a study to identify the emerging sectors of the local economy and the curriculum design should be based upon this need. We should stop promoting areas of studies which are saturated or where jobs are limited or nonexistent (YEP Report 2014, p.15). The concept of having one graduate per family is not bad in itself, but the field in which there are graduates is however important. We need graduates to be relevant based on the need of our country. As argued by former US Senator Rubio (2015) “we need more weddlers and less philosophers”, this statement which had largely been contested is however very realistic and underlines that a country should produce graduates in fields which would increase productivity. In the Mauritian context, we could argue that we need more professional in vocational fields than we need in the health sector, underlining that the number of unemployed doc-
tors in Mauritius keeps increasing each year (Hbz 2015).

Enlarging tertiary studies to vocational education training could therefore enable a large amount of graduates to secure a job as there would be less qualifications mismatch. Moreover, having young vocational graduates at home would decrease the need for Mauritius to look for foreign professionals to perform tasks which could have been performed by locals (if the later had the required qualifications and training). Having skilled professionals, the government could also collaborate with other countries that lack specific skilled workers and send Mauritian professionals to work abroad in order to decrease unemployment rate locally. Becoming a knowledge hub is not the solution to the deed of unemployment, instead Mauritius should become a pool of skilled professionals (according to the needs of the local and global economy). As a consequence, this may help to avoid the increasing of “Gradués chomeurs”.

Recommendation 3: There should be a quota for businesses recruiting foreign workers

In 2016, there was a total number of 29,084 foreign workers working in large establishments in Mauritius (Statistic Mauritius, 2017). Implementing a quota for businesses using foreign workforce would force industries to favour the employment of Mauritian workforce. Favouring local workforce could help to curb unemployment rate which during the second quarter of 2017 was estimated 7.2% which amount to 42,600 unemployed of which 19,000 are males (45%) and are 23,600 females (55%). The government should give priority to citizens’ workers in order to help to tackle with the issue of unemployment. In 2013, Singapore had implemented measures aiming “to nudge employers to give Singaporeans — especially our young graduates and professionals, managers and executives — a fair chance at both job and development opportunities.” (New York Times, 2013)

Having foreign workers can only be benefit when the latter are sharing their experience with the local workforce. The Mauritian government needs to implement policies aiming to increase local workforce auto-sufficiency and give priority to citizens for job openings.

CHRISINTA CHAVRIMOOTO

Addressing mismatch by a ‘revalorisation des métiers’

Chrisinta Chavrimootoo argues that youth unemployment (16-24 years old) stood at 23.6% in 2016, with young women being more affected (31.2%) than men (18.3%) resulting in a loss of production for the state, reduced income tax and the loss of hope of families and a whole generation of young Mauritians. This, according to her, is inadmissible and the following propositions have been formulated to address the problem of youth unemployment.

She points out that youth unemployment can largely be attributed to a mismatch between the qualifications of young persons and those in demand on the labour market. The issue which is often in the spotlight is the rise of new job areas, such as artificial intelligence, engineering and marine science which fail to find suitably qualified candidates, she adds and proposes to tailor our school and university programs to cater for these growing industries.

She suggests to focus on those areas which have been neglected for too long but which are nevertheless essential to our economy, such as agriculture, social work and psychology, environment, person-oriented services, construction, technical and repair services and therefore a ‘revalorisation des métiers’ in the following ways:

i. Incorporating subjects related to the above in public schools
ii. Subsidising programs aimed at training young people in the following areas
iii. Government policies to increase the attractiveness of such jobs
iv. Increase incentives/salaries as required
v. Increase funding for research
vi. Encourage private or public professional bodies to accompany young persons who wish to work in those areas

Furthermore, she adds, young people often find themselves in a situation where they aim to gain first work experience only to have their tails bitten off by the requirement of needing previous experience to secure the job. In order to get rid of this obstacle which shouldn’t be one, she proposes the following measures:

i. Encouraging young persons to gain work experience as soon as possible
ii. Encouraging summer internships for college and university students.
iii. Creation of a legal framework to give a status to young persons engaged in such work experience
iv. Adequate and concrete training offered by employers to young persons
v. Incentives to businesses/persons who offer a first work experience

As such, Chrisinta Chavrimootoo envisages a system whereby our economic and tax system are adapted to encourage business growth, to encourage investment and to ease financial burden of employers wishing to employ young persons.

i. Employment of youth could be added as a condition of access capital for SMEs
ii. Fiscal incentives (i.e tax breaks) given to employers who offer professional opportunities to young people. A grading system could be created:
   a. Biggest incentives for disabled and disadvantaged youth
   b. Medium incentive for employment given to young persons
   c. Lowest incentive for mentorship and internship opportunities
iii. Creation of youth employment offices under the aegis of city councils, which would coordinate demand-supply and assessment of experiences, thus acting as reducer of risk
iv. Funding mechanisms offered to NGO’s or associations contingent on mentorship and financial education
v. Advantageous fiscal incentives to stimulate Foreign direct investments (FDI), thus increasing youth employment

She reckons that even though the world is becoming a global village, young Mauri-
tians often perceive the labour market as limited by the boundaries of our island. It is time, according to her, we started acknowleding that the labour market is evolving in terms of how work is conducted and circulated. Global mobility should be promoted because the International Labour Organisation has recognised that “When youth migration takes place in conditions of freedom, dignity, equity and security, it can boost economic and social development in both countries of origin and destination.”

i. Take advantage of all bilateral agreements made with other countries, especially African ones

ii. Developing partnerships with international educational and training institutions

iii. Increasing funds in local and international research

iv. Creating legal and institutional frameworks to monitor and assist global labour mobility for youth

She suggests more innovative incentives, solutions and policies to eradicate the problem because after all, she asks, why would we not make full use of young persons’ energy, drive and knowledge in the state’s interests? And observes that even though primary and secondary education are free, student transport is free, exam fees are subsidised, national universities’ fees are low, yet youth struggles to enter the job market. As a conclusion, she asks: “Are we willing, as a nation, to leave young persons behind by the side of the trail while the wagon train of development passes them by?”

GANESHA SEEBARUTH

Better incentives for graduates to serve their country

Though according to Statistics Mauritius, points out Ganesha Seebaruth, the unemployment rate in Mauritius has decreased to 7.2 percent in the second quarter of 2017 from 7.4 percent in the same quarter of the previous year, transparency and fairness continue to take a setback in the island economy as Mauritius settles for fourth place on the transparency index. She adds that the country is still fighting against corruption but there is still a long way to go. Hence, she points out, frustration can be observed, among the youth when it comes to recruitment in the public sector and this is one of the main reasons why many of our young graduates prefer to work abroad whilst others are left with small jobs with a meek salary.

Not to mention as she points out that people close to political affiliates tend to get a job more easily, irrespective of their qualifications. This has to stop, she says, as it will not only discourage youngsters to return to serve their country but also those studying here in Mauritius as well. The government should help youngsters who want to do business. This will lead to the creation of jobs. There is a high demand of white collar jobs, she adds, and if the government does not find solutions to increase foreign investment reducing the rate of unemployment, youngsters studying abroad will tend to pursue their careers outside.

Ganesha Seebaruth’s second proposal is that more sectors, other than finance and tourism should be developed. This will strongly encourage youngsters to pursue their education in other fields such as the environment and scientific research, she reckons. According to her, the expansion of the private sector should invest massively to encourage more young people especially those who study abroad to join their companies by giving them the best positions at the managerial level in order to showcase their talents , know-how and diversity that they had acquired from abroad.

This will help to address the different needs of the organisations, as it will perform on a more efficient and innovative basis. If our country does not do its level best to attract the Mauritian students from overseas, it will be a potential loss for Mauritius, she logically acknowledges. To stress out her third proposal, she claims that due to a lack of proper management of current and future graduates, the university programmes are not fitting the market demand. There are less government incentives and investments for mass employment industries such as the Ocean economy.

The Ministry of Education has set up the Nine Year Basic Continuous Education and this might be an asset, she adds, for our educational system but it would be better to have a career advisor in each secondary school so as to advise students in their choice of subjects corresponding to the demand for labour in the mauritian market. This will certainly reduce the supply of graduates in fields that are not in demand and students will be more confident about securing a job in the island, she concludes.

HEMANT RUGHOONATH

An entrepreneurial approach to influence policy and change to tackle youth unemployment

Hemant Rughoonath notes that this year the importance of tackling youth unemployment by the United Nations by integrating youth entrepreneurship in their development agenda was heavily discussed. Entrepreneurship is not only deemed as a solution to unemployment but also a gateway to youth empowerment and a nation’s economic progress, he highlights. It is in lines of social welfare to implement entrepreneurial programs as the aspiration as well as willingness of young persons in terms of jobs they envision. It is a fact, he says, that 65 percent of the 2,800 youngsters who studied around the world want to run their own businesses sooner or later in their careers - 27 percent want to actually engage quickly whilst 38 percent after gaining experience from another person first. Establishing multistakeholder alliances of the government with businesses, academic institutions and youth organisations and launching linkages with global markets will fuel opportunities and protect labour rights permeating job creation.

His first proposal is to promote digital Economy; a commitment to maximise on the opportunities provided by the technology sector and initiate training programs to create digital entrepreneurs. Statistics
from the aegis of the Ministry of Finance and Economic Development demonstrate that the value added of ICT sector rose by 3.9% from Rs 21,137 million in 2015 to Rs 21,956 million in 2016, he states. The Mauritius Vision 2030 depends on a considerable measure of the advanced digital economy. It highlights for innovation, creativity and reasonable advancement, he argues. The country plans to see rising ‘technopreneurs’ through ICT incubators. Digital economies equips the unemployed youths with opportunities for digital transformation.

Secondly, he notes, national employment policies should promote start-ups, to reform and practice constant monitoring of quality apprenticeship and assist in school-to-work transitions. Social mobility, innovation and enhanced employability rates can be achieved through the inculcation of entrepreneurship in education according to Mrs Leela Devi Dookun, Minister of Education and Human Resources, who also speaks of an entrepreneurial economy where we live in a time where SMEs play a major role in the country’s economic development.

Hemant Rughoonauth adds that there exists a dynamic relationship between policy development and monitoring its actual execution on the employment and economic ground. Self-employment does not stand as an exclusively individual focused capacity but has ties to the socio-economic sphere to supply opportunities of quality start-ups and to embark on beneficial funding and resource utilization. Data from the European Commission, he adds, further claims up to 20% of students who participate in a mini-company programme in secondary school will later start their own company. This can be achieved only through hands-on, real-life experiences, and project work.

He further adds that there is a need for collaboration and initiate functional partnerships with PAGE (Partnership for Action on Green Economy) to provide green jobs for youth and altogether reducing environmental risks and ecological scarcities, and that aims for sustainable development without degrading the environment. Commencing with initiatives to unleash the potential of the environmentalsector to provide green entrepreneurs with the benefits acquired by the nation’s partnerships with PAGE and UNEP (United Nations Environment Programme).

PAGE, he adds, proposes to provide sustenance to 30 countries in a span of the next seven years to strategize for a green economy, which would thus, fuel job creation and skill development, promote clean technologies and sustain the environment and reduce the risk of poverty. On the UNEP front, the national agent for the project, contributions in the domains of Green Industry and High Economy will be implemented by the University of Mauritius with collaboration with the two experts. This is in consideration to looking into fiscal policy issues which Mauritius is facing as it tries to go green while upholding its economic growth, he concludes.

**MURALIKRISHNA APPANDI**

Youngsters employed upon showing commitment and professionalism at work

Youngsters want to be heard and appreciated as partners in economic development of their country, points out Muralikrishna Appandi. The evolution is a key period characterized by economic independence and contribution however, the socioeconomic environment can have an impact on the chances given to those youngsters.

The World Youth Report on Youth Civic Engagement, 2016, by the United Nations Department for Economic and Social Affairs stated: “As a consequence, for many young people today, economic engagement has become more challenging owing to the lack of decent employment opportunities. In addition, inadequacies in skills and education, the lack of support for entrepreneurship, and diminishing labor rights have profound impacts on youth economic engagement.”

His first proposition is to involve all action partners and the government in job creation strategies with intense focus on the entrepreneurship sector. “We need to develop the entrepreneurship sector for youngsters by providing more opportunities available to them in terms of business counseling, business development, funding facilities, training, follow up, marketing and export trade system to commonwealth countries”, he adds.

Action plans and policy making strategies, he continues, should bring in spotlight the concept of sustainable entrepreneurship. SME Mauritius should launch new training programs targeting entrepreneurs especially, young graduates since they belong to the modern era of innovation.

As an example, he says, Microsoft Company took the initiative to give entrepreneurship courses to students which could be extended to practical training and business start-ups; like making and selling of pastries in the school premises and any other business generating activities.

Youth and vulnerability is another issue of concern when it comes to youth unemployment, he underlines. We can see the differences in various sectors of workforce between young males and females, differential chances of unemployment for qualified and unqualified, lack of basic skills, mismatching of qualifications and skills as a demand in the job market, disabilities, political interference, meritocracy and nepotism, he notes.

Consequently, there is a need to look into the matter to ensure proper selection and equal opportunity to all involved. According to Education Statistics Report 2017, tertiary level enrolment decreased from 48,970 in 2015 to 48,089 in 2016. One graduate per house makes more unemployed in the job market and jobs being scarce and no job creation to absorb young people in the market after completing their tertiary education, he reckons. Courses and job creation should be according to the demands of the labor market so as to reduce the mismatch of qualifications and the labor market will be able to attract people for employment in the specific development area.

Another step is introducing career guidance in schools, universities and founding
leading career guidance institutions should be the planning of policy makers in order to canalize students towards career focused decisions. Career counselors help them to focus on what is important, where and when to go ahead for career related decisions, he reckons.

Muralikrishna Appandi urges companies to employ youngsters once they show commitment and professionalism at work. The Ministry of Labour, Industrial Relations, Employment and Training made a good initiation of the Youth Employment Program (YEP), so did the Ministry of Finance and Economic Development for the Services to Mauritius (STM) Program but still, we are stuck where we were. Surveys should be carried out, according to him, to show whether these youngsters are being recruited on a permanent basis or do they hold higher chances of being recruited.

He points out that Statistics Mauritius revealed that the rate of unemployment for the population of 16 years old and over is on decrease from 12.9% in 2010 to 11.2% in 2016. Although, the global economy has shown a reasonable growth, young people entering the labor market are less likely to secure a job, as a result of which there has been little impact or should we say slight changes.

Long term unemployment, he concludes, results in social exclusion of young people, and for the social integration we need to work on policies for employment, financial security, optimism, life satisfaction, high employment commitment and high social support.

ESTELLE THANDAVEN

Que le système éducatif soit formatif plutôt que sommatif

Estelle Thandaven souligne qu’en 2015, le Nine-Year Continuous Basic Education Program ("Nine-Year Schooling") avait pour but de corriger les maux, à savoir la compétitivité et les inégalités entre autres, qui gangrenaient le système éducatif d’alors. Une mesure, qui serait grandement inspirée du concept développé au sein de l’UNESCO par le mouvement Basic Education for Africa program, où l’on prône une scolarité étalée sur neuf ans afin de gratifier tout enfant d’une éducation de base de qualité en toute équité.

Or, selon elle, le système ne fait qu’accentuer des crâneries inégalités qui rongent depuis des décennies notre système éducatif en se détournant de l’essence même de la mesure proposée par l’UNESCO qui est : « Offrir une éducation basique, sans compétition, sans obstacle psychologique, géographique, social, financier ou intellectuel entre autres. » En effet, ajoute-elle, si l’appellation a été changée, la forme est elle restée inchangée, avec un système éducatif toujours ponctué de méthodes d’évaluation très compétitives et conservatrices. En bref, reconnait-elle, l’évaluation sommative prédomine toujours, accentuant par la même occasion une hiérarchisation d’élèves dans une course vers l’élitisme où l’on retrouve toujours les mêmes concurrents : les recalés et les « star performers ».

En effet, les recalés restent les premières victimes d’une éducation à deux vitesses compte tenu que les résultats du PSAC sont l’un des critères qui définissent l’entrée des élèves dans un « bon collège » ou « ti collè », souligne-t-elle. Et de faire ressortir que non seulement les examens créent un alvéole entre les élèves de différents niveaux intellectuels en les départageant entre le « main » et le « extended stream » où ce dernier offre une éducation fondamentale mais diluée aux recalés, les freinant ainsi à rattraper leur retard scolaire tout en leur marquant à vie d’un handicap intellectuel.

Il est donc impératif, selon elle, que le Nine-Year Schooling revienne à son objectif premier qu’est de suffire à ce que tous aient une éducation de base et de qualité égali-taire, indépendamment du niveau intellectuel, du statut social et de la situation géographique de l’élève.

De ce fait, Estelle Thandaven propose que les évaluations durant les neuf premières années d’éducation soient formatives plutôt que sommatives. L’évaluation formative est le type d’évaluation utilisée en Finlande durant les neuf premières années de scolarisation et elle a fait ses preuves car l’emphase n’est pas mise sur l’échec mais sur la connaissance. En effet, reconnaît-elle, contrairement à l’évaluation sommative qui a lieu le jour d’un examen ponctuel, donc très formel et noté, l’évaluation formative a lieu tout au long de l’année où l’on répond de manière informelle sur tout ce qu’on a appris tout au long du processus de formation. Cette forme d’évaluation comporte de nombreux avantages car il permet à « l’enseignant de tester les connaissances mais aussi de vérifier si l’élève a été capable d’apprendre à apprendre. »

Afin de freiner la concurrence et les inégalités présentes dans le système actuel, propose-t-elle, et ainsi garantir une éducation de qualité et non-discriminatoire à tous, il serait aussi recommandable que tous les collèges régionaux soient égaux en bénéficiant des mêmes facilités infrastructurelles et en prodiguant un enseignement de qualité similaire entre autres. En effet, il n’est pas irréaliste de dire que toutes les écoles ne bénéficient pas de laboratoires, de salles de classes bien équipées, de salles de « Design and Technology », d’une salle de musique, d’un gymnase, de terrains de jeux entre autres qui produirait à l’élève un sentiment de bien-être plutôt que de cloisonnement, facteur qui pourrait plus tard contribuer à un décrochage scolaire précoce, souligne-t-elle.

Dans cet élan de prodiguer une infrastructure adéquate et égalitaire, pour assurer le bon développement des élèves, il serait aussi juste de rehausser le niveau des enseignants. Si un budget a été voté pour rehausser le niveau des enseignants lors de ces dernières années, force est de constater que les qualifications minimums requises pour enseigner sont restées inchangées, dit-elle. Ainsi, l’on peut enseigner jusqu’en grade 11 avec un HSC et jusqu’en grade 13 avec une licence seulement.

En applaudissant la réforme du Nine-Year Schooling, les autorités ont apporté des changements positifs dans le système éducatif à savoir : l’introduction de soutien scolaire à travers les « Temporary Support Teachers » et l’introduction des Non-core Subjects tels que l’Art, les valeurs humaines et la communication entre autres qui viennent désormais aider au développement holistique des élèves, ajoute-elle. Hélas, cela
n'est point suffisant pour effacer les 22% des élèves laissés sur le banc de touche de l'extended stream par un PSAC compétitif. Garantir à tous l'accès à une éducation fondamentale de qualité et non-discriminatoire n'est plus un luxe mais une nécessité. Et de conclure : « Limitons-nous donc de préparer les élèves pour les examens et préparons-les pour la vie. »

**WAZIHAH RUTTUN**

**Universities should provide job-orientated courses**

Youth unemployment has become a growing social problem and as a matter of fact, job scopes for young people are progressively austere and depressing, observes Wazihah Rutun. In Mauritius, most of our fresh graduates and degree holders are suffering from this issue. The Mauritius Statistics Bureau of the labour force shows that there are about 46, 600 unemployed among which 47% below 25 years old, she adds. As a youth, she admits being touched to see all these graduates unemployed and seeking a job endlessly. According to the International Labour Organisation, our youths are jobless for short periods like 6 months or more and this adds up to doubt about their lifetime career seeing that their skills start to depreciate. According to her, it is important to find out the main causes of the problem and thus bring forward some feasible solutions to reduce this anomaly.

She highlights some recommendations that the government can adopt in the future to address unemployment issue and provide relief to the unemployed.

The universities, she reckons, have to provide job-oriented courses, that is they shall not only offer courses for knowledge purposes but ensure that the graduates can secure a job. Furthermore, she suggests, that they should further offer practical training of students so that they can understand field work. The university has to provide effective perception that any type of work is work. Quite often, she admits, graduates do not want to have trivial jobs. Degree holders are faced with skills mismatch, so the universities should invest more in skill acquisition programs promoting appropriate skills which make them proficient and ready to work.

Secondly, Wazihah Rutun points out, the Youth Employment Program has contributed in reducing the percentage of youth unemployment in Mauritius. However, one drawback of this program is that it provides placement for a year or even less and gives training in different respective fields but does not guarantee flexible or long term jobs. The YEP could be extended to two years for the employers to assess on the performance of trainees, she suggests.

She adds that certain young people are stuck unemployed since there are no available posts for them on the job market. The major problem is that as per the PRB 2008, the government had proposed that retirement age would gradually be raised from 60 to 65 years, thereby the elderly ones still considered as active employers. She adds that they are being allocated with both basic national pensions as they turn 60 and accompanied with their salaries, which is unfair to the unemployed qualified ones. A practical recommendation, according to her, could be early retirement for elderly people.

As a conclusion, she admits that social entrepreneurship should be initiated for youngsters appropriately, where funding to certain extent should be provided so as to be able to set up their own businesses while waiting for a job.

**YAADAV DAMREE**

**Better guidance towards relevant professional options**

Yaadav Damree begins by underlining the fact that young Mauritians are facing an alarming issue, unemployment. He adds that our educational system only focuses on academic education and not holistic education.

In his opinion, despite the recent reform in the educational field, there is a need for implementing many programs and curricula to overcome the arcaic educational system. According to him, the problem is that the system of education we have is forming only few intellectuals and no technicians who have specific knowledge in practical sectors where there is a potential need of manpower.

He reckons that a student can be very good in sports but not in other subjects and that the system promotes elitism only academically whereas elitism exists in various forms as in sports, music, dance and other forms.

The solution is that the system must be one where a student is allowed to acquire specific knowledge and develop his physical capabilities, values and entrepreneurship skills, he adds. He suggests that youth should be educated on the point that Mauritius could become self-sufficient, resulting in a need for citizenship education. He furthermore points out that in the new reform, curriculum of citizenship education must be included so that youngsters could learn about how to live in the society, promote sustainable development, resources, green and blue economy, providing the needs of our country. Young people shall therefore be more organized about their future, which will be related to their employment, he points out. Youngsters will therefore have the opportunity to exploit their skills rather than being examined solely on academic performance.

He suggests that at tertiary and technical school level, the curriculum should be more focused on the needs of the country every 15-20 years for the simple reason that these institutes may define in which fields they should specialise more people. Therefore, that vision and educational plan will help young Mauritians to have better guidance towards the different options they will have on the labour market.

At the same time, he argues, this will create ‘excellency poles’ running the economy which shall be the pillars we depend on, and can be as follows: Agricultural Engineering, Environmental Engineering, Electronic and mechanical Engineering, IT Engineering, White Economy (i.e., entrepreneurs, small businesses, import/exports, co-workers) and also sports and musical fields.

Those proposed solutions will then set the link between the educational system and the working class society. These proposed solutions at tertiary level and technical school level will help our youngsters be assured that they have a job after their studies, he assumes.

Yaadav Damree further adds that after the set up of ‘excellency poles’, the government should set in place an agency recruiting people in the above-mentioned fields therefore decreasing unemployment. At the same time, every young Mauritian will be able to contribute to the economy of the country and there will be improvement in the educational system thus building a better Mauritius with a better working class society, he concludes.
JEAN-CLAUDE DE L’ESTRAC

La liberté de savoir et de communiquer

Le métier de journaliste, de communication est l’un des plus beaux au monde. C’est un métier de partage et pour partager, il faut être curieux soi-même, comprendre ce qui se passe autour de soi et donner du sens aux informations qui nous arrivent de partout, reconnaît M. de L’Estrac.

Au cœur de cette question, le droit à l’information, le droit de savoir. Un citoyen dans une démocratie déléguée des responsabilités à des autorités politiques, à des administrateurs publics et ceux-là travaillent en son nom, ajoute-t-il. Ils n’ont pas un pouvoir absolu de tout décider, même s’ils ont un pouvoir de décision qui s’appuie sur un certain nombre d’informations et les citoyens ont le droit de savoir ce qui se décide en leur nom.

A Maurice, depuis depuis plusieurs années, constate-t-il, ce sont surtout des journalistes qui se sont mobilisés, qui mènent le combat avec Transparency en faveur du droit à l’information. Et du coup, il y a une certaine confusion dans la tête de beaucoup de Mauriciens à l’effet que cette revendication est celle d’un corps de métier, de journalistes. Donc, une résistance s’installe, selon lui, et par définition, ces derniers sont souvent catalogués comme anti-pouvoir, anti-gouvernement alors qu’ils sont reconnus comme le quatrième pouvoir. Les autorités politiques résistent à cette revendication considérant qu’elle est issue d’un groupe de professionnels. Faux ! clame M. de L’Estrac.

Même si c’est vrai que le journaliste a bien raison de se battre pour le droit à l’information car il est l’œil et l’oreille du citoyen, ce n’est pas un droit qu’il réclame pour lui-même mais un droit pour le citoyen car ce dernier a le droit de savoir et de communiquer. La liberté d’expression est la liberté de savoir et de communiquer, estime-t-il.

Il se dit sceptique pour notre pays de la volonté de ce gouvernement et ceux qui se sont succédé de donner aux citoyens ce droit que ceux de plus de cent pays au monde ont acquis au fil des années. C’est un droit revendiqué depuis des décennies. Le premier pays à avoir introduit le droit à l’information est la Suède en 1776, souligne-t-il. Aujourd’hui il y a une dizaine de pays en Afrique qui ont suivi ou qui suivent la pas.

Plusieurs pays ont mis en place des dispositifs qui ne sont pas tous les mêmes pour permettre au citoyen de réclamer ces informations. Et d’ajouter que dans certains pays, cela se passe très bien et l’accès est aisé. Il y a tout de même un délai prescritable par l’organisme concerné. En cas de refus, des sanctions sont prévues par la législation si on refuse de donner l’information, ajoute-t-il. Certaines informations, comme pour des problèmes de sécurité nationale, liés à la criminalité ou à la santé, comme demander le dossier médical d’une tierce personne, ne sont pas accessibles. Il y a donc, selon lui, des règles à respecter. L’accès est la règle et le refus, l’exception.

Toute organisation ou organisme qui possède des informations, à l’instar des corps para-étatiques ou des municipalités, qui impacte sur la vie des gens, ont un devoir d’informer ces derniers.

Vers la fin des années 60 aux États-Unis, pendant la guerre du Vietnam, le débat est revenu à l’avant-plan des sociétés démocratiques. Alors que l’on envoyait au front mourir leurs compatriotes, les Américains n’étaient pas au courant des décisions prises par les autorités en leur nom pour des causes qu’ils ne comprenaient pas. Ils ont donc réclamé des éclaircissements, tout à fait légitimes, aux autorités.

La législation la plus progressiste et la plus ouverte est celle de la Suède puis d’autres pays ont un droit officiellement reconnaissu mais l’exercice de ce droit est assez contrôlé. C’est donc un combat qu’il faut mener sur tous les fronts, conclut M. de l’Estrac.
Thirdly and finally, he proposes the setting up of a Media Ombudsperson, arguing that once the Freedom of Information act is voted in Mauritius, many people will ask for classified documents. However the government shall reject a Freedom of Information application on the grounds that it is vague or frivolous or ill-defined or too wide-ranging and they will of course be entitled to make a reasonable charge for compiling the information, he underlines. In certain cases, he adds, the government might not reveal some scandalous cases which might jeopardize the whole country. The Media might not see it that way and will hardly criticize the government. So he suggests a Media Ombudsperson who could deal with complaints against the press. The Ombudsperson will make a decision on the merits, which may be appealed by the losing party by way of judicial review, to the Supreme Court, he concludes.

ASHLEY SEETANNAH

Whistleblowers should be protected

Ashley Seetannah summarizes the topic by presenting three proposals. Firstly, maintaining confidentiality which implies that one should give all information to each and everyone. Moreover, freedom of information, he points out, does not mean that all information held by government will be revealed. The press, for instance, has no right to see, let alone to publish, secret information about criminals or police investigations of suspected terrorists, or communications from foreign Governments, information which would damage national security, or information which would intrude into the privacy of citizens or contracts with private companies that are, for good reason, confidential. The press, he adds, should publish only what is in the public interest.

Secondly, he suggests, that whistleblowers be protected and mentions the case of Edward Snowden who copied and leaked classified information from the National Security Agency in 2013 without authorization. Ashley Seetannah adds that Snowden’s disclosures revealed numerous global surveillance programs, many run by the NSA and the Five Eyes Intelligence Alliance with the cooperation of telecommunication companies and European governments. First of all, the whistleblowers should be protected only if they disclose illegality, danger to health and safety, damages to the environment etc. The disclosure must be made in good faith and without prospect or promise of personal gain.

MEHTAB SIEK ABDoola

“Legal immunity for journalists could be drawn on paper”

Ms Abdoola points out that when it comes to the topic of Freedom of information, it is a fact that Mauritius has lagged behind and has been unable to produce any Freedom of Information Act till date. If certain political regimes came forward with the idea or the current Government Programme 2015-2019 actually aims at establishing a FOIA, the Bill is till date nowhere to be found, she adds.

Several jurisdictions around the world found it a necessity to implement a FOIA so as to protect the fundamental rights of citizens, she adds. FOI is simply about the freedom given to people (whether for personal or professional purposes) to seek relevant information from public or quasi-public authorities.

It is often argued that FOI is important for sustaining a democracy whereby good governance, transparency and accountability prevails and hence, FOI is a tool to fight corruption. This is especially vital, she stresses, when it comes to the investment of taxpayers’ money in public projects or for contract allocations – it is vital to prevent any sort of wastage and thus, to achieve optimal use of financial resources.

Furthermore, Ms Abdoola says that FOI plays a significant role as an extension to other fundamental Human Rights notably Freedom of expression. It is said that Freedom of expression might be more effectively used if people could have a greater access to information held by public authorities. Thus, she adds, human rights activists worldwide have argued that the right to openly express opinions and views would work more efficiently if coupled with the right of the public to have access to certain information.

Additionally, such legislation will prove to be effective when it comes to certain professions such as journalism. For instance, better and clearer rules (for e.g. pertaining to legal immunity for journalists) may be drawn on paper, she suggests. Thus, the FOIA will be beneficial in granting a certain protection to Mauritian journalists for doing their job accurately and in good faith, whilst at the same time being informative and/or investigative in their articles, she concludes.

AGNÈS CALOU

Limit people’s ability to corruption once in power

As regards to the issue, Agnès Calou stresses out firstly, the importance of the enactment of the Freedom of Information Act. She rightfully observes that in a Republic which purports democracy in its Constitution, provided through article 1 that “there
shall be a sovereign democratic State", it is fundamental for Mauritius to enact the Freedom of Information Act. As such, she argues that Freedom of Information guarantees the fact that all citizens not only journalists have a right to access public information.

Furthermore, it implies that it would be binding over all public institutions, constraining officials to give information to all governmental files of public interest within their possession, without imposing effects on the use of this information, she adds.

In so doing, she continues, transparency will be promoted, enabling the population to evaluate the efficiency of how public money is being used, and limiting people's ability to be prone to corruption once in power and limiting instances of cover up.

Taking into account the importance of National Security and Internal Affairs, justifiable limitations could be imposed to information in relation to National Security, Trade Secrets, Medical Files and Personal Information, she further adds.

Secondly, she observes that Mauritius has recorded the journalist's revolt of 1984, and many journalists have been arrested in relation to the Official Secrets Act, and some sections of the Criminal Code. Since we are in a "democratic state" as guaranteed by the Constitution, we have the right to Freedom of Information, she rightfully points out.

For the proper efficiency of a "real" Freedom of Information Act, according to her, there should be the amendment of the Official Secrets Act for the Freedom of Information.

By the same token, she points out section 283 of the Criminal Code should be amended under the entitlement of Sedition, section 287 which deals with the prohibition of seditious information and rectify section 288 which provides for "defamation" under which so many journalists have been confronted simply because there was no Freedom of Information.

**DIKSHA ARMUGAM**

**A form of human fulfilment**

Freedom of Information endorses for transparency that does not only concern politics but also encompasses all spheres of society such as education, economy and the media. Ms Armugam points out, Mauritius is currently establishing a Freedom of Information Act that will allow the news to be less censored so that the sharing of knowledge can be delivered to the audience, she adds.

Multiculturalism is not only understood as a country's ethno-cultural diversity but its ideology is to provide tolerance, recognition and respect to different cultural groups living together. Mauritius, she points out, enjoys a successful multiculturalism yet there is indeed a growing racism, underneath the surface, that ethnic minority groups face on social media or at school itself. However, there is no attempt to try discussing openly about this issue in the media or at schools because of the fear that it may entail into conflictual situations, she outlines.

She argues that freedom of information is a form of human fulfilment that entails an openness and dialogue with the cultural space that surrounds every individual. It means that by avoiding sharing information on certain issues will only increase tension; therefore, information and speech are the medium to educate a person, she understandsably acknowledges. I believe, she says, that schools have the ability to share and speak with legitimacy on those aforementioned issues so that students are empowered to know their rights. I would also argue that the media has the power to make audience question their pre-conceived beliefs and to do the needful when racial stereotypes are made publicly instead of ignoring the issue, she concludes.

**ESTELLE THANDAVEN**

« Le journalisme d'investigation doit être consolidé »

Mlle Thandaven souligne que le droit à l'information est selon l'Unesco : le « droit universel d'accéder aux informations détenues par les pouvoirs publics », un outil de justice sociale de toute démocratie. Si à Maurice, la liberté, d'information, selon elle, n'est pas officiellement reconnue par la Constitution, elle est implicite dans la liberté d'expression, prévue dans l'Article 12 de la Constitution en vertu duquel : « Personne ne doit être empêché d'exprimer et de recevoir des idées et des informations ».

Elle conçoit qu’ainsi de palier à ce manque, il est souhaitable que la « Freedom of Information Act » voie enfin le jour. En effet, la FOIA encouragerait un principe d'ouverture, de divulgation et de facilités d'accès qui limiteraient la corruption et respecteraient la démocratie tout en évitant bon nombre d'Institutions de se cacher derrière un artifice juridique et ainsi se dérober face aux requêtes des citoyens, ajoute-t-elle.

Si l'instauration d'une législation, en faveur de l'accès à l'information est souhaitable, souligne-t-elle, elle ne suffit pas pour garantir la liberté d'information. Son efficacité dépend aussi d'autres facteurs tels que le niveau du journalisme. Or il est noté, selon Mlle Thandaven, que le monopole des chaînes télévisées par l'Etat, vient ébrécher la liberté de la presse dont doit disposer les citoyens d'une démocratie, soit le droit d'avoir recours aux outils nécessaires pour transmettre l'information.

En effet, elle conçoit que la liberté de la presse ne saurait être une liberté mise à la disposition exclusive de l'Etat. En effet, la liberté de la presse n'est garantie que dans la mesure où le droit d'informer n'est ni soumis à la tutelle du pouvoir politique ni assujetti aux objectifs commerciaux des groupes financiers, dit-elle.

Le droit à l'information passe aussi par le droit à des informations de qualité. Si le journalisme à Maurice connaît un réel essor grâce aux réseaux sociaux et au journalisme d’investigation, force est de constater qu'il n'est pas à l'abri de dérapages tant la tyran-
Nie des micros et la soif de « scoops » dans cet univers professionnel très compétitif affectent la qualité des informations, ajoute-t-elle. Donc, il est souhaitable qu’une instance régulatrice indépendante du gouvernement soit formée par les organes de presse afin de consolider le journalisme d’investigation, gouverner les médias et assainir la profession journalistique, conclut-elle.

**NEETISHA GUNGARAM**

The press is not immune against the law of defamation

Neetisha Gungaram outlines that the very core of the concept of a democratic society or government is based on the consent of the people and on the contribution of their ideas to public issues. Indeed she adds, Freedom of the Information is one of the most treasured and highly valued freedoms in any democracy and there will only exist a deteriorated and purely nominal democracy if due protection is not granted to this freedom.

Another consequence of assimilating Freedom of the Press with Freedom of Expression is that Freedom of the Press will be subjected to the same restrictions as imposed by S 12 of our Constitution. On one hand, this would imply that the Press cannot be subjected to any special restriction not imposed on any private individual. On the other hand, it would imply that Freedom of the Press is not higher than freedom of expression afforded to the ordinary individual, she suggests. Thus the press would not be immune, for instance, against the law of contempt of court, the law of defamation or against the ordinary forms of taxation.

Her final proposition is the creation of a transparent government through Freedom of Information Act. Openness is fundamental to the political health of a modern state, she adds. This Freedom of Information Act will mark a watershed in the relationship between the government and public. She underlines that The Freedom of Information Act will provide public access to information held by certain public authorities such as how certain government departments are spending public money in realizing projects. Public authorities will need to publish certain information about their activities which can significantly affect many people’s lives, she concludes.

**NEILSEN ARNACHELLUM**

An important guard against abuses

Freedom of information is an essential right for every person, it is only one of a number of statutes and regulations that govern the right to access information, acknowledges Neilson Arnachellum. It allows individuals and groups to protect their rights, he adds. It is an important guard against abuses, mismanagement and corruption. It can be also beneficial to government themselves openness and transparency in the decision-making process can improve citizen’s trust in government actions, he underlines.

It may be argued, for instance, that important information has already been made available to the public, in form of parliamentary proceedings, published reports, etc. However, if this was truly sufficient why would countries such as the UK, USA, France, India, among others – have decreed the FOI laws? He asks. It would have developed then, from understanding that members of the public may have additional questions about the government that they voted in power, about the way in which their taxes are being utilised, and other issues that affect the exercise of their rights, he points out.

Indeed, there is no prohibitions on asking such questions in Mauritius. But these questions would most likely remain unanswered – for reasons ranging from inconvenience to fraudulence – if there is no legal ground for compelling public officials to provide answers. FOI is a key tool for anti-corruption and essential for public participation, he adds. Democracy is based on the consent of citizens and that consent turns on the government informing citizens about their activities and recognising their rights to participate. The public is only truly able to participate when in the democratic process when they have information about the activities and policies of the government, he argues. In countries that have recently made the transition to democracy, FOI laws allow government to break with the past and allow society, the victims and their families of abuses to learn what happened and better understand. He concludes that almost all newly developed or modified constitutions include a right to access information from government bodies as a fundamental human or civil right.

**REETI BAYE HURJOON**

The Official Secrets Act makes democracy meaningless

As we do not have a Freedom of Information Act in Mauritius, I will refer to its definition as per the FOI Act 2000 in the UK, suggests Reeti Hurjoon. The FOI is where any members of the public will have access to information held by public authorities that is public authorities are obliged to publish certain information about their activi-
ties and members of the public are entitled to request information from public authorities, she adds.

The problem that we have in Mauritius is that we do not have any Act or any law which relates to the Freedom of Information, she points out. This Act will not only focus on journalists, despite the fact that they are the main users, it is the right of every citizen to get information which relates to the general welfare of the public, she argues. I will give you a simple example to understand the importance of this Act and the reason why we need to implement it in our island. Whenever there is a G2G that is Government to Government Agreement, the general public is not provided with any information regarding that agreement and if public officials are questioned about this, they may deny the public of any information, she says.

And the answer to this question is that we need to bear in mind a very important issue about this Act is that there is information which cannot be made public in any circumstances because this information relates to the National Welfare and Security. Apart from this, any information relating to public interest has to be disclosed, she acknowledges. For any public members to have access to these data, they will have to make an official request. The impact of this Act in Mauritius will mean that there is the need to change certain laws. The Official Secrets Act 1972 has to be amended for the successful implementation of FOI Act in Mauritius.

According to Mr Fred M., an editor-in-chief, The Official Secrets Act makes democracy meaningless because it prohibits meaningful participation of citizens, who are supposed to know what their government is doing in their name.

**WARDA HUSNOO**

"We cannot deny the long tradition of censorship"

Henry Grunwald stated, "Even a democratically elected and benign government can easily be corrupted, when its power is not held in check by an independent Press", quotes Warda Husnoo. Freedom of Information is a fundamental pillar for good governance and an effective tool against corruption and transparency, she adds. According to section 12 of the constitution, journalists have an important job to do pursuant to the right of freedom of expression that is guaranteed to them and to any citizen of this country, she adds. While many jurisdictions have implemented a Freedom of Information Act, Mauritius is still in the process of enacting one. The question is how far is freedom of information a reality in Mauritius? she asks.

When discussing Freedom of Information, one cannot deny the long tradition of censorship which is often used to control information. Censorship can be defined as the act of suppressing of ideas and information that certain persons, individuals, groups or government officials find objectionable or dangerous, adds Ms Husnoo. In order to ensure the proper running of a free press and free media, the Freedom of Information Act should be encouraged. With a Freedom of Information Act, citizens will be more aware of how taxes are used and it would also lead to transparency, she reckons. Additionally, citizens will have the right to obtain information from government, business and social organizations so that the stewardship of such organizations can prove accountable to the public by access to other documentation, she adds. Needless to say, Freedom of Information is paradoxical as it encompasses the language of segregation and racism which can disturb and incite dangerous and difficult behavior alongside that what may elevate and enchant.

The rights to freedom of information enabling a person to discuss freely for public and national well-being should be respected, she adds. After all, a democratic country is all about making sure citizens’ voices are heard, their demands are discussed and their well-being is protected. It is about making sure that those with the responsibility to govern are not governing us but governing for us, she concludes.

**LALLMOHAMED WAAJID HUSSEIN**

**Information or assistance given in confidentiality**

Waajid Hussein rightfully says that Right to Information is a basic human right of every human being. In a democratic country each person has the right to freedom of opinion and expression. The available and appropriate information helps citizens to live a dignified life in a civilized society. Moreover, he says, there is a close link between right to information and good governance as it is characterized by transparency, accountability and responsiveness.

As such, he says that Freedom of Information Act shall provide public access to information held by public authorities in two ways: public authorities are obliged to publish certain information about their activities; and members of the public are entitled to request information from public authorities.

Moreover, he stresses, the Act shall cover any recorded information that is held by a public authority in Mauritius and most importantly the government to government transactions.
The main arguments for a Freedom of Information Act are that it shall protect basic individual information rights from interference. II. The principled judicial decision-making shall replace political compromise. III. It shall bring Mauritius in line with the rest of the world. IV. Both government and administrative decision-making on policy shall involve basic information held by public bodies of individuals. V. FOI means people will be able to seek out public knowledge on a subject without fear of retribution or censorship from the government to access and relevant information forms rational opinions.

Notwithstanding anything contained in this Act, he argues, there shall be no obligation to give any citizen: 1. Information, disclosure of which would prejudicially affect the sovereignty and integrity of Mauritius, the security, strategic, scientific or economic interests of the State, relation with foreign State or lead to incitement of an offence; 3. Information which has been expressly forbidden to be published by any court of law or Tribunal or the disclosure of which may constitute contempt of court; 4. Information, the disclosure of which would cause a breach of privilege of Parliament. 5. Information received in confidence from foreign Government; 6. Information, the disclosure of which would endanger the life or physical safety of any person or identify the source of information or assistance given in confidentiality, he concludes.

Zareenah Taher

Freedom of Information Act long overdue

Zareenah Taher says that the democratic government of our country must always ultimately be run for and by its people – not by those in elected office. The information that government departments hold is not their information – it’s ours, she points out. And argues that: “We, as citizens, have a right to know what elected officials are doing with our money and data.” It is, according to her, a powerful tool for citizens to use and helps with transparency, meritocracy and accountability. The current government, she adds, was elected and in its mandate, it was stated that it would bring in the Freedom of Information Act. Three years on, she says, and this important law has still not been voted.

The solutions proposed by Zareenah Taher are to put emphasis on the importance of Freedom of Information and encourage government officials to implement this law.
ELECTORAL REFORMS (STRUCTURE & FINANCING OF POLITICAL PARTIES, POWERS OF THE ESC)

YUSUF ABOOBAKER, Chairperson
Electoral Supervisory Commission and Electoral Boundaries Commission

The independence of the Electoral Commissioner is safeguarded

As a joke, Mr Aboobaker starts by saying that he “suffers from an advantage that you do not have, my notes are not printed on the whiteboard but at least I can read them.” Electoral reform, he states, covers a vast perimeter which he does not have the presumption to address in the 20 minutes imparted to him. The electoral system is the one, he says, which is more debated at the moment as to whether the Best Loser System should be maintained or a dose of proportional representation introduced.

And, he proposes to look into two subjects of major importance to our electoral system. Firstly, the powers of the Electoral Supervisory Commission. There is a tendency to compare the powers of the Mauritian ESC with, probably, the best-known ESC, the Indian one, he adds. The powers of the Indian ESC are so vast that, he doesn’t believe any party or Mauritian government, would agree to give the Mauritian ESC such powers. For instance, he recalls, during the polls in India, he witnessed the Prime Minister of a state of more than 100 million people, wait, because there had been some infringement with his party during the polls, while they were having tea, Mr Irfan Rahaman and himself, with the Chief Electoral Commissioner.

“As you are all aware,” he adds, “our powers are under the constitution and when independence came, it fell to our founding fathers to decide what sort of institutions we would have for governance, they chose a two-tiered system.” In most of the countries of the world, the Electoral Management Bodies, or the Electoral Commissioner, they have only a one-tiered system i.e. the same body does the organisation and the supervision of the election, Mr Aboobaker points out. It was felt that it would not be a good thing to leave the two functions to only one body. One is the Office of the Electoral Commissioner which organises the elections, he adds. They may verify if the classes are properly set up, if wheelchair’s are provided to handicapped voters, how the ballots are printed etc.

There is one way where pressure could have been brought upon the Electoral Commissioner: by paying his budget. Mr Aboobaker underlines that at no time has the budget of any Electoral Commissioner been cut or interred with by any executive. To that extent, his independence is safeguarded. Section 41, he says, deals with the ESC which does the supervision. This is basically a check-and-balance. The ESC supervises the conduct of elections in Mauritius. As a teaser, he asks: “Of how many sections are our powers contained in the laws of Mauritius?” In one sentence of five lines. “The ESC shall have the general responsibility for and shall supervise the registration of electors for the election of members of the Assembly and the conduct of the election of such members of the Commission shall have such powers and other functions related to such registration and such elections as may be prescribed.”

And to conclude: “Nothing has been prescribed since 1968.”

ULASHNEE DUSSOYE

Huge sums are donated for a probable outcome

Ulashnee Dussoye points out that since fifty years, there have not been any major reforms except some minor amendments in the system. With globalization, urbanization and telecommunication advancement it’s high time, according to her, to have a change to the electoral system.

As far as the funding of political parties is concerned, she argues, it is far from being transparent. Money is splurged during the elections. She maintains that financial supports are given as disguised gifts to parties from the private sectors, private individuals and religious bodies. Because of the lack of regulations or defined parameters to prevent such activities, there is a large scale corruption, she adds, as these agencies finance these parties with hidden agendas. Nobody is just going to donate huge sums of money without expecting something in return? She asks. Simple solutions, she proposes, can restore some sort of transparency to this system:

1. All political parties should have only one bank account which shall be use for their day to day transactions for sums exceeding say Rs 1000. They would not be allowed to use direct cash payment for transactions such as expenditures or receiving donations. Instead, she suggests, for transparency and accountability they will only be allowed to use either cheque payment, credit card payment or bank transfers which involves a record of
transactions.

2. To prevent abuses, a ceiling should be placed on the amounts that can be donated by individuals and corporations. Beyond that threshold, contributions should be made illegal. In France, the limit is 4,600 euros, she points out. By introducing ceilings, the authorities can make the distinction between what they see as generous and dangerous contributions aimed at potentially corrupting the system.

The media, she adds, are essential to democracy, and a democratic election is impossible without media. However media can be used as a weapon which can be manipulated by politicians to influence the voters. The solution she proposes is that the MBC should become an independent parastatal body just like the judiciary system.

As far as the Best Loser System is concerned, she argues, it promotes communalism. We can no longer rely on an electoral system that takes into consideration religious backgrounds instead of merit. Why can’t a Christian represent a Muslim or the other way around? She argues and suggests that our country be unified around a single Mauritian identity not based upon religion. Ulashnee Dussoye adds that a dose of proportional representation be included in the electoral system.

And concludes that whatever reforms are made in respect to the electoral system, it must be ensured that it echoes the aspirations of the citizens.

EMILIE DAVANTIN

Maintaining the social fabric of an imminent nation

The Mauritian electoral system traces its origins back to the independence of the country, reckon E. Davantin. If at the very beginning, at the London conference in 1956, a fully proportional representation (PR) system was considered for Mauritius, maintaining the social fabric of an imminent nation could not be risked.

The London Agreement in 1957, she stresses, set out that whatever be the voting system it had to adopt the universal suffrage and provide an adequate opportunity for all the main sections of opinion in Mauritius to elect their representatives to the Legislative Council in numbers broadly corresponding to their own weight in the community.

Later through the Trustram Eve Commission, she argues, based on the 1952 population census, concluded that concluded that there were “three main sections” of the population, namely the Indo-Mauritian Hindu, Indo-Mauritian Muslim, and General Population while coming up with the concept of ‘good losers’ to ensure proper presentation.

She points out that one conclusion of the report of the Constitutional Commissioner in 1961, Professor de Smith, was that “no electoral system for Mauritius can of itself prevent or eliminate the tendency to communal politics. An electoral system — such as communal electoral registers — may certainly aggravate such a tendency; but none is capable of reversing it. The best that can be hoped for is that the electoral system will allow political leaders and voters to organise on non-communal lines, and offer as much encouragement as possible to them to do so.”

Following the recommendations of the Barwell Commission, she further adds, two changes were made so that party alliances, as well as parties, would be permitted to qualify for the “best loser” seats and there would be no requirement for a minimum result in the constituency elections to qualify for the additional seats. Emilie Davantin adds that this consensus ultimately led to the Best Loser System currently in place in Schedule 1 of the Constitution. A system that was meant to be a "temporary solution" to last for 3 elections but yet continued to live on after 11 elections! (Government of Mauritius, 2014)

As elections, commissions and reports progressed in time the system’s deficiencies and debates started to came out of the surface as well as new proposals for correction and challenges to reform. She gives an enumeration of some.

- The Sachs Commission considered 5 models where the BLS could be subsumed and proportionality introduced to correct imbalances created by the FPFT system that were only marginally compensated BLS (Commission on Constitutional and Electoral Reform, 2001/02).
- In 2011, the Carcassonne report pointed out that election results tend to be unbalanced with the victor having a disproportionate number of seats, the Best Loser System is questionable in a modern democracy because it returns candidates who failed to achieve the required number of votes and had been defeated and that the election system requires candidates to declare not only their political persuasions but also their ethnic origins, which impedes the development of a national identity (Government of Mauritius, 2014). The report recommended the abolition of the BLS by using PR and party list.

- In 1995, the MSM–RMM alliance garnered 19.7% of the national vote but obtained no constituency seats. It received no seats under the Best Loser System.
- Constitutional complaint of Resistance Alternativ, in 2017, contesting the obligation to all candidates for elections to declare their ethnic group forces the interministerial committee trigger the reform of the electoral system (Déf Media, 2017).

- BLS is anachronistic to the security it was designed to offer, is divisive and introduces elements of communalism while impeding development of the Mauritian citizenship.

- Dr Sithanen is of opinion that specially drawn constituencies, unequal voters per constituency and the three-member electoral districts has much pronounced impact on the parliamentary representation of components of the population than has BLS.

EMMANUEL HURRY

Polls to elect the President

Emmanuel Hurry suggests that political
HURDAY JASHVEERSINGH

A second chamber should be considered

Hurday Jashveersingh reckons that our country has rarely got reforms among its institution namely the electoral system. It is high time, he considers, to modernize the way our country is governed and set aside the outdated system. The challenge arises as to change the electoral system; we should change some sections of the constitution. Having a codified one it can be rigid and What if we cannot? Can we have a liberal approach? He asks.

A Second chamber

The U.K consists of two chambers namely the House of loads & House of Commons and after having considered a bill by the latter, the Royal assent is the last step to execute the law. This system has proved to
be efficient and the aforesaid country has a smooth running, he admits.

He therefore recommends a second chamber which consists of former judges, former public officials and other experienced professionals. The said chamber along with the National assembly will have a wider approach on constitutional debates, public legislations, scrutiny etc.

The National Assembly may remove the limits of the constitution and it is primordial for Mauritius to have a second chamber to avoid such dangerous acts to happen, he says.

Revisit the mode of election of the President of Republic

Formerly Mauritius had a Governor General with powers, and in our sophisticated era, one president has no mandate and is not elected by the population but by the Prime minister only, he points out. In a democracy it is important to have sharing of powers and with the actual mode of nomination of the President, it won’t make any difference, he argues. He thus suggests that Mauritius should have firstly a second chamber and the president should be voted secretly by both chambers.

In a nutshell Mauritius being stable politically should focus on innovating its electoral system for the next 50 years to ensure its stability, J. Hurday concludes.

MURALIKRISHNA APPANDI

For a technological centric electoral system

M. Appandi believes that participation in elections is critical if we are to have a healthy democratic system and that it cannot be achieved solely by legislative means but requires people to be encouraged sufficiently to engage. However, he argues, to implicate citizens there should be innovative changes that would certainly facilitate the electoral process. He therefore proposes some steps for changes in the electoral system; we recognize that any reform brought into effect will entail comprehensive planning and cooperation between the electoral communities.

Since we are living in a technologically advanced world, he adds, an all-Mauritius register could be developed to improve registration. It is the use of software application on which to carry the registration process. There would inevitably need to be a system, he suggests, by which the electoral returning officers or their staffs are automatically informed when a modification is made to the register by other council staff. It is therefore necessary, he adds, for the available software to be formatted to identify and discard duplicate entries.

Muralikrishna Appandi rightly acknowledges that electronic voting is already used widely internationally, particularly in India but also in Belgium and Estonia amongst others. Technology could possibly provide that touch-screen capacity available in places other than normal polling stations but there still need to be training of staffs to oversee and help. Also, he stresses, there would need to be a technique that the register is marked to indicate who has voted or who did not. If electronic voting is introduced, he underlines, it should be formatted so that the vote is recorded against the register whenever it was cast and from what location.

Electronic counting could also be an option for elections. E-counting, he reckons, can speed the process and have significant savings in time and counting staff. E-counting is considered as an area in which greater flexibility of equipment could be expected in the future. Authorities involved in elections, he argues might prefer to purchase equipments and invest in the training for their staff rather than thinking of going with all-embracing arrangements with contractors.

Candidates’ statements, projects, investments and plans of action are seen as an integral part of elections, he adds. For that reason, more information should be accessible to the citizens of Mauritius about the candidates beliefs or policies, using on-line facilities. He considers that as a requisite, each candidate standing for elections could present a statement which would be published collectively and could be located in one page on the web. Nevertheless, officers may have the right to refuse publishing a statement if they consider those statements to be in breach of legislation.

Finally, he maintains that in the fast moving world of technology, there is a need for change whereby information and procedures of the electoral structure are easily accessible to all Mauritian citizens within a secured information system.

GANESHA SEEBARUTH

A better feminine representation

Richa Seeburuth points out that Constitution has undoubtedly been the bedrock of political and social stability in our country. It is a fact that there is no perfect electoral system and therefore, there never will be total agreement. She proposes that accountability and transparency should be the basic principles regarding the funding of political parties. The aim is to prevent extreme influence, corruption, and misuse of public assets, rising from the provision of financial resources in the political arena. The objective is also to prevent, according to her, money donated to a political party being appropriated by unauthorised persons, including office bearers.

Thus, in line with international practice, it is mandatory to register all political parties with the Electoral Supervisory Commission (ESC). The ESC, she adds, should be endowed with sufficient powers and resources to supervise, verify, investigate and, if necessary, recommend legal proceedings against offending political parties. Registered political parties are to be required to submit to the Electoral Supervisory Commission annual audited accounts, she reckons, including disclosure of information on sources of funding, and amounts received as donations and names of donors. These accounts should be available for consultation by the public.

Lastly, the hopes and aspirations of our people also include those of one half of our population who have historically been under-represented in our National Assembly and whose potential contribution to our political culture and society is not being maximised, she admits. The parliamentary representation of women rose from just 5.7% in 1983 to 17.1% in 2005 and to 18.8% in 2010. Despite an acknowledgment of the underrepresentation, only modest advances have been made, she argues. Thus, she suggests, the system should encourage the involvement of women in the political process and their enhanced presence in Parliament.

Hence, the next generations of Mauritians must be bequeathed with a system
that is fit for the 21st century, that reflects the changes which have taken place since nearly half a century, which corresponds to the aspirations of younger generations, and whose firm foundations will endure at least as long as those our founding fathers gave to us, she concludes.

Lallmohamed Waajid Hussein

More young people should be represented in Parliament

Mauritian political parties and ethnic groups have become well practiced through the regular formation of coalitions, says Waajid Hussein. Even if interethnic cooperation has been highly effective in preventing some ethnic conflict yet we cannot say that this cooperation has no weaknesses. Politicians have always used ethnic groups as a political campaign meaning that people are tempted to vote for their ethnic group and not as a Mauritian, he rightfully adds. On the other hand these ethnic groups open their arms free because they need to compete among themselves to get the maximum amount of the assets of the country like land, jobs, power and statuses. When certain groups feel that they have not got a fair share of the resources, he adds, tensions arise which may lead to violence and disruptions in societies.

The current system enhances or promotes ethnic and caste divisions over the creation of a central Mauritian identity that is the electoral system prevents Mauritius from developing a true civil society or a national identity, he adds. Since 1976, communalism has ceased to play an important role in the way people vote. Waajid Hussein argues that one should also not forget the issue of caste system among our candidates in all constituencies. It is the politicians who exploit the caste system for their own benefit, he points out. As long as we will depend on current politics, the caste system is bound to stay. The politicians know well how to divide people to get the maximum advantage, especially in rural constituencies where very often we find the canvas of one "Vaish", one "Rajput" and one "Ravived" as candidates, he adds. It is disappointing, he says, to note that people fail to realize that they are being taken advantage of, for other people's benefits.

Moreover, he underlines, gender inequality in this current system seems to be a major issue. Women in Mauritius constitute more than half the population and if their voices remain insufficiently heard, democracy is malfunctioning. However, we should not forget our youth population. We are, he rightfully says, the future of this country, if we are not given the chance to move on and promote our ideas then do we call it 'Meritocracy'. Another important marginalization we found is that we can barely see one elected parliamentarian representing youth. Young people should be given their chance to explore themselves, this is because there are some decisions that need to be taken in the parliament and we have seen much confusion among the old parliamentarians, he points out. An example can be the issue of Abortion, legalization of cannabis or even the educational reforms, he concludes.

WARDA HUSNOO

Need for de-ethnicizing the Mauritian electoral system

Warda Husnoo sets out to highlight how the Best Loser System is anachronistic and communalist at its basis and emphasizes the idea of how money plays a vital role in political dynamics but the spending patterns of political parties remain a mystery, yet to be solved.

She points out that Mauritian Constitution and electoral system need to evolve to adapt to the changes which have occurred since 1968. The current electoral system is based on a multi-member cluster vote system whereby MPs are elected in accordance with the First-Past-The-Post System. Consequently, this is followed by the Best Loser System, she adds, so as to balance the votes with the number of electors from the four prescribed communities. The Best Loser System is questionable in a modern democracy because:

1. It returns candidates who failed to achieve the required number of votes
2. It returns candidates who had been defeated.

In relation to electoral reform, she proposes to replace the current Best Loser System by an altogether non-traditional formula which would keep its underlying objectives without ethnic reference. This would in turn lead to a transformation and the de-institutionalization of communalism. She adds that it will also lead to the better development of a national identity as well as a more just electoral system. Politicians will also be encouraged not to romanticize their ethnicities in order to attract citizens to vote for them.

When it comes to the financing of political parties, she underlines, one should not forget that the means through which money is raised and spent can have a significant impact on the fairness of an electoral process. Subsequently, Mauritius should consider taking appropriate legislative and administrative measures to enhance transparency in the funding of candidatures for elected public office and political parties, she further adds.

Abuse of state resources, holding monopolies on corporate donations, and distribution of ‘macaroni’ and ‘briyani’ make it harder to achieve a level of electoral playing field which accordingly threaten the quality of governance.

Warda Husnoo suggests that there is no doubt that both the funding and spending patterns of political parties remain an open debate. As such, her second proposal is, there should be reliable information about levels of actual spending by political parties. Stakeholders should, therefore, submit financial reports to a government institution with the mandate to audit these statements.

She concludes that it’s high time to de-ethnicize the Mauritian electoral system. Mauritius should go beyond communalism which is, in fact, against the principles of nationhood and citizenship.
CEDRIC DE SPÉVILLES, Chairman de Business Mauritius et CEO d’Eclosia Group

Les étrangers s’intéressent à faire du business à Maurice

Business Mauritius promeut les entreprises et la façon de faire du business à Maurice. Cédric de Spéville passe en revue cinq indicateurs économiques de Maurice sous divers angles. Le premier, la croissance mauricienne par rapport à la croissance mondiale. Il note que la pays est entré dans le fameux Middle-Income Trap. Dans le passé, la croissance était de 6 à 7% mais en soit actuellement le Trend mondial soit environ 3 à 4%, fait-il ressortir. Du point de vue croissance, il estime que l'économie est sur une bonne voie par rapport à d'autres pays qui peinent à soutenir un taux pareil. Quant au chômage, encore une bonne indication car le taux est de 7,8% avec un Forecast de 7% en 2018. Toutefois le taux chez les 24-35 ans est supérieur.

Il ajoute que le Foreign Direct Investment (FDI), est encourageant car les étrangers s’intéressent à faire du business à Maurice. Environ 60% du FDI revient au Real Estate par exemple les IRS que beaucoup qualifient de non-productifs car ce ne sont pas des usines qui produisent. Mais, d’avoir un tel taux de capitaux étrangers à Maurice signifie que les étrangers croient en l'économie mauricienne et l'Ease of Doing Business ici. Des investisseurs qui viennent, en effet, à Maurice contribuent de plusieurs façons à l’économie locale en donnant, par exemple du travail aux Mauriciens. Le Real Estate est donc un investissement productif potentiel, assure-t-il.

DEETEE SADAFUL

An environmental tax implemented on companies, institutions and hotels

Deetee Sadaful argue que although governments have important responsibilities in promoting sustainable development, progress will be enhanced by participation and support from the general public, consumers, business, and civil society. According to her, business can play an important role in adopting and diffusing sustainable practices world-wide, and in many instances appear to be ahead of governments in implementation.

Therefore, she recommends the use of price system. Governments, as such, need to “lead by example” in promoting sustainable development. Governments should therefore focus their internal policy design and implementation processes on more effectively integrating the three dimensions of sustainable development (economic, environmental, and social); improving their own capacity to support sustainable development; and developing transparent and productive mechanisms for interacting with civil society, she adds.

She encourages the use of the price system to encourage individual agents to take the full costs of environmental degradation into account in their decisions. The pricing system will enhance transparency and

Un autre aspect, celui de la productivité du travail, c’est-à-dire d’une personne, l’Output que l’on peut récolter. Le coût unitaire du travail augmente plus vite que la production unitaire du travail. Conséquence : le Unit Labour Cost augmente, donc une perte de compétitivité. Ainsi, souligne le CEO d’Eclosia le textile sera plus affecté par le salaire minimum, obligeant les compagnies de délocaliser.

Un indicateur inquiétant, la balance commerciale. En ce qui concerne les services, le bilan est positif. Pour les Goods toutefois, note-t-il on consomme beaucoup plus que l’on ne produit. Une solution est que l’exportation des services grandisse pour pouvoir payer les produits importés, mais le fait est que l’on doive davantage emprunter. Il demeure un gros mismatch entre ce que l’on peut dépenser et ce que l’on dépense. L’Allemagne, par exemple, souligne-t-il avec raison, a réussi à conserver un tissu industriel ferme et prduit beaucoup de Goods à forte valeur ajoutée.

Certains pays qui on délaissé l’industrie à l’instar de la France, se sont mordus les doigts car l’industrie a une certaine résilience que l’on ne retrouve pas dans les autres secteurs d’activités, conclut-il.
a more integrated way of doing business in Mauritius.

To combat global warming and cut waste in government spending, she proposes the implementation of environmental Tax. An environmental tax is a tax whose base is a physical unit (or a proxy of it) that has a proven specific negative impact on the environment. These will be implemented mostly on companies, institutions and hotels.

Environmental taxes, she maintains, will provide incentives for businesses and individuals to integrate environmental concerns into economic activities, and minimize negative environmental impacts. However, Environmental tax rates should be phased in so businesses and households have time to adjust ways of production and consumption.

On the same line, revenues generated by the environmental taxes can be used for funding projects concerning environmental preservation. She proposes to educate and inform producers and consumers to increase awareness of the environmental and social consequences of their choices and taking care to avoid creating unintended trade effects.

Providing consumers with information about the environmental characteristics of the goods and services they buy, and making them aware of the consequences of their decisions, will facilitate change in consumption patterns, she concludes.

**EMILIE DAVANTIN**

**Tri des déchets et participation des citoyens éco responsables**

Emilie Davantin rappelle que Maurice, étant un Petit État en Développement, est vulnérable socialement, économiquement et sur le plan environnemental, et se caractérise selon les Nations Unies comme étant particulièrement vulnérable au changement climatique global, à la variance du climat, à la montée du niveau de la mer et à l’érosion côtière. De plus le pays, ayant la gestion des déchets comme sérieuse contrainte, nécessite une meilleure planification et utilisation des ressources territoriales pour améliorer la gestion de l’environnement, selon elle.

Elle cite en exemple le cas des déchets. Avec une population d’environ 1,3 million, le pays génère environ 1,200 tonnes de déchets par jour. Rien qu’en 2016, rappelle-t-elle, l’unique décharge du pays, Mare Chicosse, contenait 450 000 tonnes de déchets alors qu’elle devrait atteindre la saturation vers 2018/2019. Elle ajoute que le pays dépense chaque année, Rs 1 milliard sur la gestion des déchets, incluant la collection, l’opération et la maintenance, le transport alors que les autorités locales dépensent Rs 500 millions chaque année, sans retour d’investissement.

Emilie Davantin ajoute que le pays a une très faible contribution par rapport au changement climatique. En effet notre émission de gaz à effet de serre n’est que de 0,015% des émissions globales et pourtant nous en subissons déjà les conséquences. Par contre, selon elle, ce qui aura beaucoup marqué le pays fut l’inondation meurtrière de 2013. Et d’ajouter que nous subissons de fortes crues subites à travers l’île, accompagnées de routes impraticables, de maisons rapidement inondées requérant l’intervention de la SMF, laissant encore une fois les plus pauvres d’entre nous à l’agonie. Ainsi, note-t-elle, les déchets obstruent les drains et le problème s’amplifie. La réalité est que nous ne pouvons, selon elle, principalement que nous adapter en conséquence malgré nos tentatives de mitigation.

La première proposition d’Emilie Davantin est le tri des déchets. Elle ajoute que bien qu’il existe au sein du pays plusieurs initiatives visant à faire le tri sélectif à Maurice, cela à travers des entreprises ou ONG, entre autres Atics et Mission Verte, la démarche demeure à son égard un peu timide. Selon elle, le système actuel de gestion des déchets fait défaut au tri sélectif pourtant tant promu, le système demandant une réorganisation.

Sa deuxième proposition concerne la gestion du territoire à travers (a) l’identification des zones vulnérables aux changements climatiques par une application ‘track vulnerability’ et (b) un bureau d’information pour la construction. L’application, selon elle, qui aidera à identifier la vulnérabilité de certaines régions a pour but d’améliorer la communication avant même que les événements ne surviennent. Le citoyen concerné prend une image du lieu qu’il estime vulnérable aux effets des changements climatiques, exemple la montée des eaux ou une crue subite. Les données entrées par les utilisateurs seront ensuite analysées et aideront les autorités concernées (gérants des travaux publics, natural disaster risk reduction and management centre, land planning division) à prendre des actions selon les priorités. Une telle application permettra à la population de participer activement à la gestion du territoire, conclut-elle.

**FABRICE CAROOPEN**

**Setting up vertical gardens in polluted cities**

Fabrice Caroopen points out that Mauritius has always been known for its beautiful beaches and its relatively good atmosphere. As such, he adds, tourists expect to have some relaxing time when they embark on their journey to our “paradise” island. Unfortunately, he admits, Mauritius can’t help competing with other tropical islands anymore since life in Mauritius is driving more towards the hectic life of a city particularly in Port-Louis.

His first proposition would be to implement plant architecture in the city of Port-Louis. The project would require, according to him, all tall enough building to have lots of flowers on the building itself creating a vertical garden. It is obvious that this project will be followed by benefits and costs such as new clean view of buildings in the city and job creation by government for gardeners of Mauritius and park designers. Furthermore, he adds, an increase in plant population will definitely reduce pollution. New technologies being introduced, they bring along more pollution which destroys flora. The parks, he says, won’t be
able to replace the latter but might reduce the consequences such as global warming due to excess of CO2 in the atmosphere. The second proposition already exists but there is a need for the police force to enforce the campaign “to zE! to tAz”

Fabrice Caroopen reckons that the police force is too lenient concerning enforcement. Furthermore, instead of setting fines as deterrence effect, it would be better, according to him, to set punishment such as cleaning of public places scheduled at times when the person is available. Along with this method, more bins should be installed around the island so that people are not able to find excuses and evade conviction with mere defences, he adds.

NEILSEN ARNACHELUM

Ensure the achievement of sustainable developments goals

Neilsen Arnachellum reckons that climate change and worldwide disasters are now being examined together because natural hazards alone do not result into mass disasters. It is an inevitable combination of an exposed, vulnerable and ill prepared population/community and a hazard event that results in an uncontrolled disaster. Consequently, he admits, climate change will affect disaster risks in two ways; firstly, through the likely increase in weather and climate hazards; and secondly through continued susceptibility of the community to these natural calamities. These can manifest, he adds, particularly through ecosystem degradation, reductions in water and food availability, and changes to livelihoods. It is further accentuated by environmental degradation and rapid unplanned urban growth, leading to the disability of a community to cope with the prevalent weather conditions. Furthermore, Mauritius has a long-standing history of natural calamities, in the form of cyclones. From cyclone ‘Car’ol in the 1960’s to ‘Gervaise’ in 1975’s and not to forget ‘Hollandia’ in 1994, on-going generations that have witnessed these periods have a good comprehension of how natural disasters can impact the lives and livelihood of the common man. Nevertheless, he points out, during the past 20 years, Mauritius has thankfully escaped the occurrence of any such major cyclonic event.

The impact that a natural disaster can have on a nation was underestimated, until the recent flood event of 30 March 2013, which occurred in the Capital, awakened all of us and the aftermath of which shook the population.

Therefore, Neilsen Arnachellum’s proposals to reduce the impact of climate change are firstly, swapping from using fossil fuel to renewable energy. As a tropical island, he reckons, Mauritius is ideal to produce its own solar energy. Climate change, he adds, has risen temperature in Mauritius between 0.74 to 1.2 degrees Celsius in the last 50 years and could be used to our advantage. Situated in the South-East of the Indian Ocean, he adds that South-East trade winds could be used to feed wind turbines to supply power.

Emergency response should be further developed to ensure seamless coordination of all activities before, during and after a disaster strikes. Emergency units, he adds, should train to prepare like disaster which occur on the 30 March 2013 because it seems that our units are not enough responsive to unprepared situations. He furthermore admits that public and private sectors of the economy and the population of the Republic of Mauritius in general are gradually becoming aware of the threat posed by climate change and climate variability. There is a strong will to further enhance the existing policies as to develop resilience to adverse impact of climate change and to ensure the achievement of sustainable developments goals, he concludes.

PRAKASH JUDDOO

Mauritius plans to abate its GHG emissions by 30% by 2030

Prakash Juddoo points out that as much
as is agreed by all, a major milestone was reached in 2015 at COP 21 in Paris, with the adoption of the Paris Agreement. Nevertheless it must be conceded that more than 2 years down the line, the challenges ahead are huge. He adds that Small Island Developing States (SIDS) and most African countries altogether emit less than 5% of the global greenhouse gases (GHG), and yet they are the ones which are being mostly impacted. He adds that, it is worth noting that the 2016 World Risk Report had ranked Mauritius as the 13th country (over 171 countries) with the highest disaster risk and 7th as the most exposed to natural hazards. No one can deny, according to him, the reality of climate change and its impacts. The effects are already being witnessed with the rising water levels, changing rainfall patterns, flash floods, erosion of beaches and prolonged drought, in addition to the risk of intense cyclones.

Mauritius being a top tourist destination, it is essential, according to Prakash Juddoo, that its image as a safe and clean destination be preserved. In 2000, environment Minister Bhagwan launched the “To zete to paye” (you litter, you pay) campaign. Twelve years later, on 2012, another government campaign entitled “To zete to tasse” (you litter, you’re stuck) was launched. The Environment Police would ensure, he adds, that the laws on littering would be enforced, with maximum fines of Rs 2k for first-time offenders and Rs 10k and one-year imprisonment term for subsequent offence.

Being a small island state, he adds, Mauritius has no resources and mainly uses fossil fuels, which is the main source of GHG emissions for electricity production. During ratification of the Paris Agreement on climate change, Mauritius had pledged to abate its GHG emissions by 30% by 2030. To be able to report on GHG emissions, he reckons, Mauritius must be able to calculate and quantify its emissions using international norms and finally come up with mitigation and adaptation measures.

Developing nations like Mauritius are finding it arduous to mobilize resources to cope with accentuating climate change impacts, he adds. We are also being required to invest massively to fight poverty, sustained agricultural production, provide clean water and other basic necessities to our citizens, the most vulnerable and needy ones in particular. The Prime Minister also stated, he says, at the One Planet Summit held in Paris in December 2017 that there is need to promote green investments to fight global climate change. Mauritius is already investing considerable amount of its own resources which amount to more than 2 percent of its GDP annually, that is, roughly USD 250 million per year, on climate change related measures. It is unfortunate, he continues, that these funds could have been used to addressing poverty alleviation and improving quality of life. The predicament for SIDS, according the UN report ‘SIDS in Numbers 2017’, is that the economic costs of climate change for Small Island States are projected at 15 percent of GDP or more. This is a serious issue, he concludes, for SIDS since their economies are highly vulnerable.

HURJOON RETTI BAYE

Reuse and renovation of existing buildings rather than constructing new ones

Mauritius has achieved a remarkable success in its tourism sector, Hurjoon Retti Baye reckons. Tourism is a very important pillar of the economy of Mauritius after the Manufacturing sector and Agriculture. The tourism sector contributes significantly to the economic growth of the island and has been a key factor in the overall development of Mauritius and in 2017, the rate of tourists who visited Mauritius has increased by 5.2% as compared to 2016 which was 5.1%, she points out.

According to the World Tourism Organisation’s definition of sustainable tourism development, the latter mainly refers to the environmental, economic and socio-cultural aspects of tourism.

The problem is that, tourism is known to be multi-faceted. It can bring prosperity through jobs, foreign investment and foreign exchange, she adds. At the same time, it can damage environments, stress societies and erode culture and values on which it is based (Making Tourism Work for Small Island Developing States, WTO 2004). The importance of protecting the environment
is known only when it affects the economy by generating a low level of tourism income, she maintains.

One of the main aims and objectives of the Ministry of Tourism is to “To create awareness on the importance of sustainable tourism development and support enterprises in their drive to be environmentally compliant”. So to contribute in achieving this goal, she proposes to change tourists and local people’s behaviours and mindsets about how they should treat the environment around them (especially about the environmental degradation caused by the dropping of litter) and also, there needs to be the implementation of visitor management measures for example controlling the number of tourists while visiting certain places so as not to disturb the wildlife, she adds. Physical degradation of the environment can result, according to her, from the actions of tourists. This can arise from all types of tourism activities but is most specifically associated with certain recreational activities. For example, damage to marine structures such as coral reefs, from diving or boating activities, erosion resulting from over-use of sites. To minimize this, she argues, there is the need to implement a specific time frame within which these recreational activities can take place. A simple example would be hiking sites made available for only 6 hours per day so as to avoid over-use of these sites leading to prevention of soil erosion. This is not going, she argues, to reduce the influx of tourists because they are always curious about exploring places and introducing these limits will in fact make them more prone to come to these sites during this 6-hour time frame. Thus, not affecting the economy of Mauritius and the environment.

In many areas, the construction of new structures to attract more tourists should be avoided in order to keep the place natural or existing buildings could be reused or renovated than constructing new buildings on various sites. Now, if there is any new construction happening then, we need to make sure that these constructions are in harmony with the landscape, she concludes.

YESVEE CHINNIEN

Encouraging the finance or planning ministries to cater for major climate impacts

Yesvee Chinnien reckons that climate change is a serious risk to poverty reduction and threatens to undo decades of development efforts. The adverse effects of climate change are already evident, natural disasters are more frequent and more devastating and developing countries more vulnerable. While climate change is a global phenomenon, its negative impacts are more severely felt by poor people and poor countries, she argues. They are more vulnerable because of their high dependence on natural resources, and their limited capacity to cope with climate variability and extremes.

The magnitude and rate of climate change will strongly depend on efforts to reduce greenhouse gas (GHG) concentrations in the atmosphere. The higher the concentrations of GHGs, the higher the likelihood of irreversible and grave damage to human and biological systems, she adds. Therefore, she argues, adaptation is only one part of the solution. Mitigation of climate change by limiting greenhouse gas concentrations in the atmosphere is the indispensable other part. Adaptation is necessary in the view of the participating agencies; adaptation to climate change is a priority for ensuring the long-term effectiveness of our investment in poverty eradication and sustainable development, she adds.

Improved governance, she reckons, including an active civil society and open, transparent, and accountable policy and decision making processes, which can have a critical bearing on the way in which policies and institutions respond to the impact of climatic factors on the poor.

Encouraging a ministry with a broad mandate, such as planning or finance, she notes, should be fully involved in mainstreaming adaptation, especially in countries where major climate impacts are expected. Combining approaches at the government and institutional level with bottom-up approaches rooted in regional, national, and local knowledge. She adds that empowerment of communities should be encouraged so that they can participate in assessments and use their knowledge to provide useful climate-poverty information. They will also need access to climate relevant information systems, she concludes.
Corruption is a complex and universal phenomenon, points out Mr Jheengut. Generally speaking, it has been defined as “the abuse of entrusted power for private gain”. Corruption is a criminal offence and is a form of dishonest or unethical conduct of a person entrusted with a position of authority, often to acquire personal benefit.

Indeed, there is a variety of possible causes of corruption such as personal greed leading to unfettered desire for money, wealth or power, with no regard whatsoever to the moral fabric, he adds. Moreover, corruption thrives in cultural environments which condone it, characterised by the indifference of the population, and where there is lack of transparency, accountability at institutional level, inefficient controls as well as inappropriate regulations and inadequate or weak legislations, he says.

The pervasive effects of corruption on economic growth and human development are undeniable, with impacts being felt greater in developing countries where governance framework and management systems are often weak and financial resources limited. Overall, corruption reduces efficiency, effectiveness, increases inequality and leads to poverty, he says.

The effect of corruption on the social fabric of society is the most damaging of all. It undermines people’s trust and confidence in the political system, in its institutions and its leadership, underlines Mr Jheengut. Demanding and paying bribes become the norm – leading to a moral decay.

There is a pressing call for the moral and social responsibility for youth to shape their destiny and that of future generations in hands. Getting young people to voice out against the social evil and step up their efforts in nurturing a culture of integrity can serve as the main catalyst for change, he reckons.

This is why, he says, since its inception, the ICAC has left no stone unturned to engage youth in the fight against this social evil - right from the pre-primary to primary, secondary, tertiary levels and even youth in the informal setting.

Mr Isswar Jheengut points out that a national survey on the perception of corruption in Mauritius was conducted by Straconsult in 2014 and one of the findings was that the majority of people perceive the younger generation as not so committed or even not committed at all in the fight against corruption. More importantly, he adds, the survey highlighted the cynical attitude of the youth towards corruption. To cater for this situation, Mr Jheengut says, the ICAC has developed strategies to boost up youth commitment and engagement in the fight against corruption.

- Sensitising youth in the formal sector and young persons in the informal setting was undertaken, with a particular focus on reinforcing anti-corruption clusters.
- Anti-corruption competitions for youth
- Integrity clubs have been set in more than 110 secondary schools throughout Mauritius and Rodrigues to help in the promotion of an anti-corruption culture among peers in schools.

Integrity is today more than just another buzzword. Integrity is becoming more and more a determinant criteria, he reckons, for example, when seeking employment. Employers are increasing looking for three attributes:

- Intelligence
- Initiative or energy
- Integrity

Someone with intelligence and initiative but with no integrity is very dangerous, he rightfully adds. In conclusion, Mahatma Gandhi once said: “Be the change you want to see in the world”

It all begins with you.
ASHLEY SEETANNAH

Campaigns to promote organizations like Transparency

Ashley Seetannah points out that corruption has been devastating countries for decades and reckons that it’s time to put an end to it. One of the greatest reasons why people do not report cases of corruption is that they are afraid of the aftermath, he says. That is they fear that the guilty person might cause harm to himself or to his surroundings. It would be better to set up protections for those people, he adds. Thus it might encourage more people to simply report cases all around them without any fear. He suggests to come up with some rewards for those whistle blowers (if, of course, whatever they said was the ultimate truth.)

When talking about educating everybody, some might think about students or younger people but Ashley Seetannah refers to adults. Indeed, he thinks it’s more important for employers to educate their staff so that the latter are reluctant to commit any corrupted acts. They could probably set up some campaigns inside the workplace itself thus making all persons aware of the evils of corruption and its repercussions, he suggests. Therefore, since children imitate the adults, it is more likely that they will not go on the evil path of corruption, he adds.

Let’s all be honest for some minute, how many know services that fight against corruption in Mauritius? He asks. Still, he adds, in Mauritius many do not know about the Transparency Organization. He suggests campaigns to promote these kinds of organizations. Make people be aware that they exist. By creating more and more organizations like this, he notes, people will not have to commute long distances in order to report a case. This kind of organization should be accessible to all. He concludes that people will be more willing to denounced a simple act of corruption, thus making Mauritius and the world great again.

CHRISINTA CHAVRIMOOTO

Laws related to business and commercial activities are by-passed

Chrisinta Chavrimootoo points out that when asked about the most important problems Mauritius faces and which the government should address, the 2018 Afrobarometer report shows that corruption was in fifth position behind unemployment, crime, poverty and low salaries. Yet, it is important to understand that all these issues are interlinked, she notes. Indeed, corruption is exacerbated due to low salaries, slows down employment, widens the gap between rich and poor and fundamentally, is a crime.

It is hard to deny the negative impact corruption has on a nation generally, she argues. The economy may be thwarted as laws ensuring proper functioning of business and commercial activities are by-passed; individuals may lose trust in institutions and those holding executive powers; on a social level, citizens may feel disenfranchised and become frustrated at the state of affairs, she adds.

It is argued that changes in legislation or policies will be of no effect if there is no correlative change in social perceptions of corruption. Unfortunately, we have become more tolerant of the practice of ‘backin’, she notes. It is vital that we go back to values of transparency and meritocracy. For this purpose, the civil society has an important role to play.

Platforms created by and for citizens should be created so as to encourage denunciation of corrupt practices, she proposes. Those entities, existing in the form of grassroots movements or think-tanks for example, should then be given the power to bring complaints of corrupt practices made by citizens to the competent authorities, such as the ICAC, she reckons. Additionally, with the support and expertise of such entities, potential whistle-blowers will feel more secure knowing they are not alone in their claim. As a corollary, these entities will be able to advise citizens when their claims are not justified, she says.

She proposes that recruitment in the public sector should be approached in light of new principles and practices, so as to allow for upward mobility of all deserving citizens:

i. Competitive entry-exams for certain jobs and transparency in relation to marking and results;

ii. Principle of political neutrality to be established;

iii. Greater powers for and greater independence of the Public Services Commission;

iv. Greater transparency in relation to selection criteria used by the PSC/public entity.

The promotion of the principles of good governance, especially meritocracy and eradication of corruption, should not merely be a façade, she argues. It is important to implement and practise them to ensure economic growth, equity and build trust between our institutions and citizens. To conclude, she expresses the hope that in 50 years’ time, the Afrobarometer or any other indicators will yield better results and that our fellow citizens will be able to say that they have made a positive contribution to history.

DEETEE SADAFUL

Towards an explicit Freedom of Expression Act

Deetee Sadaful notes that there is clearly a perception from the layman that corruption
is rampant in every sphere of society. But corruption is a hidden activity and it is only when it is reported that we become aware of it, she rightfully adds.

The fight against corruption is everyone’s business said Mr. Navin Beekarry, Director of the Independent Corruption Against Corruption (ICAC), and As per corruption Perspective Index 2017 Mauritius is ranked 54th, where it scored 50 points in 2017 in combating corruption. A positive path towards transparency and good governance is envisaged, in which ICAC is the helping hand. She proposes five steps to combat corruption.

1. Implementing a new way of reporting: Integrated Reporting to enhance more transparency and accountability. Where citizens are able to scrutinize government activities and debate the merits of various public policies also makes a difference

2. Working with the government as well as non-governmental groups to brainstorm, change behavior as well as monitor progress. Both of them should encourage free speech to promote anti-corruption acts. The more open and transparent the process, the less opportunity it will provide for malfeasance and abuse.

3. Keep citizens and youngsters engaged on corruption at local and national, international in line with the scale and scope of corruption. This can be executed with an explicit Freedom of expression Act, where media can project a more transparent civil society.

4. Introducing Corruption and its consequences in the school curriculum to empower and engage youngsters in the battle against Corruption.

FABRICE CAROOPEN

Mauritius respects the rule of law and separation of powers

Fabrice Caroopen notes that as per section 1 of Constitution of Mauritius- Mauritius is a sovereign and democratic state meaning that Mauritius respects The Rule of Law and Separation of Powers. Be it tourist, businessmen or even citizens, all find Mauritius a paradise even at the level of justice, he adds.

However, the doctrine of separation of powers is not fully respected at the level of the presidency. The president is said to be the guardian of the constitution however any of the roles and powers of the president allow the latter to guard it, he reckons. For those not familiar with the law making system of Mauritius, he gives a compressed summary of it: After the readings at the national assembly is done, the president has to give his consent within 14 days. If he is not agreeable to the new law the president withhold his consent then the document is sent back to him with or without any change and he must give assent within 8 days compulsorily.

Now, he adds, imagine a government has majority in national assembly, it is able to make any amendment to any law books except the constitution. Since for any non constitutional law only more than ½ of the assembly is required to be submitted to the president!! And it takes 2/3 of assembly to make any amendment to the constitution, he underlines. He sets as an example that government can make a law saying as from today all BMW car owners are given free fuel and no one will be able to review it since there is no one in the locus standi to ask for it. Fabrice Caroopen’s proposition then is that the president is vested with powers enabling him to indefinitely ask for review of a law to the national assembly. Along with this, a panel of totally independent persons from any political background is recruited to review constitutionality of laws. The constitutional panel shall be vested with constitutional value to its post and this will create a security of tenure of its post.

The new law making system shall be the following: The national assembly remains untouched. When the bills are voted they shall be sent to the Constitutional Panel and be scrutinised and then finally sent to the president for assent, he concludes.

HASANAH GOLAM RASSOUD

The chance for Mauritians to live in a more transparent country

Hasanah points out that corruption is a worldwide issue, and is a problem for most countries of the world including Mauritius. Nepotism, favouritism and Cronyism are related things that have been practiced by many Mauritian governments, she adds. Rejecting people with relevant qualifications and potentials have negative impact on the productivity and efficiency of the island, she notes. When it comes to appointments to public offices, Mauritians have long been aware that those in power blatantly nominate their close friends or relations or political allies, rather than selecting the best candidate for the job. Of course, she adds, one must also consider that all these persons who have accepted and will in the future accept jobs offered to them because of their personal connections or political affiliations are equally to blame.

Here are the solutions that she believes might cause a change to the problem of nepotism and give the chance to local people to live in a more transparent Mauritius.

• The privatisation of some public-sector institutions to enhance competitiveness. Competition between firms will enable companies to employ best qualified labour based on their merit to increase profit rather than promoting favouritism.

• Provide facilities for businesses which encourage meritocracy. This method will help businesses to achieve an international ethical image and therefore, attracting potential investors contributing to the modern mauritian economy

• Strengthen laws against favouritism in public-owned enterprise.

By employing honest and sincere officers to check yearly employability whether it is within law or not.

NEETISHA GUNGARAM

Enabling an effective tracking and curbing of money laundering

The World Bank, Neetisha Gungaram points out, claims that about 1 trillion dollars is paid in bribes annually around the world. Corrupt practices entrench bad governance and undermine the very nature of democracy and the rule of law. It is a practice, she notes, that impacts the most vulnerable in the society as Transparency International puts it: “The people who are most affected by bribery do not have the option of walking away. They are the ones who must live in a society where corruption is further entrenched by bribery payments from western companies.”
There needs, she argues, to be an introduction of a Public Service Recruitment and Selection System, a free and open process where anyone can apply and a reflection of such practices undermine the founding principles of merit-based selection. For merit-based selection to work, it must be done right from the start of the process of reviewing the job and setting the job criteria/competencies for recruitment, and the assessment to guide the decision of who to appoint, Neetisha Gungaram adds.

The Public Service Recruitment and Selection System should be accompanied by a policy guideline which will be one of the first steps in promoting a culture of merit-based recruitment and selection for positions in the public service, she adds. And it should be living document that will evolve with any future changes in the context of improving the process of recruitment and selection. This should be achieved with a view to make opportunity more fairly distributed across the entire spectrum of the society, she rightfully says.

The Prevention of Corruption Act should be amended to find the unexplained or illicit accumulated wealth including that which has left our shores and are lying in some safe havens elsewhere. This should be achieved by enabling an effective tracking and curbing of money laundering and accumulation of wealth through back door mechanisms, she argues. And it should be done with a view to better prosecute the cases of money laundering.

The licensing and regulatory powers, the discretions the government has to start, operate, or expand a business and the permissions required for land acquisition, land conversion and environmental clearances and the taxation powers are such that companies are averse to alienating parties that are in office or that may come to power, she reckons. Neetisha Gungaram notes that in such cases the latter prefer to maintain the secrecy of donations as they are concerned about reprisals by political parties that might want to penalize them for favoring their opponents. They also make contributions to political parties across the spectrum on a formula basis, so that they keep all parties satisfied and protect themselves against the risk of political disfavor by any party or coalition in office, she adds. While it is true that public funding of political parties will not by its eliminate scandals, a financing system that relies almost exclusively on private contributions is inevitably more prone to becoming hostage to vested interests, she notes.

Therefore, Electoral Supervisory Commission should be given wider powers to monitor political funding and abuse of position or power, she concludes.

**YAADAV DAMREE**

**Corruption is present in most sectors of our system**

Corruption is highly correlated with population all over the world, suggests Yaadav Damree. Before talking about corruption at an executive level, let us start from the bottom.

The following are examples of corruption in the life of many Mauritians:

Today in prison, he notes, one can find drugs, mobile phones and illegal activities which cannot occur with the participation of those working in our prisons. Huge quantities of drugs, he adds, have been passing our customs lately and are destroying the social stability in the country. This affects the credibility of those working at our customs, and makes Mauritians reflect whether people at the customs are involved, he says.

Corruption is a phenomenon involving many different aspects, and it is therefore hard to give a precise and comprehensive definition to it, he reckons. However, at the core of most definitions of corruption is the idea that a corrupt act implies the abuse of entrusted power for private gain.

Yaadav Damree adds that an important fact which no one can deny is the lack of meritocracy, whereby we have the issue of “nominés politiques” since the day we got our independence. Therefore, we can notice that the corruption starts at the bottom and goes on to elected members of the parliament, he adds.

Classic examples of corruption include bribery, clientelism, embezzlement, lobbying, patronage... The list is not exhaustive. Corruption is present in almost all sectors of our system. The presence of dysfunc-
tional and onerous regulations and poorly formulated policies, often created incentives for individuals and businesses to enhance corruption, he argues.

Because corruption breeds corruption, it tends to lead to the creation of mafias who use their financial power to infiltrate legal businesses, to intimidate, to create a climate of fear and uncertainty, adds Yaadav Damree. In states with weak institutions, the police may be overwhelmed, he says, reducing the probability that criminals will be caught. This, in turn, encourages more people to become corrupt, further impairing the efficiency of law enforcement, a vicious cycle that will affect the investment climate in many ways, further undermining economic growth.

Currently, we do have much legislation to tackle the issue of corruption. He adds that a ministry of Good Governance is in place to provide guidance and support for the enforcement of good governance and reengineering of public sector bodies to eradicate fraud, corruption, malpractices and irregularities in all aspects of public life and restore the national values of the country. We have the Independent Commission Against Corruption (ICAC), which is fighting against corruption.

Yet, the presence of dysfunctional and onerous regulations and poorly formulated policies, he says, often creates incentives for individuals and businesses to enhance corruption.

If the whole system of a country is corrupted, it will produce corrupted government officials and legislators and many from the population will try to go through the fast track. There is really no limit to the extent to which corruption, once it is unleashed, can undermine the stability of the state and organised society, he concludes.

**ZAREENAH TAHER**

"We have a fairly strong standard of integrity"

Zareenah Tahir notes that in the Corruption Perceptions Index 2016, the country ranked 50 out of a total of 176 and had a score of 54 out of 100, where 100 is "very clean." The score of 54, she says, means that our island is still plagued by untrustworthy public institutions although we have a fairly strong standard of integrity.

To stop corruption, she reckons, is not an impossible task nor is it just a mere image of some utopian world we dream of. Corruption in Mauritius, she rightfully adds, is low by regional standards but graft and nepotism nevertheless remain major problems and are sources of much public frustration with the political elite.

In order to stop corruption, there are two particular ingredients that need to be focused on, she adds. Firstly, to end impurity; those who are corrupt need to be punished. It is already fairly easy to report cases of corruption, that is, one way call on 800-2555, or they can chose to post a letter or walk in to the office, she suggests. The problem is that most people are usually afraid to report such cases because of the fear of getting exposed.

Talks, however, she says, could be organized for secondary children to make them more aware of the dangers of corruption and why one should report it if ever they are witnessing such things. Of course, having these talks are not unheard of, it is just that, they happen only once in a child lifetime, and this is not enough to stress on the importance of reporting corruption, she reckons.

Secondly, Zareenah Tahir suggests that reforms be made to public administration. Decision-makers need to disclose budget information. They can do so by releasing statements by means of social media or the mass media since information has been proven to travel faster in this way.

They can also disclose such information on an official website where the public has access to all information, she suggests. In this way, decision-makers will also realize that their every move is being watched, and so, this may lead of a decrease in corruption.

In conclusion, putting an end to corruption is not achievable, she says. It is something one can achieve, if we just put our minds to it, she argues. Transparency International has already listed five ways that a country can put an end to corruption; we have the easy job, implementing the solutions.
PROJECTS/ACTIVITIES OF TRANSPARENCY MAURITIUS 2016-2018

- Campaign through posters on Corruption (TM and ICAC)
- Promotion of Good Governance and Ethics in public and private sectors
- Round table on youth empowerment
- Educating the population on Ethics, Good Governance and Integrity
- Participation in the Implementation Review Mechanism on Chapter II (Prevention) of the United Nations Convention against Corruption (UNCAC) for Mauritius;
- Advocacy to promote a law on the Financing of Political Parties
- Advocacy for the review of the Declaration of Assets Act;
- Transparency Mauritius Nicolas Lambert Investigative Journalism Award
- Closing Ceremony Youth Parliament Mar 2017
- Publication of Youth Parliament Magazine and distribution to decision-makers
- Training/ Assessment on Ethics and Good Governance in Organisations
- Implementation and Training on Whistleblowing in Companies
- Advocacy for a Freedom of Information Act
- Sensitising campaign through posters, press adverts and on social media
- Advocacy for the review of discretionary powers of ministers
- Youth empowerment through talks colleges, clubs and universities
- Launching of the Youth Forum 2017/2018 at the Sir Harilall Vaghjee Hall
- Survey and drafting a Code of Ethics/conduct for Harel Mallac
- Training on Ethics at the Police Training School
- Integrity Pledge project
- Training of local journalists on Investigative Journalism with focus on good governance and corruption
- Publication of the Corruption Perception Index 2017 and 2018
- Training on Women Empowerment and Good Governance at MACOSS
- Participation at the TEAL forum on Good Governance and Ethics
- Afrobarometer survey

Transparency Mauritius is contributing actively to the following initiatives since 2014:

- Public Private Platform against Corruption (This committee (PPPAC) is made up of stakeholders from both the public and private sectors and has made recommendations to Government with regards to public procurement and the delivery of permits & licences by local authorities);
- Private Sector Anti-corruption Task Force (This committee (PACT) is working on good governance issues and best practices for the private sector and is finalizing a voluntary Integrity Pledge for local businesses);
- Whistleblowing Council;
- Construction Sector Anti-Corruption Committee;
- MRA Integrity Advisory Council and;
- The United Nations Convention against Corruption (UNCAC)
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Nou tou pansé ki nou konn enn dimounn ki pou tir nou dan difé.

Bien souvan Koripsion li koumans koumsa

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