



PERMANENT MISSION OF THE REPUBLIC OF MAURITIUS TO THE UNITED NATIONS AND
OTHER INTERNATIONAL ORGANISATIONS

MISSION PERMANENTE DE LA REPUBLIQUE DE MAURICE AUPRES DES NATIONS UNIES
ET DES AUTRES ORGANISATIONS INTERNATIONALES

*44th session of the Committee on Economic, Social and
Cultural Rights*

Palais Wilson, Geneva, 7 May 2010

EXAMINATION OF THE SECOND, THIRD AND FOURTH PERIODIC
REPORTS OF THE IMPLEMENTATION BY MAURITIUS OF
THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND
CULTURAL RIGHTS

INTRODUCTORY STATEMENT

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AMBASSADOR AND PERMANENT REPRESENTATIVE OF MAURITIUS
TO THE UNITED NATIONS AND OTHER INTERNATIONAL ORGANISATIONS

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**Mr. Chairperson,
Distinguished Members of the Committee,
Members of the staff of the Secretariat,
Excellencies, Ladies and Gentlemen,**

It is an honour and privilege for me to lead the delegation of the Republic of Mauritius which will present the 2nd, 3rd and 4th combined reports of Mauritius to this 44th session of the Committee on Economic, Social and Cultural Rights. I warmly welcome this opportunity to review together the implementation by Mauritius of its obligations under the Covenant on Economic, Social and Cultural Rights in a spirit of dialogue and understanding.

Mr. Chairperson,

Since its independence in 1968, Mauritius has been a working multiracial and multicultural democracy whose foundations are based on the promotion and protection of human rights, be they civil, political, economic, social or cultural. No later than the day before yesterday, Wednesday 5 May, Mauritius peacefully held free and fair general elections, after a term of 5 years as provided for in the Constitution of Mauritius, reflecting the country's unwavering and deep-rooted attachment to the fundamental tenets of democracy.

The Government of Mauritius firmly believes in the principle of *putting people first*, and creating a more inclusive society where there are opportunities for all and equality of treatment before the law and where citizens are at the very core of all forms of development, including social, economic and cultural. This commitment to the promotion and protection of human rights is, indeed, enshrined in the Constitution of Mauritius, the supreme law of the land, which prohibits discrimination by persons acting in the performance of public functions, on ground of race, colour, political opinion, creed, caste, sex or place of origin.

In strict compliance with the doctrine of separation of powers, Mauritius has a dynamic and independent judiciary which plays an important role in ensuring the protection of human rights and fundamental freedoms and the primacy of the rule of the law. Strong and independent institutions also exist to guarantee the rights of the citizens, such as the National Human Rights Commission, which includes a Sex Discrimination Division, the Office of the Ombudsman and the Office of the Ombudsperson for Children. The National Human Rights Commission was granted accreditation "Status A" by the International Coordinating Committee of National Human Rights Institutions in 2002 and is governed by the Paris Principles.

In consonance with the treaties and conventions to which Mauritius is a party, a number of legislative measures have been adopted, since our last review exercise, to further consolidate the human rights legal architecture. Recent Acts of Parliament include the HIV and AIDS Act 2006, the Certificate of Morality Act 2006, the Imprisonment for Civil Debt (Abolition) Act 2006 and the Borrower Protection Act 2007. The Truth and Justice Commission Act 2008, which provides for the establishment of a Truth and Justice Commission, came into operation on 1 February 2009, the day commemorating the abolition of slavery in Mauritius. The objectives of the Commission are to make an assessment of the consequences of slavery and indentured labour from the colonial period to the present, and to make recommendations to the President of the Republic on measures to be taken with a view to achieving social justice and national unity.

Mauritius also adopted the Equal Opportunities Act in 2008. This Act prohibits discrimination on the grounds of age, caste, colour, creed, ethnic origin, impairment, marital status, place of origin, political opinion, race, sex and sexual orientation in various spheres of activities, namely employment; education; provision of goods, services or facilities; accommodation; disposal of immovable property; companies, partnerships, "sociétés" or registered associations; clubs; and access to premises and sports. The establishment of an Equal Opportunities Division within the National Human Rights Commission and that of an Equal Opportunities Tribunal with wide powers are provided for in the Act to ensure that the Act is enforceable.

Economic, social and cultural rights are also guaranteed through other pieces of legislation including the Sex Discrimination Act, the Education Act, the Social Aid Act, the National Pensions Act, the Public Health Act, the Employment Rights Act, the Employment Relations Act and the Occupational Safety and Health Act. In addition, the setting up of institutions and the provision of direct financial support to Non-Governmental Organisations catering for the welfare of the deprived members of society form part of those government actions aimed at enhancing enjoyment of these rights. Further, there are numerous support programmes and for the rehabilitation of vulnerable groups, namely the Economic Empowerment programme, the special collaborative programme for Women in Distress, the Eradication of Absolute Poverty Programme and the direct assistance offered through the Trust Fund for the social integration of Vulnerable Groups.

Mr. Chairperson,

Mauritius fully subscribes to the view that all human rights are indivisible, interdependent and interrelated. In this regard, side by side with the strengthening of the protection of civil and political rights, Mauritius has spared no effort to advance the realization of economic, social and cultural rights for its citizens through, *inter alia*, measures to combat poverty and enhance social enlistment. Mauritius is a welfare State offering free education, free health services, universal old age pensions, social security aid and benefits for widows, orphans and persons with disabilities, free public transport for students and old-aged persons and other financial assistance schemes to the needy.

We are pleased to inform the Committee that rates of growth have averaged 5% over the past 5 years and per income capita now exceed US\$ 6,000. Moreover, the country has attained most of the targets related to the Millennium Development Goals (MDGs). This has been highlighted in the MDGs Addendum Report which has been submitted to the United Nations two weeks ago.

Our deep commitment to the promotion and protection of human rights has been recognised by many institutions. For instance, Mauritius was ranked first out of 53 African countries in the latest assessment of the Mo Ibrahim Foundation of African Governance, 6th out of 163 countries in the Environmental Protection Index of the Yale Centre for Environmental Law and 12th out of 179 countries in the 2010 Economic Freedom of the Heritage Foundation. Mauritius was proclaimed the most child-friendly country of Africa in the 2008 African Report on Child Well-being prepared by the African Child Policy Forum (ACPF). Mauritius ranks among countries with a High Human Development Index in the latest UN Human Development Report.

It is also worth noting that the Economist 2008 Democracy Index ranks Mauritius as the 26th most democratic country in a survey of 165 countries and first in the African continent, scoring even better than some developed countries.

**Mr. Chairperson,
Distinguished Members of the Committee,**

I wish to kindly draw attention to the deep respect which the Government of Mauritius has for the work of this Committee and of other UN treaty monitoring bodies. My delegation views the monitoring mechanism led by expert committees as an essential element in the promotion and protection of economic, social and cultural rights and a catalyst for achieving meaningful change. The Government of Mauritius eagerly awaits the observations and recommendations of the Committee on the implementation by Mauritius of the Covenant and will give them the serious consideration they deserve, particularly on matters pertaining to the promotion and protection of economic, social and cultural rights.

The Mauritius report has been prepared after broad consultations involving all relevant governmental departments, established national human rights institutions and a range of non-governmental organisations active in the field of human rights, including economic, social and cultural rights.

Careful consideration has been given to the Committee's concluding observations following the examination of the initial report in 1995. These are reflected in section III of the report.

**Mr. Chairperson,
Distinguished Members of the Committee,
Ladies and Gentlemen,**

For this examination, the Committee has raised an important range of issues to which we have responded on 15 January 2010, as reflected in document E/C.12/MUS/Q/4/add1.

In view of time constraints, I shall not highlight these issues here as they are already addressed in our reply. However, I would like to bring your attention to one significant policy measure which has an important bearing on preserving and promoting economic and social rights, namely the setting up of the Empowerment Programme. You would be aware that all governments, mainly in periods of economic crisis, face the hard dilemma of, on the one hand, delivering difficult reforms for development and, on the other, ensuring that the socio-economic costs of these reforms do not bring undue human suffering, more particularly on vulnerable groups in society.

The Empowerment Programme integrates the challenge of preserving welfare with the process of delivering reform and allows Government through its different programmes to turn deprivation into adjustment opportunities. The aim is not to offer handouts to the unemployed or those made redundant by the process of change and innovation. The final objective of the programme is rather to preserve human dignity by integrating unemployed citizens into mainstream society through proper training and adjustment support.

Mr. Chairperson, we believe this is a novel approach of reconciling reform, development and human welfare.

On the issue of economic, social and cultural rights of persons with disabilities, I have the pleasure to inform the Committee that Mauritius has ratified the Convention on Rights of Persons with Disabilities on 8 January 2010. Moreover, a National Policy Paper and Action Plan has been launched and is being implemented with a view to ensuring the socioeconomic integration of persons with disabilities.

It is the Government's policy to ensure that no discrimination is made against persons with disabilities but also to empower them so that they can access the labour market. As regard children with disabilities, a National Policy for Disabled Children is being formulated in consultation with NGOs and other organizations, while mass awareness campaigns aim to inform both parents and children about the rights of disabled children. Government also encourages children with disabilities to attend schools, through scholarship schemes and facilities for the disabled within schools. Children who cannot be integrated into the normal school system are educated by Government-assisted NGOs. Government also refunds taxi fares to university students with disabilities.

**Mr. Chairperson,
Distinguished Members of the Committee,
Ladies and Gentlemen,**

The presentation of our periodic reports to the Committee on Economic, Social and Cultural Rights follows a series of similar engagements that Mauritius has had with the international human rights machinery.

Last year, in February, Mauritius was reviewed by the Human Rights Council under its Universal Periodic Review Mechanism. This has been no doubt a successful experience for us. In May 2009, Mauritius presented its consolidated report on the implementation of the provisions of the African Charter on Human and Peoples' Rights to the African Commission on Human and Peoples' Rights.

Mr. Chairperson,

In these difficult times where the world is experiencing a financial crisis and the negative impact of climate change, Mauritius, as a Small Island Developing State, sincerely believes that it has a credible track record in terms of the advancement of economic, social and cultural rights as called for by the Covenant and related instruments. We view development as a continuum and, therefore, are not complacent with our achievements. On the very contrary, we undertake to continue to uphold the highest standards of human rights at the national level with a view to bringing a qualitative improvement in the lives of all Mauritians through the full enjoyment of their fundamental rights and freedoms. We continue to strive to become a Human Rights Island imbued with a human rights culture, where human rights are not only a source of inspiration but are also enforceable and enforced in practice.

**Mr. Chairperson,
Distinguished Members of the Committee,
Excellencies, Ladies and Gentlemen,**

We value the opportunity and importance of being reviewed by the Committee on Economic, Social and Cultural Rights. We look forward to a balanced and fruitful dialogue and, in the process, to responding to your questions and hearing your views and observations.