



GOAL 16: PROMOTE PEACEFUL AND INCLUSIVE SOCIETIES FOR SUSTAINABLE DEVELOPMENT, PROVIDE ACCESS TO JUSTICE FOR ALL AND BUILD EFFECTIVE, ACCOUNTABLE AND INCLUSIVE INSTITUTIONS AT ALL LEVELS

Mauritius is a sovereign democratic island of approximately 1.3 million people of different religions who live in a spirit of unity, mutual respect and tolerance. It is often referred to as *La Nation Arc-en-Ciel*. The country ranked 20th on the 2018 *Global Peace Index* and 1st in *Sub-Saharan Africa*.

The Constitution, which is the supreme law of the country, guarantees each Mauritian citizen his fundamental rights and freedoms since Independence. In the spirit of leaving no one behind, the Constitution has been published in braille.

The judiciary is independent and ensures the prevalence of the rule of law and access to justice for all. It was ranked 34th by the *World Economic Forum* for judicial independence and 25th by the *Heritage Foundation's* 2019 index of *Economic Freedom for Judicial effectiveness*.

Mauritius has acceded to almost all core UN and African Union Human Rights Conventions and has ensured that their provisions are incorporated in our domestic legislations, to the extent possible.

In view of having a more inclusive society, issues pertaining to Human Rights are now being attended to in a more systematic and comprehensive manner. A *Human Rights Secretariat* and the *National Mechanism for Reporting and Follow-Up* (NMRF) have been set up. The NMRF has become, *inter-alia*, the platform for consultations with NGOs and civil society on a regular basis.

The establishment of the *National Human Rights Commission* (NHRC) in 2001 was a cornerstone in creating awareness around Human Rights issues. It is also empowered to act as mediation in cases of violations of human rights, especially those involving disabled children, as well as to enquire and investigate into violations of civil and political rights.

Amendments have also been made to various pieces of legislations to eliminate discriminatory practices against persons to be extradited and prohibiting recruitment based on past criminal records. On the other hand, the *Criminal Code* prohibits the use of hate speech by electronic means and penalties have been increased. The definition of *Domestic Violence* has been widened to include *inter alia* willful infliction or attempted infliction of injury, intimidation, forcible engagement in an act from which the spouse had a right to refrain and withholding of resources.

ECONOMIC ENVIRONMENT

On the institutional front, methodical reforms undertaken to improve the Doing Business environment over the past decade has enabled the island economy to join the group of top 20 economies this year. Since 2005, the time needed to register property has decreased by more than 12 times and the time needed for business incorporation decreased by almost 10 times.

In parallel, Mauritius has distinguished itself as a leader and a high performer in promoting corporate governance on the African continent. The *Mo Ibrahim Index of African Governance* (IIAG) ranks Mauritius 1st in Africa for the 12th consecutive year. This distinction clearly

demonstrates the commitment of Mauritius in ensuring a good governance practices, which is defined by the IIAG as the *provision of the political, social and economic public goods and services that every citizen has the right to expect from their state, and that a state has the responsibility to deliver to its citizens.*

A *Public Sector Business Transformation Strategy* is also in place since 2017. While it reflects, on one hand, Government's need to continuously evolve, innovate and transform in order to respond to and anticipate the needs of each citizen as well as local and global clients. It also creates the momentum required to create a dynamic and innovative public sector, whereby quality service is delivered in an efficient, transparent, fair and equitable as well as affordable manner.

Mauritius is also advocating a zero-tolerance policy towards corruption, drug trafficking, fraud and illicit money laundering practices.

BRIGHT SPOTS

CREATING AWARENESS AROUND HUMAN RIGHTS

Regular talks, seminars and awareness workshops, targeting NGOs, law enforcement officers, public officers and civil society at large are organized by the NHRC.

In 2017, the *European Union* financed a wide awareness project entitled *Promotion of Respect of Human Rights in Mauritius and Rodrigues.*

In 2018, around 4,800 persons were sensitized, including those from vulnerable groups such as women, children, elderly persons, persons with disabilities as well as the media. Moreover, 8 short films relating to Human Rights issues were also launched.

ENHANCING SAFETY

In 2017, a safe city project was initiated to sustain the Mauritian safe living and working environments. Some 4,000 *Intelligent Video Surveillance (IVS)* Cameras were installed across the island. Amendments have also been brought to the *Firearms Act* to better monitor the movement of firearms within the country and in transit.

In view of ensuring the safety of the citizen against possible police brutality, cameras were installed in 78 police stations, including cells and other parts of police stations. An *Independent Police Complaints Commission (IPCC)* has also been set up to investigate into complaints, other than acts of corruption or money laundering offences, against police officers.

Mercer's 21st annual *Quality of Living* survey positions Port Louis as the safest African city with the best quality of living on the continent.

STRENUOUS FIGHT AGAINST CORRUPTION, DRUG TRAFFICKING AND MONEY LAUNDERING

The setting up of the *Independent Commission Against Corruption (ICAC)* in 2002 and its consequent work in investigating into corruption and money laundering offences has contributed to the perception of Mauritius to be the least corrupt state in Africa. The country was ranked 56th out of 180 countries on the 2018 *Corruption Perceptions Index.*

Also, money laundering investigations are linked to criminal proceeds emanating from illegal activities particularly corruption, drug trafficking, embezzlement, swindling, forgery, illegal money lending, witchcraft, counterfeit medicines and illegal betting.

In 2015, a *Good Governance and Integrity Reporting Act* was introduced and an *Integrity Reporting Services Agency* (IRSA) was established to promote transparency, good governance and integrity in Mauritius as well as investigate cases on unexplained wealth. In addition, to encourage a culture of integrity and to prevent corruption, a new *Declaration of Assets Act* for Members of Parliament and high ranking public offices was enacted in 2018.

As part of its education and prevention mandate of sustaining a culture of intolerance to corruption, ICAC is working in close collaboration with Trade Unions, civil society and private partners. The *Civil Society Network Against Corruption* was reinforced with the setting up of *Regional Anti-Corruption Committees* in each of the 9 districts and 1 in Rodrigues to empower at the grass root level. With private sector an *Integrity Pledge Project* was developed where collective action is taken in building strong alliance against corruption. This has prompted numerous changes in legislations, administrative procedures and increased use of technology for improved service delivery.

ROBUST AND RESILIENT FINANCIAL INSTITUTIONS

To address the problem of illicit financial flows and promote international cooperation in tax matters through exchange of information in line with OECD guidelines, Mauritius has 11 *Tax Information Exchange Agreements* (TIEAs) in force, including the *Foreign Account Tax Compliance Act* (FATCA) with the US.

Mauritius is also committed to the recommendations made by the *Financial Action Task Force* (FATF) in 1997. As a founding member of the *Eastern and Southern Africa Anti-Money Laundering Group* (ESAAMLG), a FATF-style regional body for the Eastern and Southern African region, the island is in of compliance with the 40 Recommendations of the FATF. Following the recent peer review exercise of the ESAAMLG, amendments were brought to the *Financial Intelligence and Anti Money Laundering Act* (FIAMLA) to allow for stricter control and ensure compliance to international norms and standards.

In 2018, the regulatory institutions of the financial services sector - *Financial Services Commission* (FSC), the *Financial Intelligence Unit* (FIU) and the *Bank of Mauritius* (BOM) - enhanced

Leadership in the Region

In 2018, Mauritius, in collaboration with the Indian Ocean Commission (IOC), organized the first ***Ministerial Conference on Maritime Security*** in the Western Indian Ocean Region, where a *Mauritius Declaration* and a *Roadmap on Maritime Security* was adopted.

Mauritius also currently chairs the *Contact Group on Piracy off the Coast of Somalia* (CGPCS). During the 21st Plenary Session, Mauritius made proposals with regard to establishing the CGPCS as a permanent mechanism with a broader mandate to address other sea borne crimes and threats, such as terrorism threats and illegal, drug, human and arms trafficking, illegal trade and money laundering, Search and Rescue at sea, biodiversity and the impact of climate change. Proposals are under study by members of the CGPCS and would be tabled at the 22nd Plenary Session scheduled to be held back to back with the 2nd Ministerial Conference on Maritime Security in June 2019.

collaboration in the fight against money laundering and terrorist financing through a *Memorandum of Understanding* (MOU).

Procedures and sanctions are also in place to prevent criminals from holding shares or holding a management function in Mauritian institutions licensed under the *Banking Act*.

Reforms in the *Global Business Sector* (GBCs) have been implemented so as to restrict the proliferation of shell companies. Mauritius is now *fully compliant* with OECD standards. In addition, following the peer review by the OECD in 2018, the OECD indicated that Mauritius fulfils all requirements of the BEPS Action 5 and does not have any harmful practices in its tax regimes. This reaffirms the position of Mauritius as an *International Financial Centre* (IFC) of repute and substance.

FUTURE CHALLENGES AND OPPORTUNITIES

Challenges	Opportunities
<ul style="list-style-type: none"> Improving situation of foreign workers who may be subjected to forced labour. Unfortunately, the lack of official statistics and referral for criminal investigation and prosecution, hinders the application of law. Furthermore, traffickers face only administrative penalties. 	<ul style="list-style-type: none"> Among five pioneer countries, Mauritius is establishing a <i>National Reporting and Tracking Database</i> in collaboration with the OHCHR. The system will facilitate the recording, tracking and reporting on the implementation of human rights recommendations and hence adherence to Human Rights. The construction of a <i>National Human Rights Centre</i> that will regroup all Human Rights institutions under one roof and act as a one-stop shop will allow better monitoring and compliance. A <i>National Action Plan</i> to combat Trafficking in Persons is currently under preparation. To prohibit discrimination and provide further protection to persons with disabilities, a <i>Disability Bill</i> is being prepared.
<ul style="list-style-type: none"> Legislation in terms of Human Rights remain scattered in various pieces rendering its application more difficult. Technology is bringing in a different kind of challenge in terms of fake news, fake profiles and abuse of social media. 	<ul style="list-style-type: none"> To explore the possibility of having a consolidated legal framework to protect Human Rights in Mauritius. Capacity building is also important to enable to address these challenges.
<ul style="list-style-type: none"> The challenge remains on how to strengthen Mauritian institutions such that the perception of corruption and the situation in terms of drug trafficking is improved. 	<ul style="list-style-type: none"> In 2017, Commission of Inquiry on Drugs was set up to enquire on all aspects of drug trafficking in Mauritius. A Ministerial Committee has been set up to look into the recommendations of the Commission which includes, inter alia, the strengthening of existing institutional framework and review relevant legislations.

	<ul style="list-style-type: none"> • Mauritius is also working in close collaboration with the Global Call to Action on the World Drug Problem. • On the regional front, Mauritius will be hosting the Second Ministerial Conference on Maritime Security in the Western Indian Ocean Region in June 2019 to discuss on the progress and implementation of the Roadmap on Maritime Security.
<ul style="list-style-type: none"> • Combatting money laundering and terrorism financing. 	<ul style="list-style-type: none"> • Mauritius is receiving technical assistance from UNCCT to undertake an assessment of terrorism financing risks related to non-profit organisation (NPO) sector. • Assistance will also be required for legal and institutional reviews in view of strengthening further the effectiveness of institutions involved in the fight against corruption, money laundering and related crimes in Mauritius. • Capacity building is required in specialised and new fields like financial crimes and forensic investigations to deal effectively with emerging challenges.
<ul style="list-style-type: none"> • The financial services sector remains exposed to growing international pressures, adverse press coverage and the changing international economic landscape. 	<ul style="list-style-type: none"> • Continuing the progress achieved in simplifying processes in terms of <i>Doing Business</i>, adherence to the recommendations made by the ESAAMLG and OECD in terms of AML/CFT are seen as an opportune way to withheld the image of Mauritius as an IFC of international repute and substance. • With the assistance of the World Bank, the Bank of Mauritius is formulating a risk-based AML/CFT framework that will further improve the regulatory framework of the Mauritius IFC. • Additional reforms are underway to ensure an orderly transition of the Global Business segment to an industry of higher value added while mitigating financial risks. • The Mauritius <i>Financial Services Commission</i> (FSC) will cease to issue Category 2 GBCs as from January 2019, with a grandfathering provision. • A Blueprint has also been elaborated to innovate and transform the Mauritius IFC of 2030.