

Statement on the UPR Pre-sessions on Mauritius

By Krishna Somanah

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This statement is given on behalf of DIS-MOI , a non-governmental organization in Mauritius which was founded in 2011 . The vision of DIS-MOI is a world where citizens enjoy the fundamental rights enshrined in the Universal Declaration of Human Rights and its mandate is based on the international documents which Mauritius has adhered to or ratified like The International Covenant on Civil and Political Rights or The International Covenant on Economic , Social and Cultural Rights . DIS-MOI concentrates its work on the islands in the south west of the Indian Ocean namely Mauritius , Rodrigues , Reunion , Madagascar and Seychelles and is focusing for the moment on how to train young people to become human rights activists.

Unfortunately the government of Mauritius did not invite us for any consultation meeting in the preparation of its National Report .

The present statement focuses on the state of Economic , Social and Cultural Rights in Mauritius with emphasis on The Right to Education , The Right to Health, The Right to a safe and secure Environment and The Ratification of the Optional protocol to The International Covenant on Economic , Social and Cultural Rights .

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Issue 1 : Right to Education

Cuba recommended that the Mauritian Government continues working to improve education services .

China recommended that the Mauritian Government continues to take positive measures to make progress in the field of education .

Trinidad and Tobago recommended the inclusion of children with disabilities in mainstream schools as far as possible .

Georgia recommended that the Mauritian Government steps up efforts to ensure full access to education for creole-speaking children.

All the recommendations were supported by the Mauritian Government .

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The fact that education is free from primary to tertiary level gives the opportunity for every child to have access to education . However the Mauritian education system is highly elitist and there is a “ rat race ” competition from the primary years of schooling to the end of secondary education and there is a heavy reliance on private tuition . This competitive system creates a highly unequal education outcome where students from disadvantaged regions (mostly creole-speaking) find it hard to get good results in the main exams even if the education system has been slightly modified to cater for those children who fail the primary school exam . Those who get the best results in the final secondary exam will be able to get scholarships to study in universities or in other tertiary institutions and those who do not get scholarships will have to spend a lot of money to get into tertiary education . Those who cannot complete secondary education can attend technical or vocational schools but will find it hard to get a job because there is a mismatch between available jobs and a properly trained labour force for the moment in Mauritius .

DIS-MOI is concerned with the lack of discipline in primary and secondary schools and in some schools teachers feel scared to go to their classes .

Bullying is quite common in schools and heads of schools find it hard to apply sanctions because of pressure from parents and administrative constraints .

DIS-MOI is also concerned about the insufficient provision of inclusive education for children with disabilities even if in private international schools there are more facilities for disabled children .

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Recommendations

DIS-MOI recommends that the Mauritian education system be completely reformed so that every child gets the opportunity to develop his/her intellectual and physical abilities fully and to acquire the necessary skills that will allow him/her to get a decent job when he/she ends schooling .We feel that education must prepare the child to become a responsible and active adult in society who shows respect for others and who does not resort to violence to resolve conflicts.

To achieve this we recommend to :

- Abolish the practice of private tuition and that scholarships be given on a regional basis instead of a national basis
- Integrate the teaching of values and peace concepts in the curriculum
- Guarantee sufficient educational psychologists and / or counselors in order to provide help to every school in Mauritius whenever required .
- Increase pedagogical and psychological support for children coming from disadvantaged regions (mostly Creole – speaking) since early childhood to help them acquire the tools that will allow them to complete schooling successfully .
- To give children who do not complete secondary the opportunity to attend vocational or technical schools and give them the right guidance to allow them to get the jobs they are in a position to apply for

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Issue 2 : Right to health

Venezuela recommended that the Mauritian government guarantees access to free health care for its population

Cuba recommended that the Mauritian government continues working to improve health –care services

(Both recommendations supported by the Mauritian government)

Access to health – care is free in hospitals in Mauritius and new hospitals have been built with new facilities but there are some diseases which cannot be treated in Mauritius and patients find it hard to get enough money to get treatment abroad .

Moreover there have been cases of medical negligence in some hospitals where patients have lost their lives and many Mauritians prefer to have medical treatment in private clinics even if medical treatment is very expensive there .

In recent weeks the Audit of Catering Services from the Internal Control Unit of the ministry of health has issued reports about the poor hygienic conditions in some hospital wards and the deplorable state of the environment in those hospitals (smell of cigarettes / dirty bed sheets / bugs and pests on beds) .

The same unit mentions that vegetables served to patients were not of the required standards and of poor quality .

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Recommendations

DIS-MOI recommends to:

- Conduct a thorough investigation to find out what is happening in the hospitals mentioned in the report and take the necessary measures to remedy the situation as soon as possible
- Produce a “ Patient Charter of Rights” that should be available to all patients who are admitted into hospitals or private clinics to enable patients to know their rights and responsibilities and to give patients the possibility to have access to an independent ombudsperson or commissioner who can quickly and economically resolve their complaints or concerns .
- Take the necessary steps to ensure that patients who have to get medical treatment abroad are given enough financial assistance
- Find ways for people suffering from diseases like diabetes or other complicated diseases to get a deduction in the prices of medicine or appropriate food stuffs that they have to buy because these items are very expensive in Mauritius .

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Issue 3 : Right to a safe and secure environment

Senegal recommends reinforcing human and financial resources for the National Disaster Risk Reduction to better adapt to climate change

Seychelles , Lesotho and Fiji all recommend developing policies to mitigate the impact of climate change and other disaster related challenges by taking into consideration the full enjoyment of human rights of the vulnerable and by considering the needs of women , children and disabled people .

(Both recommendations supported by the Mauritian government)

DIS-MOI notes with concern that ten years after the heavy floods (31 March 2013 ,2013) which caused the death of at least 11 people in Port-Louis (the capital of Mauritius) and caused a lot of damage to the environment , Mauritius is still at risk of feeling the effects of floods .

In fact , 297 regions have been identified as regions with risk of being flooded with 67 of them considered as high risk regions .

On 8 November , 2023 , flash floods caused a lot of damage many regions of Mauritius and some people had to be rescued from their flooded homes .

The Land Drainage Authority has still not come up with appropriate ways to deal with issue even if a lot of money has been spent to improve the drainage system in the regions under high risk of floods .

In the region of Mauritius known as Tranquebar Manna , squatters from Rodrigues (an island which belongs to Mauritius) live in horrible conditions (dirty environment where water accumulates in a sort of pond and is filled with mosquitoes in summer) .

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Recommendations

Because the Mauritian government has adopted an economic growth policy that was not based on sustainable development objectives and did not make any consultations with the people that would be affected by floods solutions to this problem are not easy to find .

Nevertheless DIS-MOI recommends to :

- Sets up a proper policy to mitigate the impact of floods and cyclones with the help of relevant authorities and foreign experts if need be and make sure that people who are at risk of being affected by floods are consulted
- Build more canals in towns and villages so that water can be diverted to places where it can be stored safely
- Plant trees at appropriate places to prevent land slides
- Issue building permits only if the construction of a new building or road will not affect the population in case of floods
- Implement a proper plan to alleviate the problem encountered by the squatters of Tranquebar (the “ forgotten ones ”) and to look seriously into the possibility of finding proper housing units for them so that they can enjoy the right to a clean and safe environment

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Issue 4 : Ratification of the Optional Protocol to the International Covenant on Economic , Social and Cultural Rights

Djibouti recommended that Mauritius considers ratifying the international documents to which it is not yet a party

(to be considered by the Mauritian government)

Portugal recommended that Mauritius ratifies the Optional Protocol to the International Covenant on Economic , Social and Cultural Rights

(which was noted by the Mauritian government)

Mauritius adhered to the International Covenant on Economic, Social and Cultural Rights in 1973 but fifty years later it has still not included any socio -economic or cultural right in domestic laws or in the constitution and it has still not ratified the Optional Protocol to the International Covenant on Economic , Social and Cultural Rights .

This means that anyone who feels that his/her economic or social or cultural right is violated cannot go to court to claim justice and of course , cannot make any complaint to the International Committee on Economic , Social and Cultural Rights .

The Mauritian government has also been very slow to satisfy the essential requirement of the International Covenant on Economic , Social and Cultural Rights which is the progressive realization of the rights mentioned in the Covenant like the right to work for every one or the right to a safe and clean environment for every one .

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Recommendations

DIS – MOI recommends to :

- Take the necessary measures to include economic , social and cultural rights in domestic law and eventually in the constitution and give judges training so that they can deal efficiently with cases economic or social or cultural rights in court
 - Ratify the Optional Protocol to the International Covenant on Economic , Social and Cultural Rights as soon as possible so that people can send complaints to the International Committee on Economic , Social and Cultural Rights if their rights are violated .
 - Define priorities to make sure that economic , social and cultural rights are properly taken care of . For example , reduce the problem of access to safe water in summer during the period of droughts by building more reservoirs
- Give the same sort of attention to satisfy the right to food or the right to work because some fruits like avocados or black berries and other foodstuffs are very expensive in Mauritius and not every one in Mauritius can claim that he/she is able to get a decent job with a decent salary .

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