

(3.30 p.m.)

PUBLIC BILL

Second Reading

**THE OCCUPATIONAL SAFETY AND HEALTH BILL
(NO. XXVII OF 2005)**

Order for Second Reading read.

Mr S. Soodhun (Fifth Member for La Caverne and Phoenix): Mr Deputy Speaker, Sir, it is a privilege and also a duty for me to second the Bill.

Mr Deputy Speaker, Sir, last Friday, we witnessed a special event. Nearly two months after the elections, the hon. Leader of the Opposition seconded the Bill. We all in the House voted the Bill and I think we are going to follow the trend as long as we can work together, because we are true patriots, as mentioned by my colleague, hon. Mrs Navarre-Marie.

Mr Deputy Speaker, Sir, first of all, I would like to congratulate my good friend, the hon. Minister, and also to place on record the tremendous work done by the staff of the Ministry of Labour, Industrial Relations and Employment, the actual as well as the former Permanent Secretary, the officers and also the State Law Office.

Mr Deputy Speaker, Sir, while the hon. Minister was moving the Second Reading of the Bill, I was discussing with the staff to see how we can bring in some amendments, because I only disagree with one section, but I think that now we have come to an agreement on that.

Mr Deputy Speaker Sir, the introduction of the Occupational Safety and Health Bill was one of the recommendations of our electoral manifesto. We had already prepared the legislation when we were in Government and had completed consultations with all the social partners at the level of the Advisory Council on Occupational Safety and Health and also during various tripartite workshops, as mentioned by my colleague. It is true that the hon. Minister has received suggestions from associations and we do not have any quarrel with or objection to them.

Mr Deputy Speaker, Sir, we have always placed great importance on occupational safety and health as they are fundamental rights of workers. In fact, every one knows how when the Leader of the Opposition was a trade unionist, he requested employers to provide protective equipment and clothing to workers in various sectors, namely, the sugar industry, the port, the dock and the transport sector. The House is aware that during our mandate, we ratified 8 ILO conventions, including the most fundamental ones; we reviewed 10 Remuneration Orders, giving wage increases to more than 200,000 workers.

Mr Deputy Speaker, Sir, we had taken several important measures to ensure that the health and safety norms are respected and to prevent accidents occurring on workplace. In 2002, we introduced an amendment to the Occupational Safety, Health and Welfare Bill in order to increase the penalty for non-compliance of the health and safety norms from Rs10,000 to Rs75,000. We have good employers and we have bad employers also. In the same context, regulations were enacted to prohibit the use of raw asbestos, as was mentioned by my friend.

Mr Deputy Speaker, Sir, when this issue was raised in his office, the former Prime Minister was not even aware that raw asbestos was present in the walls of his office.

(Interruptions)

Mr Deputy Speaker, Sir, a specific section was added in the Labour Act, as mentioned by the Minister, to prevent acts of violence, abuse, harassment and intimidation at workplace. Guidelines were also prepared on the protective measures required when workers are handling asbestos. It was not easy. I, myself, I had to go to Germany, and I sent some technicians abroad to work with the engineer on how to tackle the asbestos problem. It was not easy, because we do not have the equipment. It is only after 50 years that we came to know that asbestos exists in the EDC or Longtill houses. We faced the problem. The Dangerous Chemicals Act has reinforced the legal provisions concerning the control and use of chemicals and an audit of chemical factories was carried out in 2003. It was not that simple. We introduced exemption of duty on importation of protective equipment and material for use by workers.

Mr Deputy Speaker, Sir, as the Minister rightly pointed out, a survey was carried out. Let me inform the House that 16,139 inspections were

carried out and 314 cases prosecuted in Court and 4,384 complaints were investigated. These officers have worked very hard to tackle these problems. These actions were quoted by ILO as good practices and we are proud that Mauritius has been used as a model in international conferences in Geneva, in Germany and in many African countries.as far as the protection of workers' rights is concerned,

Mr Deputy Speaker, Sir, the House may wish to know that it is in 2000 that we set up a technical committee which started reviewing the text. It is true that it started in 1987, but, then, and then they stopped it. We reopened the file and started reviewing the text of the legislation again as numerous changes had taken place in the mode and patterns of work. The committee came up with a new draft Bill. At my request, ILO experts came to Mauritius and provided their guidance for the preparation of specific aspects of the Bill, namely on asbestos, chemicals and prevention of accidents. For instance, the protection of young persons from hazardous work at section 8 of the Act follows from the recommendations of ILO experts on child labour in 2003.

The main ILO Convention on occupational safety and health is Convention No. 155. After consultation with the technicians, I think we'll have no problem to ratify this Convention. I would like to quote what has been mentioned in Convention No. 155, because it is so important. I quote -

"A worker reports forthwith to his immediate supervisor any situation which he has reasonable justification to believe presents an imminent and serious danger to his life or health; until the employer has taken remedial action, if necessary, the employer cannot require workers to return to a work situation where there is a continuing imminent and serious danger to life or health."

At Article 13, the Convention prescribes that -

"A worker who has removed himself from a work situation which he has reasonable justification to believe presents an imminent and serious danger to his life or health shall be protected from undue consequences in accordance with national conditions and practices."

I am glad that the Minister and the technicians have come to this decision, otherwise, it would have been very difficult for us. If we do not ratify

Convention No. 155, we cannot ratify any convention, because all the conventions are related to the Convention No. 155. Even for the Ministry of Agro Industry, there is a convention on occupational health and safety for agricultural workers and this convention cannot be ratified until and unless we ratify Convention No. 155. I am glad that this has been taken on board.

Mr Deputy Speaker, Sir, when we introduce legislation for the protection of workers, it is very important we have to ensure that we comply to the greatest extent possible with the international norms. In this case, I think that we have taken on board all these aspects.

We consider that special attention should be given to this clause as we have witnessed many cases where workers had either lost their lives or suffered severe injury, because they had been forced to work in insecure conditions.

In the construction sector, several workers have died at work as they were forced to work close to a high-tension line. It was on 24 of December. They were forced to work. In a recent case, workers at a water bottling plant were exposed to ozone leakage which was 50 times higher than the acceptable level, and the management was reluctant to take remedial measures.. He threatened me when I was Minister. He said: "Go and see what you can do, I am going to continue the work." And the officers are aware of it. I had no choice than to issue a prohibition order to stop the work immediately. My friend knows about it very well.

In some textile factories, workers, including pregnant women, were asked to continue to work though they were exposed to some chemicals. They had to be hospitalised.

Mr Deputy Speaker, Sir, we do have employers like the CMT in the textile industry who are true patriots, they know how to treat their workers, they have a special consideration for them, but we also have employers who don't care for the health of their employees, they only think about their profits and production. I have to pay homage to some trade unions, in particular, to Mr Reaz Chuttoo of the Federation of Progressive Unions who was the one who discovered the asbestos problem. I would be frank to the House, even I was not aware about it. He came forward with this suggestion and we set up a committee under the chairmanship of the former Prime Minister to look into these problems. I would also like to thank Mr Shanto

of the *Fédération des Travailleurs Unis* though at times he is a bit different, but he regularly draws our attention to the health and safety problems at some workplaces.

Mr Deputy Speaker, Sir, the next point I would like to raise is that the existing Occupational Safety, Health and Welfare Act, in its present form, does not provide adequate scope for making specific regulations. I rightly pointed out that several regulations destined to set norms for electricity, noise, dormitories and safety signs had already been prepared during our mandate, as the Minister mentioned, and have been discussed with the social partners. All the regulations prepared have been discussed with the social partners. They could not be promulgated pending the enactment of this Bill.

They have been mentioned in the President's Speech, it is true. I, therefore, have no doubt that the Minister will not delay in enacting the regulations and ensuring their enforcement. But, Mr Deputy Speaker, Sir, the enactment of legislation in itself is not sufficient to prevent accidents and ensure the protection of workers. There should be a safety culture at the workplace as well as within the family and schools. According to ILO, and I quote –

“The main things needed are better information and management, and firmer ethical standards, which make it possible to tackle effectively the workplace hazards”.

When we were in Government, we started a national sensitisation campaign, with the collaboration of ILO in 2001, to enable workers, employers and the public at large to become aware of the safety and health norms. This campaign is now a regular annual feature, and I would make a humble request to my friend...

(Interruptions)

I am going to collaborate, there is no problem. We can share our experience to do that. There should be continuous efforts to provide information to workers and employers, as well as the general public, of the preventive strategies.

Mr Deputy Speaker, Sir, effective preventive work in occupational safety and health also requires a well-qualified labour inspection system,

with the capacity for effective prevention, with adequate technical equipment and instruments needed for precise, reliable diagnosis. Since 2001, we have started with the purchase of equipment and the setting up of an industrial hygiene laboratory; we reviewed the status of safety and health cadre and the appellation was changed from factory inspectorate – I think people used to call them *inspecteur pique pousse*. They had their *Kaki* uniforms with the colonial hats – to Occupational Safety & Health Officer. Even the Head of the Division is now known as the Director. There is a Director, a Deputy Director. It is also important to mention that we set up a specialist support unit, comprising engineers, and a post of industrial psychologist has been created in the current Budget. We have already ratified Convention 150 on labour inspection, as the hon. Minister stated. The safety and health cadre was also hampered by the lack and high turnover of staff. We were dealing with about 20 to 30 officers. We had resorted, with the approval of Cabinet – for the first time in the history in Mauritius - to the recruitment of inspectors on contract. We amended the scheme of service, to ensure that more candidates may apply for the post. Consequently, the PSC has recruited several officers on a contract basis, because there were not enough officers to carry out inspections, and, as the Minister said, there were lots of accidents. I hope that the Ministry finds ways and means of retaining these officers.

Mr Deputy Speaker, Sir, this Bill extends the scope of the legislation to the public service, and I agree with the Minister. The Ministry should ensure that it has the means to carry out the inspection and enforcement activities in the public sector.

Mr Deputy Speaker, Sir, I think it is very important that, for the sake of the health and safety of the workers, the officers of the Ministry should not only have the means to conduct their work properly, but should also ensure that inspections and inquiries are completed rapidly to avoid tampering of facts and to ensure justice to the victims of workplace accidents. They have to maintain a great degree of impartiality and work ethics. It is unacceptable that inquiries in serious accidents take more than two months to be completed, and my good friends will agree with me. We have had a case – I will not mention the name – where surprisingly the inspectorate did not complete the inquiry two months after the serious accident. Later on, I will communicate the name to my friend.

There should be, according to me, Mr Deputy Speaker, Sir, monitoring systems and prevention mechanisms, to ensure that the employers and workers apply the norms and that the inspectorate carries out its duties without giving the impression of favouring anyone of the parties. It is also important to underline this aspect of the role of the occupational safety and health inspectors, as the Bill gives them extensive powers of inspection. For the first time, after 17 years, the officers have now extensive powers of inspection, enforcement and entering cases for prosecution. Officers should have a great sense of integrity and ensure transparency in dealing with complaints.

It is equally important to underline that the services of the Ministry should be accessible to the workers and the public at large. I had started a regionalisation programme, which was operational in three regions. Now that the inspectorate has a full component of staff, the regionalisation of the services should be completed, so that workers do not have to call at Port Louis for registering complaints. That is very important. What was happening in the past? Workers from Goodlands, Flacq, Mahebourg or in the south east had to call at the main office in Port Louis to register complaints. This is impossible. With regard to Labour Offices, we have nearly 30 to 50 in various parts of the country.

Mr Deputy Speaker, Sir, occupational safety and health should not only be seen as a legal requirement, but also as an economic objective. By respecting the occupational safety and health requirements, enterprises can also improve productivity and competitiveness. Any programme for the management of the quality of an enterprise has to ensure the safety of the production processes. As enterprises are introducing new technology and modernising their methods of production, they should also train the workers. Thus, they should not hesitate to invest in occupational safety and health, in order to improve both quality and productivity. Today, we have buyers from America and the European Union and they regularly send their officers to the factories, to see whether the industries respect the occupational health and safety norms. Nearly every three to six months, they send their officers. I, personally, know of many cases where the officers were not satisfied and asked the industry to stop immediately. So, it is in the interest of the industries, of the employers to see to it that there are good conditions. It is a condition attached for all the products.

Mr Deputy Speaker, Sir, I would like to talk about the registration and my friend has just referred to deregistration and the role of Safety and Health Officers and Safety and Health Committees. Presently, in the private sector, a Safety and Health Officer can work in four places. But in some cases, they cumulate functions of personnel manager, occupational health and safety/personnel officer. This Bill addresses these issues adequately. However, it is noted that the registration of safety and health officers rests with the Permanent Secretary while the deregistration is to be decided by a Board. They have no quarrel by putting the powers of registration in the hands of one person. The Bill opens the door to arbitrary decisions. There have been several complaints - my friend can go through all the files - in the past on cases of refusal of registration on flimsy grounds. As regards deregistration, there should be, in my humble opinion, a right of appeal to the Minister in case a person is deregistered. I think this can be done.

In 2003, we had noted that most of the parastatal bodies and local authorities did not employ a Safety and Health Officer. We had addressed a written request to all these institutions and most of them have now recruited a Safety and Health Officer and set up a Safety and Health Committee. Sir, it is essential that the Safety and Health Committee should also include female workers so that the specific issues relating to their health and safety are addressed. I think it's a very important point. In many cases, we don't have female workers represented.

Mr Deputy Speaker, Sir, an article in the Economist mentioned recently that -

“The successful enterprise in this time of globalisation can no longer afford to be a faceless institution that does nothing more than sell the right product at the right price. But it will have to present itself with a more personalised image, expressing explicit moral judgments when dealing with its own employees, the community and society at large”.

Moreover, a product or a workplace that is seen as unsafe by clients or the community will inevitably affect the image of the enterprise, and will reduce its competitiveness

Mr Deputy Speaker, Sir, as I mentioned, we, on this side of the House, don't have any objection insofar as the Bill is concerned. Indeed, it is a great day for the workers of this country. We pay homage to the workers who

have struggled for years to have this piece of law introduced. Once again, I would like to thank my friend and I would like to mention that we can share our views and we can collaborate for the interest of the workers of this country. We are not going to be demagogical. We are going to assume our responsibility; we are not going to miss the chance to work for the workers of this country.

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Thank you, Mr Deputy Speaker, Sir.

Mr K. S. Naidu (Third Member for Beau Bassin and Petite Rivière): M. le président, comme le veut la tradition, permettez-moi de vous féliciter pour votre élection comme vice-Président de la Chambre et aussi de souhaiter longue vie à ceux qui, comme moi, sont parlementaires pour la première fois.

Mr Deputy Speaker, Sir, it gives me great pleasure today to say a few words on this legislation on my first speech before this Assembly. Having myself worked for the past 17 years now in an industry where health and safety is a daily prayer, indeed, I must say that it is a subject which is of great interest to me. In fact, Mr Deputy Speaker, Sir, in my organisation our motto is: "Nobody gets hurt." In short, if we are not certain that anything that we need to do is free of any risk whatsoever, we simply do not do it. I will give you an example when we attend meetings or conferences, usually the meeting room is a new place for most of us and the first thing that the host does, especially if people are not familiar with the meeting place is to tell them about the procedure in case of a fire outbreak and how the place has to be evacuated in a hurry.

M. le Président, l'habitude est une seconde nature. Two months ago, when I came in this Assembly for the first time, I was looking for fire exits and fire extinguishers, and I asked myself what would happen if a fire broke out.

(Interruptions)

Indeed, it concerns Members. the members of the public present here, the distinguished guests, journalists and, very often, schoolchildren who attend the sitting. I think something should be done about it. I just want to say, Mr Deputy Speaker, Sir, that health and safety is the concern of everyone of us in our everyday life.

Mr Deputy Speaker, Sir, I would like to congratulate my friend, the former Minister of Labour, hon. Soodhun, for having worked with his staff, on this legislation for so long. I would also like to congratulate the present Minister of Labour, hon. Dr. Bunwaree, for having accepted the amendment proposed by hon. Soodhun today. Indeed, as my good friend, the hon. Attorney-General said, it is a great day for democracy and for workers of this country. I was pleased to hear the hon. Minister mentioning stress and worker burnout as modern illnesses in the workplace. He also mentioned that occupational safety and health goes beyond the workplace. Yet, I cannot find anywhere in the Bill where these issues are addressed. I hope it will come, because today workers in this country are moving away from the traditional industries like construction, transport and general manufacturing industries. Today people are moving into the service industry, IT and financial services where they work for hours in front of a computer screen until they get *torticolis*, where work attitudes have become more important than the handling of equipment or a foul atmosphere. I think this should be addressed.

Mr Deputy Speaker, Sir, I will quote a comment from the report of the British Safety Council -

“Around three-quarters of the cases of work-related illnesses have been due to stress”.

We realise how far we have moved into modern technologies and what the impact this is having on our people.

I would also like to quote the then Leader of the Opposition, Dr. Prem Nababsing, when he was addressing the House in 1988 on the Occupational Safety, Health and Welfare Bill -

"When we talk about health and welfare in industries, probably the most important aspect is that which concerns mental health, mental fatigue and stress. We cannot seriously talk of health and welfare without saying anything about this. Indeed, the Bill does not mention even once this aspect of the problem."

That was 17 years ago, and today, in 2005, I am afraid the problem relating to stress has still to be considered in this new Bill. Maybe there should be a more thorough monitoring process and inspection.

Mr Deputy Speaker, Sir, I have gone through statistics like my friend , hon. Rama Valayden who has quoted fatalities from the construction industries. I have the same numbers here. But there are no reported cases of accidents in financial institutions and private households. I can't believe that there have been no incidents or accidents in those sectors. I would rather believe that they have not been monitored and reported. I sincerely hope that this Bill will address this issue as well.

I am very pleased that hon. Soodhun's amendments have been accepted. There is one small thing, *une petite pierre à l'édifice*, that I want to add to the minimum qualifications required. I think there is a small mistake concerning the Diploma and Certificate in Safety Management offered by the British Safety Council. In fact, the exact appellation is International Diploma and International Certificate. I have a letter here from the Director General of the British Safety Council to a young man who has studied there and he has this to say -

"The correct title of our signature qualification is the 'International Diploma (or Certificate) in Safety Management'. This is the qualification that we have been offering to safety practitioners around the world for the last 25 years."

Mr Deputy Speaker, Sir, we should set this right.

Mr Deputy Speaker, Sir, I have received quite a few representations from professionals in the field of Occupational Health and Safety who believe that we should start thinking about creating an Occupational Health and Safety Council in the same lines as the Medical Council, the Dental Council and the Council for the Registration of Professional Engineers - '*un chien de garde' pour la profession*.

After listening to hon. Dr. Bunwaree, hon. Soodhun and hon. Valayden, I think we are all convinced now beyond doubt that the professional nature of this subject may warrant the creation of such a council.

Mr Deputy Speaker, Sir, let me end by quoting Charlie Moorecroft for whom I have great admiration. Mr Moorecroft is the president of Phoenix Safety Management, a company based in the USA. He has worked in a refinery for a very long time and he has survived 50% burns after an explosion followed by a fire. He was a human torch for a few minutes and he has spent years of agony while doctors have tried to make a man out of him again. He has undergone more than 50 surgical operations over a five-year period. You can imagine what he has been through. In fact, as he says himself, he was not operated upon, he was repaired. Today, Charlie has more plastic and metal inside his body in the place of flesh and bones. And Charlie has this to say. I think we should all reflect on this -

"The worker cannot rely on legislations, his employer or the Safety and Health Officer to ensure he goes back home in one piece everyday, it's his own responsibility. The law can ask the worker to wear a safety helmet, the employer can ask the worker to wear a safety helmet, but unless the worker is convinced that he should wear one to save his life, accidents will always happen and people will continue to die."

What we need to understand through this, Mr Deputy Speaker, Sir, is that focus should be on an ongoing awareness programme around the whole issue. *Que ce soit législateur, employeur, employé, tout un chacun*, we should all be concerned. Nobody should get hurt!. The slightest injury keeps somebody away from work with the resulting financial consequences on the economy.

To end, Mr Deputy Speaker, Sir, I should like to congratulate again all the people who have worked on this Bill and wish them success as they introduce the new clauses on stress which I think are missing in this Bill.

Thank you, Mr Deputy Speaker, Sir.

**MOTION
GOVERNMENT PROGRAMME 2005-2010**

Mr S. Naidu (Third Member for Beau Bassin & Petite Rivière): M. le président, permettez-moi de commencer par vous féliciter pour votre élection comme Président de la Chambre.

Au-delà des usages, des traditions et des règles parlementaires, les règles élémentaires de la politesse me demandent aussi de remercier le Président de la République, Sir Anerood Jugnauth, pour la lecture de ce discours programme.

Je tiens aussi à souhaiter bon courage à tous les nouveaux qui, comme moi, font leurs premières armes en tant que députés.

Je tiens à saluer mes deux colistiers, deux routiers de la politique qui m'ont tendu la main sans arrière pensée, notamment l'honorable Rajesh Bhagwan, une personne immense dans tous les sens du mot, et l'honorable Maurice Allet, *ène bon camarade*. Merci Rajesh, merci Maurice. *Last but not least, Mr Speaker, Sir*, je dois dire un grand merci aux électeurs de la circonscription No. 20 de Beau Bassin/Petite Rivière, et je leur dis très haut et fort: *'I put them first'*.

(Interruptions)

Mr Speaker: Order!

Mr Naidu: M. le président, venons en maintenant au discours programme. Je l'ai lu et relu. It's a long list of intentions. But, Mr Speaker, Sir, performance will be measured against promise. Based on the number of promises therein and the time that this Government has been in power, we are already running late. Assuming that this Government stays in power for 5 years, there are about 260 measures therein to be implemented in 5 years. This equates to one measure per week, and 13 weeks have gone by since the general election; and I doubt whether 13 measures have been implemented, let alone, *les 10 mesures radicales annoncées pour les cent premiers jours, passons!*

While going through this document one realises that the seeds of a lot of what is being promised in there had already been sown by the previous Government. Among other things: social housing, the electoral reform, *l'accès à l'éducation*, ICT sector, financial services, waste management, you name it. My appeal, Mr Speaker, Sir, to this Government is not to change for the sake of change. Let us not throw away the baby with the bathwater. I fear that in some sectors, to please themselves and their masters, some are doing just that, *rien qu'en voyant la mise à pied nonchalante de nos meilleurs cadres pour des raisons purement politiciennes*.

Mr Speaker, Sir, 'Putting People First'! How many poor people have lost their jobs since the general election in this country? How many have been transferred to remote locations? How many school bus drivers and taxi drivers have had their bread taken away from them? Who is first? Are these not people? Why have they been refused the right to feed their family? *De quoi sont-ils coupables, M. le président?* 'Putting People First'! What wrong has Mrs Gayan and so many others done to be thrown out of their jobs? What wrong, Mr Speaker, Sir? 'Putting People First'! How many "rodère boute" this Government has created between the general election and now? *Les élections municipales en sont la preuve*. Change the slogan to 'putting rodère boute first', it's more appropriate.

Mr Speaker, Sir, les largesses annoncées et implémentées, totally unplanned, are today creating une vraie société à deux vitesses. Il y a des malheureux qui souffrent. J'ai pris l'exemple tout à l'heure des chauffeurs de taxis et des school bus qui ne savent plus à quel saint se vouer.

Mr Speaker, Sir, there is a Chinese proverb which says: "Paper cannot wrap fire". In other words, truth will explode sooner or later and I am afraid that at this rate it will be more sooner than later.

Hard times are ahead. The Government should -

(i) tell us the truth about the price of petrol - please tell the people that the price of petrol is still too low in this country - and talk about the disastrous impact it will have on the economy - inflation, the cost of bread, the cost of transport. Tell the people that the free transport is already costing close to a billion rupees instead of Rs600 m. thanks to the rise in diesel price;

(ii) tell us the truth about sugar - the Minister of Agriculture himself has mentioned a potential apocalypse, a very strong word, indeed, and

(iii) tell us the truth about the textile sector, Mr Speaker, Sir, that the “*solution dans poche*”, as was promised before the election does not exist.

Mr Speaker, Sir, we cannot expect both ends of the sugar cane to be sweet - in other words, to get something, something else has to be sacrificed. The bill for the honeymoon party is coming very soon, and will be paid by the people. Government needs to tell the people “put your *porte-monnaie* first!” Mr Speaker, Sir, I pray this Government tells the truth to the people, nothing but the truth.

As I read through this Government Programme, out of the 12,850 words that it contains, the word ‘governance’ appears only twice. Let me quote, in paragraph 10, talking about moving a nation forward. The programme talks about -

“(...) a relentless fight against corruption and an unequivocal subscription to public governance characterised by transparency and accountability, without which economic growth per se will be meaningless.”

Paragraph 51 -

“iv Ensure transparency in the governance of the public and private sectors in order to instill confidence in local and international investors. (...)”

Laudable intentions which we would like to see practised very sincerely.

Mr Speaker, Sir, allow me to quote Donald Johnston, the Secretary General of the OECD, *en marge de la réunion ministérielle sur le thème* “Strengthening trust in Government”. I quote -

“Trust between citizens and their Governments is an essential element of the democratic contract. Trust is a necessary condition for effective public policy, a healthy democracy and a thriving economy. Accumulated trust is “capital” for Governments to “invest” in the necessary reforms to foster economic and social development. But this “capital” can evaporate

very quickly, as many Governments have learned at their cost. And today, there is concern in many countries that this “capital” may be eroding.”

I fear, Mr Speaker, Sir, that the business community in Mauritius is still waiting for some very strong signals from Government, other than the quelques mesures populaires to build up that “trust” and the “capital” required to boost the confidence for investment and job creation. As I said earlier, this Government is running late.

Mr Speaker, Sir, danger lies ahead. Let us get down to task and fast. Let us stop politicking, the honeymoon is over.

(Interruptions)

Mr Speaker: Order! Order!

Mr Naidu: *Government has all the power that it wants. Let us get down to business, our children need a future, not just the promise of a future.*

Thank you, Mr Speaker Sir.

Debate No. 11 of 11.10.2005

PUBLIC BILL

Second Reading

THE LAW REFORM COMMISSION BILL

(No. XXIX of 2005)

Mr M. Dowarkasing (Third Member for Curepipe & Midlands): Mr Deputy Speaker, Sir, the first Law Reform Commission was set up more than two decades after independence, which, to my opinion, was even a bit late. Post independence era always brings a new social and economic order in a country. New challenges appear and the laws of the country have to be reviewed to meet these new challenges. We have been very slow to harmonise our laws and they are heartily caught in a time warp and appear

over influenced by how things happened since then. We have had law revision exercises constantly, but in many cases it took place after the events, where the need to amend the law was badly felt.

First of all, I would like to congratulate and thank the former Attorney-General, hon. Alan Ganoo, who had set up the first Law Commission, and congratulate the actual Attorney-General to come up with a more consolidated piece of legislation on this matter. However, I would like to point out certain things, Mr Deputy Speaker, Sir.

Law reform has a very long history. That is why I said that we were a bit late. The initiative goes back – I was astonished when I read those figures – as 1597, whereby Sir Francis Bacon urged the appointment of six commissioners to investigate obsolete and contradictory laws in England and to report same to Parliament. He noted, and I quote, Mr Deputy Speaker, Sir –

“Heaping up of laws without digesting them make but a chaos and confusion and turn the laws many times to become but snares to people”.

For Great Britain and the colonies, including our country, we had to wait till 1963 for the release of the challenging book of Gerard Gardiner, entitled “Law reform now”. Things started moving, especially when the same writer became ‘Lord High Chancellor of Great Britain’, and the first Bill was introduced in the House of Lords for the constitution of the permanent Law Reform Commission in England and a smaller Law Commission for Scotland. By the time, elsewhere, especially in India, the first Law Commission was already established, where the then Attorney-General of India, Mr Setalvad, was its first Chairman, Mr Deputy Speaker, Sir. The point I wanted to make here is that the concept is not a new one and we took time to set it up, and now even taking much more time to consolidate it. However, the day has come where we are going definitely into the institution of a consolidated Law Reform Commission.

We have had, as I have said, many law reform exercises before Independence and after as well. But, what was the need? The need felt is that we need a long term plan to keep the law attuned to the changing conditions in the economic, cultural, educational and political fields of our society. No law should be allowed to fall in desuetude and a state of decay.

A law which is not nourished by new ideas cannot be an effective instrument for meeting the changes of our society.

At a time where globalisation is moving *à pas de géants*, trade patterns are changing, we need constant reforms of our laws. The WTO is moving towards the liberalisation of services including legal services. We need to conform and respond quickly to changes. That is why I believe that the Law Reform Commission is important for the following reasons.

Firstly, the Law Reform Commission, Mr Deputy Speaker, Sir, should not be afraid to follow the truth wherever it may lead. It is one of the few mechanisms which has the ability to deal with reality and to seek to bring our laws in all its facet anywhere near the 21st century, so as to be responsive to the advances in science and technology. We will not do justice by cocooning a law in a past which is divorced from current social, economic and operational reality.

Secondly, legislation have a crucial role to play in the social and economic life of the State. Therefore, it must be accessible and coherent. I am persuaded that many laws in our country have become too much of an end in itself. It is too often inward looking with norms, standard and approaches meant only for those within the legal jargon and insufficiently directed to the needs and rights of the general population. By that, I mean, Mr Deputy Speaker, Sir, that as an institution the Courts and Tribunals and the laws that are administered in them are not sufficiently accessible. There are barriers of cost, there are barriers of time, there are barriers of language. There is a need for renewal and improvement on a continuous basis. Mr Deputy Speaker, Sir, the Law Reform Commission must always ensure that the laws it is reviewing are consistent with the human rights and civil liberties.

Thirdly, I believe that the Law Reform Commission must lay a lot of emphasis on pressing issues -

there is an increasing emphasis on the importance of public accountability; the need to improve the interface between the citizen and the law, and

there is also a great sensitivity towards the plight of vulnerable groups such as children, disabled and elderly. We need new legislation with respect to

certain issues as *pédophilie*, child prostitution, mercy killing, abortion and so on and so forth.

Fourthly, new dilemmas for law and society are emerging and the information revolution is already affecting the way we live and conduct business. Cyber crimes and privacy intruders on the internet are more frequent and in this field, the criminals are always ahead of us. There is a very challenging area for the Law Reform Commission that is going to be set up.

On the international plane, the issue of law reform is necessarily affected by the trend towards economic globalisation and, specially, greater regional integration.

The problem of differences between national legal systems are becoming more acute. The Law Reform Commission should take into account these factors to exclude conflicts and create a conducive environment for trade.

There are some issues, Mr Deputy Speaker, Sir, that I wanted to be enlightened while this debate is going on in the House. I wanted to be enlightened by the Attorney-General on whether a body like the Law Reform Commission will be involved in reviewing or reporting on fundamental constitutional changes that we want to make.

Secondly, with respect to conventions, we know today that it is the executive that signs all conventions and as it is ratified it becomes law. The Parliament is not involved at all whereas our Constitution clearly spells out that it is Parliament that enacts laws. What will be the role of this Law Reform Commission in view of the signing of future conventions, Mr Deputy Speaker, Sir? The Law Reform Commission, as has been said, must have statutory independence.

In my judgment, a Law Commission must never be constrained in its ability to approach a problem as it sees fit to assess an issue. I am not saying that there should not be any control, but control should not be external and should not certainly come from any branches of Government. A Law Commission cannot be beholden to a party political agenda. It should not be seen to be an instrument in the hands of the Attorney-General. Mr Deputy Speaker, Sir, it cannot be a body which is told what the answer is to be before the work has begun.

The Law Reform Commission must independently be engaged with politicians, with bureaucracy, the Judiciary and the wider community without being captured by anyone of them. That is why when we see the composition of different Law Commissions elsewhere, we see that nominations are being made by independent body, by neutral bodies. And I strongly support the point of view of my friend, hon. Alan Ganoo, concerning the Chief Executive Officer. We think that this nomination should have been done by a neutral body, maybe by the Public Service Commission. But also, in clause 11, maybe I wanted to be enlightened, there is no clear indication by what we mean by “wide experience”. Maybe we should define it. I think the Chief Executive Officer must be recruited on finite terms so that he/she may have a security of tenure, that is very important, and those finite terms are not being defined in this piece of legislation.

Mr Deputy Speaker, Sir, I believe also that the Law Reform Commission should develop a working arrangement with the Law Faculty of the University of Mauritius, specially in terms of research, academic thinking and intellectual input. Up to now, the Law Faculty has miserably failed in this field, unlike elsewhere, for example, in America where you have private NGOs, private organisation like the American Law Institute helps a lot in law reform, Mr Deputy Speaker, Sir. Here, I am sorry to say it, but the Law of Faculty has been null in this field, so far. The Law Reform Commission must be fully empowered to conduct researches. Besides, the Chief Executive Officer, I strongly believe and support the Attorney-General’s view that many people should be employed, specially in the field of research.

Concerning reports, Mr Deputy Speaker, Sir, I believe that the Law Reform Commission should not only publish reports, but should also publish consultation papers, discussion papers; and in the reports, there must be one section whereby the progress that has been made in getting the Government to accept and implement the recommendations made is mentioned.

Mr Deputy Speaker, Sir, consultations by the Law Reform Commission must be very more interactive so that people can respond to particular proposals and to put the ideas to the Commission and maybe also members of the Commission should be governed by a code of best practices.

To conclude, Mr Deputy Speaker, Sir, the necessity to set up this Law Reform Commission on a strong footing is a must and we must assure that it does not move away from its main objectives which are to make the laws adapted to contemporary needs and meet the challenges in technology and science and ways of life to deliver real benefits to the people, businesses, organisations and institutions.

I thank the hon. Attorney-General for coming up with this piece of legislation, which I fully support.

Thank you.

Debate No. 12 of 18 October 2005

MOTION

GOVERNMENT PROGRAMME 2005-2010

Mr P. Jhugroo (Third Member for Port Louis North & Montagne Longue): M. le président, laissez-moi vous féliciter pour votre élection. Je voudrais aussi féliciter tous les élus de juillet 2005. Mes félicitations au Docteur Mungur pour son *Maiden Speech*.

Mr Deputy Speaker, Sir, when in the evening of Friday 29 July 2005, the President of the Republic was called upon to read the traditional speech of the Government Programme 2005-2010, we all expected solemnity and magnanimity to be the order of the day. We all expected a non-partisan speech. We all expected seriousness of purpose, innovative ideas and forward-looking initiatives.

Unfortunately, Mr Deputy Speaker, Sir, we all underestimated the vindictive mindset of people at the helm of Government today. They had concocted a speech in such a manner so as to voluntarily embarrass the President of the Republic and pursue the harassment and insult that were inflicted upon the Head of State, when Members...

Dr. David: Mr Deputy Speaker, Sir, on a point of order. The President should not be brought into any debate, otherwise we'll answer back

later on. The principle is that the President should not be brought in any kind of debate in this Assembly.

(Interruptions)

Mr Jhugroo: Members of the Government were sworn in. It was really a sad day for our country. Nevertheless, the President of the Republic rose up to the situation, stood on his feet for nearly two hours, kept himself marvelously and magnificently aloof of all pettiness and delivered the speech in a serene tone without even taking a drop of water.

(Interruptions)

The Deputy Speaker: Sit down hon. Member. In fact, it is the conduct of the President which should not be raised here in the House.

Mr Jhugroo: Thank you, Mr Deputy Speaker, Sir.

God knows whether he was provided with a glass of water or not. The Head of State showed to those on the other side and to the country at large that institutions are there to be respected.

On that day, it can rightly be said for posterity that Sir Anerood Jugnauth came, delivered and won the day. *"Au grand dam de tous ceux qui avaient tout manigancé pour rendre la tâche pénible et humiliante pour le président de la République."*

(Interruptions)

The Deputy Speaker: I maintain what I said that the conduct...

(Interruptions)

Hon. David!

That the conduct of the President should not be a subject matter here but, however, hon. Jhugroo, I think that you should not deal at length with matters which are not provided for in the Government Programme.

(Interruptions)

Mr Jhugroo: Mr Deputy Speaker, Sir, I am of those who recognise the greatness of the President of the Republic. Whether some people like it or not, he is the father...

(Interruptions)

The Deputy Speaker: Order! Order!

Mr Jhugroo:...of the Mauritian economic miracle of the eighties. He is the one...

(Interruptions)

Dr. David: On a point of order, Mr Deputy Speaker, Sir.

(Interruptions)

The Deputy Speaker: Is someone ready to dispute the ruling of the Chair? No. All right!

Dr. David: Mr Deputy Speaker, Sir, I am standing on a point of order.

The Deputy Speaker: Yes.

Dr. David: A Member should not bring the President in debates. Now, the Member is presenting him as a hero, which I contest. This would lead to debates in this House and this is why I am appealing to your ruling so that nobody brings in the President as a hero or otherwise in this Assembly.

The Deputy Speaker: I think, at the end of the day, Members should be well advised to confine discussions to the main purpose.

Mr Ganoo: Mr Deputy Speaker, Sir, on a point of order. What the Standing Orders state is that a category of personalities cannot be criticised in the Assembly, except by way of a substantive motion.

(Interruptions)

But you can flatter him excessively precisely. You can't criticise him. The hon. Member is describing the event that took place on that famous day. He

is not criticising the President. So, he should be allowed to do that. A Member can only criticise the President by way of a substantive motion, but the hon. Member is not doing that for the time being.

(Interruptions)

Mr Jhugroo: Mr Deputy Speaker, Sir, he was the one who gave Mauritians dignity and pride. Nobody has the right to look down on him. And those who do so, will always find me on their path. *Le parti travailliste peut essayer autant qu'il veut de réécrire l'histoire.*

(Interruptions)

Mr Mohamed: On a point of order, Mr Deputy Speaker, Sir. I would like to point out that we have heard all the points of order that have been raised. We have heard Mr Deputy Speaker's ruling, but what I would like to indicate here is that these Standing Orders do say to be relevant and to stick to the motion. What is the relevance of what he is talking about? Nothing! There is no relevance!

(Interruptions)

The Deputy Speaker: Members should be advised that there is a certain latitude as regards the Government Programme to say certain things, but they must not go on and on.

(Interruptions)

Mr Jhugroo: Le développement de ce pays porte l'empreinte de l'ancien Premier ministre, aujourd'hui Président de la République.

Mr Deputy Speaker, Sir, coming to the contents of the Programme itself, I will concentrate on two crucial and important sectors, which are education and health.

When we go through the proposals of the present Government in these two sectors, namely education and health, it is obvious that what is being proposed is mere cosmetics, and that there is nothing clear and concrete, which is being proposed for children and students and for the Mauritian population at large.

Let's see what the Government is proposing in the education sector. It is simply a review of decisions which have been taken by the previous Government which betray, at the same time, an absence of imagination and initiatives of the present Government. Thus we just find a series of mere reviews in the field of education, namely -

review of the curriculum of primary and secondary levels;
review the training and career paths of teachers;
review the current training system at the IVTB;
review of the mission and role of the two existing universities;
review of the role and function of the Pre-school Trust Fund;
review of the Levy Grant Scheme in the promotion of training, and so on and so forth.

Mr Deputy Speaker, Sir, compared to that series of reviews and reviews, let's see what has the Government of Sir Anerood Jugnauth-Paul Bérenger and that of Paul Bérenger-Pravind Jugnauth accomplished with Steve Obeegadoo as Minister of Education during only five years.

Let me add here that Steve Obeegadoo will definitely be remembered for the generation to come for the long awaited reforms he has brought with continued zeal, devotion, sincerity and conviction all through the five years he has been Minister of Education. It's not like hon. Dr. David who said...

(Interruptions)

Mr Jhugroo: I challenge the hon. Minister. Mr Deputy Speaker, Sir, just imagine...

(Interruptions)

The Deputy Speaker: Order!

Mr Cuttaree: On a point of order, Mr Deputy Speaker, Sir.

Dr. David: I withdraw the word, Mr Deputy Speaker, Sir.

Mr Jhugroo: Mr Deputy Speaker, Sir, just imagine 36 new State Secondary Schools in five years, while it has taken 200 years to have 34

State colleges in this country, investments of Rs3.3 billion in order to ensure access to education to all children - Yes, Rs3.3 billion, Mr Deputy Speaker, Sir; Rs37 m. for 11,000 children in 28 ZEP schools per annum, *la comptabilisation* of oriental languages for the CPE, giving at the same time the oriental languages an equal status with the other subjects taught at the CPE, compulsory schooling for children aged between five and 16. These are some of the concrete initiatives taken by the previous Government, and the present Government is just too happy to come up with a series of reviews as proposals and that, too, in the name of '*changement*'. In fact, the Government has found in the word '*changement*' *une très belle trouvaille pour camoufler son absence d'idées et d'imagination*. At least, on that point, the Government deserves the appreciation of one and all.

In the field of public health, the Government is merely pursuing what has been initiated by the previous Government. *Dans le but de sauver la face*, Mr Deputy Speaker, Sir, the Government has found nothing better than to state that it will, for example, revamp primary health care, give priority to HIV/AIDS, lay emphasis on health and proper development of children, give active support to animal welfare, among other things. At the same time, mention is made in the Government Programme of the projects to upgrade Dr. Jeetoo, Mahebourg and Flacq hospitals. But, Mr Deputy Speaker, Sir, it is worthwhile recalling that, in his Budget Speech for 2005-2006, the former Deputy Prime Minister & Minister of Finance, Pravind Jugnauth, had already earmarked a sum of Rs75 m. for Dr. Jeetoo Hospital in Port Louis. By the way, it should be recalled also that, following public requests, the previous Government and the then Minister of Health & Quality of Life, hon. Ashock Jugnauth...

(Interruptions)

The Deputy Speaker: Order!

Mr Jhugroo:...agreed to re-open the Mahebourg Hospital. They should be congratulated for having had the courage and wisdom to take such a decision. Yes, Mr Deputy Speaker, Sir, such decisions could only come from people of courage and conviction, which denote their greatness.

I take the opportunity...

(Interruptions)

The Deputy Speaker: Order! Order! No cross-talking!

Mr Jhugroo:...Mr Deputy Speaker, Sir, to draw the attention of Members of the House...

The Deputy Speaker: I am sorry, but I think we will have to take action if mobile phones are not switched off in the House.

Mr Naidu: I apologise, Mr Deputy Speaker, Sir.

Mr Jhugroo: I take the opportunity, Mr Deputy Speaker, Sir, to draw the attention of Members of the House on the reconstruction of a modern hospital at Souillac by the previous Government, without forgetting the new Brown Sequard Hospital at Beau Bassin, that is, until the recent fire, and the newly completed Casualty building at Victoria Hospital – Candos. All these were conceived and materialised with the approval of the then Minister of Health, hon. Ashock Jugnauth, who followed every step of the works undertaken with utmost and exemplary care and patience.

Today, the Government is pretending to have come with a list of 17 measures in the name of customer care. But, Mr Deputy Speaker, Sir, if one is going to meet and have a friendly conversation with any member of the hospital staff, nursing officers, doctors and attendants, one will be really astonished to learn from these people that most of the 17 measures announced by the new Government, by the new Minister of Health are already in practice. As the saying goes: *Ce gouvernement est en train de se spécialiser dans une politique visant à défoncer des portes ouvertes, pour ensuite s'amuser à formuler des propositions les plus élémentaires. Cela se comprend, puisque l'ancien gouvernement a fait le gros du boulot dans les secteurs de l'éducation et de la santé, avec pour conséquence que le présent gouvernement se voit lamentablement réduit à ne s'occuper que des menus détails, voire des pécadilles.*

In fact, today, the Government is reduced only to point out in grossly exaggerated words or expressions that this or that hospital needs a better curtain or a new colouring of the walls, or that these colleges need better laboratories or libraries. But, Mr Deputy Speaker, Sir, the Mauritian people cannot be fooled so easily. The fever of the last electoral campaign is over. The mind is more poised now. They do know and realise now how much

time, money, work and preparation are needed before constructing so many hospitals and so many spacious and magnificent secondary schools, as well as MGIs at Solferino, Nouvelle France, Moka, without forgetting the Rabindranath Tagore Institute at Ilot and the Rajiv Gandhi Science Institute at Bell Village. The former Minister of Public Infrastructure for four and a half years in the last Government can bear witness to that. He did a marvellous job. I am sure he will remember. For us and for the Mauritian public, it is clear, once again, Mr Deputy Speaker, Sir, that *'après que nous ayons accompli le plus gros et important lot du boulot au niveau de l'éducation et de la santé, pour ne citer que ces deux secteurs, entre autres, le présent gouvernement se voit contraint de mettre beaucoup d'accent sur la qualité des rideaux à trouver pour ces bâtiments, histoire de montrer qu'on est en train de 'casse ène grand paquet'*.

Mr Deputy Speaker, Sir, before I conclude, I wish to say a few words on the economy. This Government, through incompetence and irresponsibility, has set the stage for doom days ahead. The economic model that was promised to the nation has proved to be a big bluff. Nothing new has as yet been proposed by the Minister of Finance, apart from the re-introduction of customs duties on imported textile products. The mood in the business community is bad.

The mood in the business community is bad. Les soi-disant mesures Sithanen n'ont eu aucun effet positif. Bien au contraire! Le manque de confiance dans l'économie se traduit par une pénurie aiguë de devises étrangères. La roupie déprécie à vitesse grand 'V'. Le Premier ministre et son gouvernement qui disaient avoir des recettes magiques pour empêcher les européens à réduire le prix de notre sucre et convaincre les Américains à renouveler la dérogation des *"third country fabrics"*, ont lamentablement échoué. Les *bluffs* à répétition du Premier ministre sur ces dossiers se sont retournés contre lui. Mais, qui perd? Ce n'est pas le Premier ministre. Mais, bel et bien le pays qui est appelé à faire face à une réduction massive de ses revenus d'exportations.

N'ayant aucune nouveauté à proposer à part de belles paroles, les ministres du gouvernement du jour, prennent plaisir à prendre la paternité des projets et initiatives du gouvernement précédent. Pour rappeler, les projets IRS, qualifiés d'apartheid économique, sont devenus la planche de salut de ce gouvernement. L'agro-industrie parle d'éthanol et de rhum agricole, comme-ci c'est lui qui va sauver l'industrie sucrière. Or, on sait que c'est

Pravind Jugnauth et le gouvernement précédent qui avaient eu la vision et le courage de venir de l'avant avec des initiatives avant-gardistes. C'est toujours Pravind Jugnauth qui est venu avec l'idée ingénieuse de transformer l'île Maurice en un paradis hors-taxe. L'histoire va retenir cela.

Whether they like it or not, on the other side, they will never be able to write-off the precious contribution of Pravind Jugnauth in setting the agricultural sector and the economy on the right track. These are concrete achievements in the interest of the nation.

Mr Deputy Speaker, Sir, on the other side of the House, we have only bags of wind. The Government Programme is devoid of substance. They have created an illusion of change. This illusion is bound to disappear. Mr Deputy Speaker, Sir, the time will come when the very people who have voted for the *Alliance Sociale* will boot it out of power. This is my firm conviction. You can fool some people some time, but you can't fool all the people all the time! *Pour le moment, c'est la lune de miel par excellence. Profitez-en! Mais ces jours s'écourent et passent vite et bientôt ce gouvernement et ses élus seront appelés à faire face à la réalité. Prenez garde, Mesdames et Messieurs!*

Mr Deputy Speaker, Sir, I have made my point.

Thank you.

Mrs M. Martin (Second Member for Curepipe & Midlands) Mr Deputy Speaker, Sir, as per the tradition of this House, may I start by congratulating you upon your nomination. I thank also the President for the Presidential address. My thanks go as well to members of my Constituency who elected me to serve as second Member of Curepipe and Midlands.

Congratulations also to all Members on the Government and on the Opposition sides for their election. It is good to remember that all the Members of this Assembly have been voted by the Mauritian people to serve the people. In this House, Mr Deputy Speaker, Sir, there are two popular voices: those who have voted for this Government and those who have voted for the team that constitutes today the Opposition of this country. This is a fact that cannot be denied and should be respected by the Mauritian people as a whole starting by all hon. Members of this Assembly.

As the youngest Member of this House, I am particularly proud to present my maiden speech on this day. My pride lies also in being one of the twelve women who since 03 July 2005 have been elected to serve the nation. The fact that we constitute 20% of this Assembly, Mr Deputy Speaker, Sir, underlines an important achievement in politics that, in my humble opinion, has not enough been emphasised.

Though all of us agree, much remains to be done in terms of gender equal opportunities in different sectors including politics, the proportion of representativity of women in this Assembly today marks an important step towards a more equitable society.

Such a move has propelled Mauritius steps higher in the consideration of many countries and international instances that advocate stronger feminine representativity at the highest levels of decision-making organisations of their country. But perhaps more than that. The number of women present here today is a real and live symbol of the Mauritian nation itself. It is an implicit recognition of the value and capacity of women to participate in the highest instance *de prise de décision de ce pays. Car il faut bien le comprendre, ce n'est pas une faveur que l'on fait aux femmes. C'est une lacune que l'on vient corriger. Rien qu'à voir les développements internationaux, on comprend que les milieux politiques de plus en plus doivent compter avec les femmes. Certains dirigeants politiques mauriciens à l'instar de Paul Bérenger et de Pravind Jugnauth l'ont compris et je suis certaine que cette reconnaissance aidera le pays à avancer encore plus dans la démocratie.*

I was saying that the number of women present here today is a symbol for the Mauritian nation. This progress, as we all know, is mainly due to the political will of the former Government. We hope it will be followed by other political parties and alliances thus opening the way to the participation of more and more women in this field of politics.

In paragraph 212 of its programme, Government mentions, I quote - "Conscious of the need to enhance women's advancement, Government will sustain its action towards the social economic and political empowerment of women."

This is where I would like to appeal to this new Government. Such a declaration advocates a will that has not been shown in the composition of the candidate's list be it for the last national or municipal elections.

Declaration of intention is good, but it is better when backed with concrete action. The past two elections have given the present Government an ideal opportunity to put into words a concrete will for the change that it

advocates to bring to society. I am sorry to see that such a major opportunity has, unfortunately, been missed.

Mr Deputy Speaker, Sir, *ce gouvernement vient de passer le cap des 100 jours de son mandat*. It is now time for those in power to set aside petty arguments based on *politicaïlle*: who is believed to be responsible of past measures, positive or negative, or simply implement measures designed for basic and selfish political gain. One great President of a great country, the USA, said: "Ask not what your country can do for you, ask what you can do for your country." We are all here to serve and putting people first does not mean putting people's lives, people's jobs, people's future in jeopardy.

As we go through a countdown of the first 100 days of this Government's mandate, through a series of political measures that have been set and others that have not been undertaken, we see many things. We see that more than a thousand people have lost their jobs already. Factories have closed down thus depriving people of their livelihood. The squatters and poverty problems remain a very live issue. *L'essence, le gaz et le prix de plusieurs denrées alimentaires ont augmenté*. These are undeniable facts from a non-exhaustive list.

M. le président, nous ne sommes pas ici pour faire de la démagogie. Others, including the hon. Leader of the Opposition, have mentioned it before me. It is not true to say that: "all key macro economic indicators are in the red." They will be perhaps in some months, but they were not when the MSM/MMM Alliance left Government. Otherwise how do we explain that a responsible Government such as the present Government claims to be, allows the expenditure measures that it has recently taken.

It is also not true to say that HIV/AIDS matter has been sorely neglected.

Under the former Government, discussions and actions have been initiated. Nowadays, Mauritius is one of the only two countries in Africa where anti-retroviral treatment is being given free of charge. On the preventive front, many steps have been taken to educate the population. But, this is an ongoing process. Here as well, there are tasks and there is still work that remains to be done. And this Government should pursue the good job its predecessor has begun.

This Government should demonstrate more seriousness in working for the betterment of the people. For the people to feel and live better, the pursuance of empowerment process is crucial. One of the ways to do this is to provide the necessary scope for employment. At paragraph 13 of the Presidential Address, it is clearly said that

“ Government will not only help in creating jobs, but will pursue a vigorous policy of creating employment”.

Mr Deputy Speaker, Sir, we cannot help, but wonder then, how come that nowhere in the Government Programme there is a defined target for the number of jobs that the Government proposes to create in the next five years. How is it that most of the fiscal policies and Governmental measures that have been taken up to now, discourage investment, penalise various categories of entrepreneurs and reintroduce taxes on products that constitute the livelihood of many small entrepreneurs? They are the same categories of people on which Government seems to rely partly to create employment.

Mr Deputy Speaker, Sir, be it in the sugar sector, ICT sector, the environmental sector, the tourism sector, the port sector, the textile sector but to mention a few, many challenges have been addressed. Many steps to redress, protect, modify or consolidate these sectors have been initiated by the former Government. We are pleased to see that those presently in power acknowledge it in the Presidential Address. Because in many paragraphs of its 2005-2010 programme, Government recognises that it only has to maintain, strengthen or upgrade the steps already implemented in several sectors.

Indeed, Mr Deputy Speaker, Sir, having read through the Government's programme, I have not found a single original idea that shows this Government's capacity in finding new avenues of development that would engender new job creation perspectives for the Republic of Mauritius.

The past Government had laid the basis of the country's progress; there is work that remains to be done. We all agree upon that. It is the pursuance of this work in the light of the rapid international developments and without forgetting the specific needs of the Mauritian people that constitutes the biggest challenge.

Mr Deputy Speaker, Sir, we firmly believe that for Mauritius to forge ahead, the Government must make use of all the competencies that the country possesses. If we can comprehend that this excludes to some extent, the political nominees of the former Government, we would not agree that people who occupy prominent posts on the sole basis of their competencies and who are not political nominees *soient persécutés*.

Mr Deputy Speaker, Sir, people in this country are entitled to different political opinions. It does not make them less of a patriot and they should certainly not be regarded as enemies of this Government, people to chase and figuratively gun down. *Ces mesures véhiculent l'impression que le gouvernement pense qu'un mode de pensée contraire ou différent au sien amoindrit les compétences de ces gens et leur capacité à servir leur pays avec intégrité et professionnalisme.*

Mr Deputy Speaker, Sir, Mauritius is a democracy and political affinities should be respected. Each person is entitled to his or her own opinion and politicians must not get personal or vindictive when in power. This is called abuse. Freedom of expression is a legal and constitutional reality in this country. Ideas can be contested and people, no matter where they are found in our Republic, must not feel threatened in their careers because their opinion, expressed in total independence from their profession, clash against those that are in power.

Mr Deputy Speaker, Sir, such mistakes will be detrimental to the Government itself and to the country. As a responsible Opposition, we will stand as a barrier against such practices and we sincerely hope it will not occur again.

Mr Deputy Speaker, Sir, the advancement of Mauritius relies on the cooperation, motivation, and well-being of all and not some of its people. We all know that difficult times are ahead. The Prime Minister has acknowledged this fact – the Leader of the Opposition as well - and we all want in the end, one thing: that our country emerges as a strong and united nation.

On this note, Mr Deputy Speaker, Sir, I thank you for your attention.

PUBLIC BILL

Second Reading

**THE MAURITIUS FAMILY PLANNING AND
WELFARE ASSOCIATION BILL
(NO. XXXI OF 2005)**

Mr M. Dowarkasing (Third Member for Curepipe & Midlands):
Mr Deputy Speaker, Sir, in 1974 during the first international conference on population, the developing countries identified under development as a consequence of population growth.

Ten years later, in 1984, the same international conference endorsed the principle that Government should help to make family planning services universally available. By that time, Mr Deputy Speaker, Sir, we had reached a long distance in that field. Maybe it is one of the sectors where we were very much ahead of the international community. Quite recently, Agenda 21 has come and confirmed that really population growth is a danger to our environment and natural resources.

The challenge was taken up by a group of pioneers more than a decade ago to whom I would like here to pay tribute today. Maybe some of them have passed away, some of them may be still alive, but yet the challenge they took 48 years ago, have had a very positive impact on the development of the country.

The Mauritius Family Planning Association has been perhaps one of the few NGOs that has, over the years, built up a solid reputation in the field of population control. So much so has been their successful story that today we fear that we have a lack of young people in the country to serve our workforce. Our population is ageing Mr Deputy Speaker, Sir.

I would like, during my intervention, to highlight on three areas which I believe the MFPA has contributed greatly. All their programmes have been underpinned by three major public policy objectives. One is the demographic rationale, second is the health rationale and third is the human rights rationale. The demographic rationale is based on the assumption that

rapid population growth impedes economic development. And, therefore, lower rates of population growth and lower fertility will improve the living standard and human welfare.

Mr Deputy Speaker, Sir, the Mauritius Family Planning Association has succeeded in this endeavour. In the early sixties, we were witnessing a population crisis and growth in that area was around 3%. The average number of children per family was round 6. On this trend, our population would have reached the figure of 2.7 million by the year 2005. We know that our population is roughly 1.2 million today. And this is due to the work undertaken by this Association and many other NGOs in the same field that fertility rates dropped from 5.6 in 1962 to 1.94 in 1986 and to 1.2 in 1996, maybe less also around 2005.

The MFPA has succeeded on this demographic rationale. The current contraceptive prevalence rate is around 70%. We have been able to create thus, through those measures, a new economic order in the country, Mr Deputy Speaker, Sir.

The second rationale that is worth mentioning is the health sector, how the MFPA has contributed to the health benefits. Research has confirmed that safe and effective contraception helps to reduce the number of births and high-risk pregnancies, including unintended pregnancies. The family planning can also improve the child health and survival by reducing the number of births associated with high risk. Maybe we are talking of birth occurring less than two years interval, birth to young mothers or older women also represent dangers. In this field, I think the MFPA has contributed greatly to solve the problem.

The prevalence success I have mentioned of the contraceptive is 70% which means that improving the health of women has greatly helped, first of all, in their empowerment which forms part of the strategic plan of the Association. Secondly, by opting for the elimination of unsafe abortion, the MFPA has further strengthened the rationale, Mr Deputy Speaker, Sir, but still there is a lot of room for improvement in this area.

It is increasingly recognised that some women would choose to end unintended pregnancies through abortion regardless whether it is legal or not. One of the major concerns remains however the high rate of teenage

pregnancy. We have figures that show that teenage pregnancy is on the increase side, Mr Speaker, Sir.

It is worth noting also that the MFPA has adopted what we call the International Conference on Population Development Programme and is aiming by the year 2015 to reach and to give access to reproductive health information globally in this country. I suppose that the Beijing platform for action and the strategic plan of the IPPF will further strengthen the objectives of the Association and move it beyond the concept of simply family planning, but will cater for the reproductive health as well, Mr Deputy Speaker, Sir.

Fortunately, the human rights have not been a significant issue with which the MFPA had to deal. The people have considered their rights being secondary to national level goals in this country in the early sixties. The right to decide freely and responsibly on the number and spacing of children was never denied to anyone. Just like the right to information, education and the means for couples to regulate their fertility was never denied to anyone. We know how elsewhere in the world those rights are being violated. I would like to mention here the one-child policy established in China in 1979 and the sterilisation campaign in India, Indonesia and Mexico. They are the countries which have violated certain basic human rights, Mr Deputy Speaker, Sir.

But we have new challenges ahead. The MFPA must be ready to adapt as the global challenges evolve. Thousands of adolescents will soon be entering their years of sexual activity and child bearing. Maybe, at this point in time, we will be witnessing the largest cohort of our history going into that field, especially at a time where HIV/AIDS and other sexually transmitted diseases are devastating.

Mr Deputy Speaker, Sir, the MFPA must be ready to cope with the coming challenges and, therefore, requires new organisational and financial arrangements. This is why I think this Bill is very important. It is strengthening the organisation furthermore. The MFPA has had glorious days, but had also witnessed a dark period during the year 2002, where the parent organisation, the IPPF, had ceased to support the organisation because of an alleged case of mismanagement. Government had to step in to sort out the problem, and the Mauritius Family Planning Association (Temporary Provisions Act) 2002 was enacted. I do not intend to go back

lengthily on this issue, but I only wish that this incident is behind us but remains a strong signal to the forthcoming National Executive Committee, which the present Bill intends to set up.

Coming to the Bill, Mr Deputy Speaker, Sir, the present Bill, if I may put it, is a consolidation of the Act that it is repealing. The Managing Committee is being replaced by the National Executive Committee, the Secretary Manager is being replaced by an Executive Director, the Chairperson will be elected instead of being selected or nominated by the Board, certain new clauses have been introduced, like clause 7. The present Bill makes provision for better governance and has more pronounced clauses related to finance and auditing, which I believe is a very good thing, keeping in mind what has happened to the Association a few years ago.

One of the issues that I wanted to raise, which I am quite glad has been included by way of an amendment from the hon. Minister, is clause 6, Annual General Assembly. I am quite happy about that, but I would like to raise one issue. In the previous law, all expenditures above Rs500 needed the approval of the Committee. This Bill makes provision that the Committee may delegate to its Executive Director the powers to enter into any financial transaction not exceeding Rs100,000. I believe that this expenditure is to meet the day to day running of the Association between the holding of two committees where approval is sought. However, it is a very big shift from Rs500 to Rs100,000, that is, more than 2,000% increase, Mr Deputy Speaker, Sir. I think that, in the light of what has happened recently with the MFPA, we have to be very cautious about giving leniency in terms of financial matters like that.

Apart from these few remarks, Mr Deputy Speaker, Sir, I think the MFPA is being provided with a new structure, safeguards for better governance, and they can take *un nouveau départ*. I wish them good luck to build up perhaps a new success story, and why not in the fight against HIV/AIDS. I have done Mr Speaker, Sir.

Thank you.

**PUBLIC BILL
MOTION
GOVERNMENT PROGRAMME 2005-2010**

Mrs L. Dookun-Luchoomun (Third Member for La Caverne & Phoenix): Mr Speaker, Sir, I would like to present my congratulations to you on your election to the highest office of this House and through you to the Deputy Speaker and Deputy Chairman of Committees. May I also seize the opportunity to congratulate hon. Dayal and the other Members from both sides of the House who have made their maiden speeches.

M. le président, c'est avec un sentiment de fierté et de satisfaction que je me retrouve au parlement après cinq ans au service de la population. Je dois remercier les habitants de ma circonscription pour le renouvellement de leur confiance et leur soutien. Aujourd'hui dans l'opposition, je suis plus sûre que jamais et plus convaincue que jamais du bon travail effectué par le précédent gouvernement. Oui, M. le président, les 100 jours sont passés. Nous avons archi entendu les membres du gouvernement se vanter de leurs accomplissements.

Mais, M. le président, ma question est la suivante: lesquelles de ces mesures prises par l'actuel gouvernement auraient été possibles sans les efforts et les décisions courageuses prises par l'ancien gouvernement, sans les investissements dans les secteurs clefs de notre économie?

Et pour ceux qui croyaient que ces quelques mesures prises durant ces 100 jours, nous embarrasseraient, je leur dirais, de se détromper car elles ne font que confirmer que l'équipe sortante a laissé les caisses de l'Etat dans de très bons états, M. le président, et que ce ne sont que les fruits de nos efforts qu'ils sont aujourd'hui en train d'utiliser.

The previous Government, Mr Speaker, Sir, ensured that there are resources for the implementation of these projects and I would now like to tell the Members of the Government to work as hard to ensure that they have an equally good legacy when they depart from here.

Les mesures autrefois décriées par l'opposition d'alors, sont aujourd'hui adoptées et même appropriées avec empressement par le gouvernement du jour.

Mr Speaker, Sir, the IRS which was treated as though it was a terrible crime is today being taken up very seriously by the hon. Members on the other side of the House so much so that they are now having special meetings and committees to fast track certain projects. The duty-free island project which was formerly considered to be an unrealisable dream, a joke to use the very words of the hon. Minister of Finance, is now very much on board, Mr Speaker, Sir. In his statement on the economy, he stated and I quote -

"We are committed to the promotion of Mauritius as a duty-free island. Our vision is to develop a recognisable image of Mauritius as a unique destination that combines leisure, business and shopping tourism."

Talking about achievements of the present Government, Mr Speaker, Sir, may I remind the hon. Minister of Social Security that the foundation stone she laid at Riambel was the result of a project launched by the former caring Government, Mr Speaker, Sir, and much to the dismay of her friends who fought against the implementation of this project. *Ils avaient même organisé des manifestations, M. le président, pour empêcher l'exécution de ce projet.* The new centre for disabled at Pointe aux Sables is yet another achievement of the former MSM/MMM Government, and, Mr Speaker, Sir, I will not be surprised to hear the hon. Minister of Social Security state that it was all her doing, that she is a caring Minister. Mr Speaker, Sir, Rs40 m. were provided for in the 2005-2006 Budget. *Ce n'est pas et n'était pas des projets d'effets d'annonce, comme le dit si bien Madame Bappoo.*

Mr Speaker, Sir, this is true for almost everything this Government is claiming to be their doing. The decentralisation of Port Louis, the setting up of office buildings in Highlands was proposed by the former Government, and on land obtained through the Illovo deal. Even the energy saving sensitisation campaign was initiated by the former Government and provided for in the 2005-2006 Budget. Are we really talking about Labour achievement or are we talking about completion of work initiated by the MSM/MMM Government? Handing over of keys of the NHDC housing units, Mr Speaker, Sir, at Camp La Boue, Terre Rouge, is yet something that my friends on the other side are claiming to be their doing. Mr Speaker, Sir, the list is long! Very long! The seafood hub is yet another good example of

the former Government's ability to put forward new ideas and translate into action the hopes of the population. These are our ideas. These are our projects. The loans for Small and Medium Enterprises were already made available through the Emerging Entrepreneurs Scheme. The boosting up of the SMEs by giving access to finance through the projects were already implemented in the last Budget, already provided for in the last Government's Budget. The previous Government had put up a loan scheme, which offered seed capital up to Rs100,000 to small entrepreneurs wishing to start up their businesses in handicraft, ICT and service sector. Mr Speaker, Sir, it is the former Government, the former Minister of Finance who, in his wisdom, had recognised the need to support small planters, so that they may become more competitive in agriculture. This is why small planters were exempted from the land transfer tax, the capital gains tax, land conversion tax, morcellement fee for the sale of one hectare of land. Mr Speaker Sir, this is another decision taken by the former Government and adopted with great pomp by the present Government.

Mr Speaker, Sir, it is quite interesting - and I dare say very amusing - to see how eagerly the present Government is adopting all the decisions taken by the MSM/MMM Government, while at the same time stating with great conviction that the former Government did nothing for the people.

M. le président, sur le plan des arts et de la culture, nous avons beaucoup oeuvrer pour la mise en place du centre de formation artistique, pour appuyer la démarche artistique et assurer aux artistes des conditions favorables dans la pratique de leur art. Notre centre de formation artistique est déjà prêt à Paillotte, et je suis sûre que le ministre des arts et de la culture sera très prompt à inaugurer ce centre. C'est un bijou, M. le président, et j'espère que ce centre aidera à la promotion de la créativité artistique. Nous avons beaucoup fait pour venir en aide aux artistes en mettant sur pied des plans d'aide aux artistes. Nous comptons lancer l'industrie culturelle mauricienne. Nous avons jeté les bases pour le développement du tourisme culturel à Maurice. Les lieux tels que l'Aapravasi Ghat et le Morne sont aujourd'hui reconnus comme formant partie de notre patrimoine national. M. le président, j'ai été choquée d'apprendre par la presse que le ministre des arts et de la culture a dit qu'il a visité l'Aapravasi Ghat car il était, il ne faut pas l'oublier, un hindou. Mais cela n'a rien à faire, M. le président! L'Aapravasi Ghat et le Morne sont des lieux considérés comme étant notre patrimoine national. Cela n'a rien à faire avec nos origines ou encore moins avec nos croyances religieuses, M. le président. Aujourd'hui, chaque

mauricien comprend la notion de mémoire commune et de patrimoine national. Finalement, M. le président, il est primordial d'harmoniser les politiques des ministères des arts et de la culture et de l'éducation, afin de s'assurer que les jeunes soient initiés aux arts et qu'ils aient l'appui et le soutien qu'il faut.

Mr Speaker, Sir, paragraph 6 of the Government Programme states, and I quote –

“It is my Government’s steadfast conviction that regardless of gender, creed, ethnic origin or class, each Mauritian citizen has the basic right to citizenship with dignity. My Government’s economic and social model will ensure that there is optimum use of our resources particularly with regard to human capital”.

The thousands of people who have been fired, such as Mrs Gayan and Mr Rungen recently, may wonder what type of dignity we are making reference to, or perhaps what notion of optimum human capital we are referring to. Mr Speaker, Sir, a Member from the Opposition Party had rightly pointed out that a Government is made...

(Interruptions)

Mr Speaker: Order!

Mrs Dookun-Luchoomun:...or unmade through one vote. And I agree! One vote can decide on the Government that is going to be here. This is what we call democracy. It is easy, Mr Speaker, Sir, to blame people and to dismiss them without having to prove anything against them. But, when the Minister of Social Security states *qu'il y a des zones d'ombre comme raisons, pour lesquelles elle a fait partir M. Rungen de ses fonctions, on se demande quel genre de démocratie est la nôtre et quel genre de République nous avons à Maurice, où un ministre, utilisant l'immunité parlementaire, peut avoir le droit de jeter de la boue sur un travailleur social. N'est-ce pas là un cas d'abus de pouvoir?*

Mr Speaker: Can I remind the hon. Member that she has no right to cast aspersions on a Member or a Minister of this House?

Mrs Dookun-Luchoomun: On parle, M. le président, de la dignité humaine et, dans un autre souffle, on enterre cette même dignité. Nous devons tous faire une réflexion, car si notre régime, notre système est démocratique, les partis politiques doivent agir en tant que vecteurs de la démocratie. L'honorable Dr. Hawoldar a bien fait ressortir, comme je le disais tout à l'heure, que l'élection dépend d'un vote. Mais la démocratie ne devrait pas seulement agir en tant qu'instrument à obtenir le pouvoir. Elle devrait aussi permettre aux gens de se faire entendre, que ce soit pour démontrer leur support, leur approbation au gouvernement, ou pour exprimer leur mécontentement ou leur désapprobation. La compétition ouverte entre partis politiques durant les élections est une caractéristique indispensable de notre démocratie, mais elle peut devenir aussi le talon d'Achille de notre système. M. le président, la compétition ouverte entre les partis pour prendre en main les affaires du pays est un facteur qui divise la population socialement et politiquement.

Mr Speaker, Sir, the stakes are high for the political parties and their followers. I would like here to quote from Plantu of UNESCO –

“It is therefore important that the cost of defeat is not unbearable to the followers of parties who find themselves on the sidelines of power.”

We should be careful to get rid of anti-democratic contrivances, Mr Speaker, Sir. We do not want our people to turn into a mass of subservient individuals waiting to get their turn, Mr Speaker, Sir. For the survival of democracy, the Government of the day has a duty to ensure that Mauritians are not pressurised to voice their opinion and to maintain their right to difference. Mr Speaker, Sir, democracy presupposes the right to one's opinion, the right to freedom of expression and the right to unimpeded freedom of expression.

Mr Speaker, Sir, we are today living in an ambience which I consider to be an unhealthy situation where democracy itself is at stake. I would like here to ask the newly elected Members, on both sides of the House, to voice out their opinions and to let us know how they feel about this whole issue.

Mr Speaker, Sir, it seems rather sad that when a party has been given so much of support from all the people of this country, that they still feel the need to pressurize people. This should not be the case. And I would like here to add that leaders should be imbued with democratic principles and

democratic values, that they should allow to pass down to all the different members of the population and to the rulers of the day, I would say that magnanimity should be the word of the day. With this, Mr Speaker, Sir, I end my speech.

Thank you, Mr Speaker Sir.

Debate No. 14 of 08.11.2005

**MOTION
GOVERNMENT PROGRAMME 2005-2010**

Mrs F. Jeewa-Daureeawoo (Third Member for Stanley and Rose Hill): Mr Speaker, Sir, as I begin my first speech, formally known as a maiden speech, in this Parliament, I warmly congratulate you on your nomination to this important position of Speaker. May God grant you the strength and wisdom to do this demanding and, at times, trying job well! I have every confidence that you will be impartial in your handling of affairs in this House and that you will treat each and every Member with justice and fairness.

Having said so, you must be aware, Mr Speaker, Sir, that we, on this side of the House, intend to provide a vigorous but constructive Opposition to this Government. This constructive Opposition will be, rest assured, Mr Speaker, Sir, to the benefit of our country which we all love so dearly.

I am humble and honoured to have been chosen by the people of Stanley/Rose-Hill to be their representative in this place. It was, in fact, my first electoral campaign. My success is due to a great measure not only to the confidence that the people of Stanley and Rose-Hill have put in me, but also to the support and guidance I have had from hon. Paul Bérenger and my friend, hon. Jayen Cuttaree who were my running mates at Stanley/Rose-Hill.

I cannot express in words the sense of gratitude that I have for my family, my husband and my two young children in particular. As to my opponents, they treated me with respect and I thank them. There were lapses, of course, and it is to be expected by some of their over-enthusiastic supporters.

Mr Speaker, Sir, I am absolutely committed to work for the improvement of the quality of life of our fellow countrymen and women, in general, but particularly, for the people of Stanley/Rose-Hill. I shall work with zeal and passion and just as diligently for those who did not vote for me on this occasion as for those who did.

I must now congratulate all the new Members from either side of the House who have made their first speech. It is admittedly a daunting task, but like everything else in life, the first time is always the most difficult one. Hopefully, things will get better and I am quite sure that under your guidance, Mr Speaker, this will be so.

Traditionally, a first speech is supposed to be non-controversial. As we all know, Mr Speaker, Sir, this tradition is more honoured in its breach than in its observance. My hon. friend and Second Member for Savanne and Black River made a brilliant and well-researched speech. She compared and contrasted the *discours-programme* of the Government of 1995 and 2000 with the 2005 one. She came to the inevitable conclusion that with some minor tickerings, all three programmes are similar both in style and content. This does not surprise me one little bit, Mr Speaker, Sir, when I look at the Ministers in this Government. Most of them, with the occasional exception have, at one time or another, belonged to the parties that now regrettably make up the Opposition.

These hon. people have cut their political teeth either in the MMM or the MSM or the *Parti Mauricien*. Sometimes, I ask myself: what do these people really believe in? To which party do they owe their political allegiance? To none, I should imagine! Some of them are serial quitters, leaving one party at the drop of a hat to join another or to form their own parties.

(Interruptions)

Yet, in a moment of mindedness, the people of Mauritius have given them a majority to form this Government. But the people who have placed their confidence in them are already finding out that their promises have been empty ones. What they are giving with their right hand, they are taking back with their left one.

We all know, Mr Speaker, Sir, that there is no free lunch in this life. Everything has to be paid for. Free travel for older people and students, universal pension, these are all good and commendable actions on the face of it. But can the Government of this country afford this largesse? Hence, the reintroduction of duties on certain imported goods is an indication that perhaps as a country, we cannot afford it. For reintroduction of duties means increased taxation to pay for these supposed free bus! Following the hasty policy decision by the actual Government of free transport, it is observed that many students are making an abuse of it and roam around the country. Some of them do not even attend school. Another problem is the unprofessional behaviour of the bus conductors towards our senior citizens.

On many occasions our senior citizens are humiliated by being left stranded at the bus stops. Owners of private mini-buses find themselves without their travellers and suffer tremendous loss. Every month Government is paying a large amount of money to bus companies regardless of the number of passengers. Many issues have to be reconsidered for the smooth running of the implementation of free transport. For their own safety, is it a good idea to allow our senior citizens to travel at peak times?

With regard to Judiciary, we cannot deny that the hon. Attorney-General is showing his eagerness to make substantial improvement to our Judicial and legal system. I would, however, invite him not to act hastily and to make sure that various sectors concerned have the opportunity to give their views, and that would obviously include members of the legal profession and the judiciary, including the Bar Council and the Law Society to which I am a member.

Mr Speaker, when Mahatma Gandhi had abandoned politics and taken up a life of prayer and meditation, he used to stay at the Birla's family. There, every morning, he used to hold prayer meetings on the lawn of the house. While staying there, a young man came to pay him a visit. Gandhiji was very much taken by this young man's intelligence and charm. So, Gandhiji asked him what was his profession. This young man replied that he was a politician. Gandhiji was disappointed and crestfallen to hear this. Do you know why? He said to the equally disappointed young man that politics is a lowly occupation. For all I know, Gandhiji may be right, but we should do our best to prove him wrong on that issue.

People who have sent us here have high hopes in our ability to make a difference to their life. We may not be able to help each and every single

individual who comes to us for assistance, but we can create the conditions that will allow them to prosper and take the initiative towards improving their lives.

I sincerely believe, Mr Speaker, that it is us, on this side of the House, who have this vision and the will to do so. We have a proven track record. It is a crying shame that our people decided to believe the siren call of this Government. We respect and accept the electorate's decision, but I can assure you, Mr Speaker, that we shall play our role as elected Members of this august Assembly and Members of the Opposition to regain the trust of the people of this country.

Before I resume my seat, I would like to make a very humble appeal to his House. May I appeal to all Members of this august Assembly, both from the Government and the Opposition side, that a good understanding be prevailed throughout? For instance, could not we do without insults, foul language, personal attacks or unwarranted comments and remarks ...

(Interruptions)

Please, listen! Please!

... so that we can both, Government and Opposition, set down to serious work for the benefit of our people and the country at large and also start setting the trend to be civilised Members of Parliament.

Thank you, Mr Speaker and hon. Members for you kind attention.

Debate No. 15 of 15.11.2005

PUBLIC BILL

Second Reading

Order read for resuming adjourned debate on the Sugar Industry Efficiency (Amendment) Bill (No. XXXII of 2005)

Question again proposed.

Mr N. Bodha (First Member for Vacoas and Floreal): Mr Deputy Speaker, Sir, I am the last orator on this side of the House to say a few words on this Bill. My colleague, hon. Ganoo, made a very thorough and seasoned analysis of the Bill and the applications thereof. I would like to raise a certain number of points.

Mr Deputy Speaker, Sir, we are discussing something which is of paramount importance when we see that the sugar reform is being decided upon in Europe and the accelerated Action Plan, the new road map, is being chiselled in Mauritius, because we are talking about the new sugar map of Mauritius. When we talk about the new sugar map of Mauritius, the question is: what is going to be the place and the role of the 25,000 small planters in the ten years to come? What is going to happen to the 50,000 *arpents* of land which they own and which they consider as a very valuable asset for generations? What is going to happen to the 2.8 millions tonnes of cane which they produce contributing to the annual sugar production?

My colleague, the hon. Minister of Agro-Industry, knows that when we go on lobbying and we raise the socio-economic dimension and the importance of sugar of the 30,000 planters, this is one of the key arguments which the decision-makers, that is, Ministers, Members of Parliament, members of the Commission, Directors-General, directorates, in Europe are willing to listen to. This is a very sensible cord when we say that we have 30,000 families who depend on sugar and we want them to have a role and a sustainable income over the years. We are redefining the sugar map and we are thinking that, with this Bill, and the Act that we have passed, maybe about 10,000 planters will take a decision about converting their land. What I am saying, Mr Deputy Speaker, Sir, is that this decision should be a lucid and a reasoned decision of the small planter or the owner of agricultural or sugar land. It should not be done in a panic that sugar is no longer viable. I was talking to an old sugar planter and he said to me: "*bech ke bhag*", that is, "sell the land and run away from sugar". The choice of remaining within the sugar industry should be given to the planter. He has three possibilities: either to remain in the new sugar map with more benefits from ethanol, benefiting from the support needs that we are fighting for in Europe. The second possibility he has is to diversify into agriculture, that is, growing other crops. The third option he has is to convert. When we are thinking in terms of conversion, what do we want? We want the small planters to benefit from the added value that conversion brings. It is for this reason that we came with provisions in the Finance Bill which was presented by the former Deputy Prime Minister and Minister of Finance where we said owners of land of up to 10 *arpents* and, in this case, the hon. Minister is coming with a new criteria, that is, owners of land of up to one hectare. There should be no contradiction between the spirit of the first legislation and what we want to do today. We want to help small planters convert land, but it should be a reasoned choice. We want to free them from the hassle of

le parcours de combattant que constitue la demande de conversion. Ministers of Agriculture know how tedious it is. There are so many applications. I think *le parcours de combattant comprend dix-sept formules d'applications.*

We need 29 copies of the plan. And, when I was the Minister, once the Land Conversion Committee has considered the application – often it takes months - it comes to the Minister, the Minister has to approve it, but he has to take it to Cabinet and Cabinet has to be apprised of each and every land conversion permit. Once Cabinet has been apprised, then it comes back, it is minuted and the Minister has to sign each and every land conversion permit which will allow the person to proceed with the development project.

We want to do away with all this. I think this is a good thing. But what we should do is when we are defining the new sugar map, we should encourage those planters who do not have a future in the sugar industry to convert. And when we are encouraging them, the Land Conversion Committee should not be there to consider the application, but we should give them the mechanism to help them to convert. We should be a facilitator. We should do away with the red-tapism and come with a mechanism to facilitate the conversion. But the conversion, as I said, should be a reasoned choice of the small planter. It should not be done in a haphazard manner, because when we see the reform today, we are going to have the prime sugar land that we want to keep for the next 20 or 50 years, because we want to have a sustainable sugar crop every year to honour our obligation under the protocol and to honour our other obligations on the world market. We need to have this sustainable sugar production. And one of the reasons why land conversion was so tedious was, in fact, because we wanted to discourage people from getting away from sugar cane production. But, today, it should be clear, that is, conversion should be a pillar of the reform and it should be done in a managed and planned manner. We should know where to convert, and that is what I am saying. The reform should come with a new sugar map of Mauritius. We were working on it in the months when we were in power; we should have a new sugar map of Mauritius. We should know what is the land which has to remain under sugar for the next 20 years. Then, we should know what is the marginal land that we have to either convert or where we should be able either to diversify, and then we can help the planters who fall under those areas to convert, because we will give them the possibility to benefit from the added value.

The Minister of Agriculture knows that in the accompanying measures, the support needs that we are requesting from the European Union, there is going to be a budget for the maintenance of sugar cane production in environmental areas because we need to have sugar in those specific areas even if it is not profitable. And this is one of the requests that we have made, not only for Mauritius but also for ACP States, that is, sugar has to be maintained in a certain number of areas for environmental reasons and for the stability of our eco system.

Mr Speaker, Sir, once we have defined the sugar map of Mauritius and we know where the marginal lands where sugar is no longer going to be viable, and at the same time you have the areas where, we want it or not, it is going to fall under the permissible development zone. If it is not in the permissible development zone today, it will be in the permissible development zone tomorrow. I am going to give you an example. Land between the roundabouts of St Jean and Phoenix will be permissible development land, it is under sugar cane today, but in the years to come you can't prevent it. This is the enormous pressure that we are going to have on land.

Now, insofar as the small planters are concerned, some came to me and they wanted to have a land conversion permit, because they were highly indebted and their plots of land were going to be seized and sold by levy because they could not repay their loan. And, what did they want? They wanted to be given the possibility of having their land converted, having the added value and they will repay their loan; otherwise, they would have lost their plot of land. In that case, when I was still in office as Minister, I wanted to consider the possibility of conversion on a humanitarian ground. I think this is also one aspect of the problem. We should consider this. My colleague, in a very seasoned manner, raised the issue of permissible development zone and the irrigation zone, but we should have more flexibility. What I am saying is that land conversion by small planters should not be done in a panic, leaving the industry in despair. It should not be done also as speculation, because we said that infrastructural works cost Rs1.5 to Rs2 m. per *arpent*. Mr Deputy Speaker, Sir, some people can come and exploit the small planters saying: apply for conversion, I am going to give you some money and then we share the profits. Thus, they fall prey to speculators and instead of enjoying this added value, they fall prey to speculators. We should consider this problem on humanitarian ground and

that's what I did in certain cases when I was Minister. Just like when we said that if you have a plot of agricultural land and you have no other plot of land, and you want to build a house for yourself, you can do it because you are entitled to a residence even if you are outside the limits of permitted development.

Mr Deputy Speaker, Sir, I will come also to the second issue of irrigation zone. In many cases, when you see the application reflected, it's just written "within irrigation zone", so land conversion is not possible. The hon. Minister will find it, because the last month we, in Government, we considered this issue also with flexibility. We then said this is an irrigation area, and thus the plot falling under that irrigation area could not be converted. What did we consider as irrigation area? They were areas where you had the infrastructure; you had the areas where there were projects and finance provided, and there were areas which were to fall under a future irrigation project which had not yet been approved and for which there was no funding. So, we came to a more flexible attitude saying that you have an irrigation zone where you have the infrastructural works with heavy investment, and then you should consider the second zone where you have projects and funds, but you can free the third zone where you have the projects have not yet been implemented, there is no funding and it has only been projected. But, to do this, I come back again to the sugar map of Mauritius in the years to come. That sugar map of Mauritius should explain to us clearly for each and every plot whether it is going to remain under sugar, whether we are going to invest for irrigation, whether we are going to do the derocking or not, or whether we can free that land and it can be converted. I come to what I said, namely that conversion is a pillar of the reform, but it has to be done in a seasoned and planified manner.

Mr Deputy Speaker, Sir, we are at a time of great uncertainty. The small planter today does not know what to do. We are, as I said, I repeat it, at a time of great uncertainty, we don't know what is going to be the level of the cut; in the price of sugar we don't know what is going to be the time span of the cut; we don't know what is the budget which is going to be allocated to us. Just imagine, a planter having 2 or 5 hectares, what can he do today? This is a time of great uncertainty. Our role as Government, and as Opposition as well, is to reassure him, to monitor him and help him. *Il faut l'encadrer, il faut lui dire où est son avenir.*

Est-ce que son avenir se trouve avec la canne, dans la diversification agricole ou dans la conversion?

And that is where I think the Ministry of Agro-Industry and Fisheries and all the institutions can be instrumental. The planters should be explained what is coming and what can be done. This leads me to the fact that there should be no contradiction between conversion and regrouping. On the one hand, you are telling the planters that they can have their future in sugar with a greater yield, better facility and more input from the multi-functionalities of sugar, that is, the energy cane and, on the other hand, you are telling them that they can convert. There should be no contradiction. It should be complementary. And when we are telling the small planters to do the regrouping, a lot had been done. In fact, as Minister, there were a certain number of questions, which were raised. The small planters wanted to know if I were to come into what we call *tablissement tits planteurs*, what is going to happen, for how long the plots of land are going to be included in that regrouped plot; and secondly, if they will get a loan from the bank. They wanted to know also if they could give their land to their sons and daughters. What we have to do with the small planters is to explain to them, *il faut les encadrer pour leur dire quels sont les bénéfices du regroupement et quels sont les bénéfices de la conversion*.

I will not dwell on the technicalities of it. I think my colleague rightly explained about the red tapism, about the problem at the level of the Ministry, the Irrigation Authority, the District Council and different bodies how can a small planter know that he is outside or within limited development. For example, can somebody growing vegetables in La Marie know whether he is within or outside limited development? He will not be able to know. *Il ne faut pas qu'on remplace un parcours de combattant par un autre parcours de combattant et la seule manière de le faire, M. le président, c'est d'encadrer le petit planteur et de lui dire exactement où se trouve son avenir. Mais son avenir est associé également à l'avenir de l'île Maurice, à l'avenir de l'industrie sucrière, en général.*

I think that we all agree on the need of conversion as a facility, as an added plus, for the small planters. We all agree that there should be a facilitating mechanism and not red tapism. But, as I said, this has to be done in a planned manner and with the small planters. The small planters should not just - because they feel that there is no future in the cane industry - come to conversion, because we know today that the property market has come to a point where there is a glut, on offer and demand. Everybody knows this today that all the *morcellements* that we are creating are not necessarily

finding people who want to buy land. There are more plots of land to be sold than people who want to buy them.

So, conversion is important. The small planter should be part and party to the reform. We agree that there is the former legislation and we are bringing a new legislation.

My colleague addressed the issue of the Planning and Physical Development Act to be promulgated so that it can be applied. We have to come with a mechanism to facilitate the conversion so that the reform is done for the benefit of the planters and that they know that we really wanted them to reap the benefits of land, which has for generations and generations helped them to have a better living.

Thank you, Mr Deputy Speaker, Sir.

Debate No. 16 of 22.11.05

**THE MAURITIUS LAW SOCIETY BILL
(No. XXXIII OF 2005)**

Order for Second Reading read.

Mrs F. Jeewa-Daureeawoo (Third Member for Stanley and Rose Hill): Mr Deputy Speaker, Sir, on this side of the House, we welcome this Bill which has been long awaited for. As a Member of the House and a practising attorney, I feel it duty-bound to intervene. Furthermore, Members of the House should know that we have the honour and privilege to have as Speaker, a long-standing and experienced attorney.

Having said so, Mr Deputy Speaker, Sir, allow me to comment on the Bill which is now before this august Assembly. The role of attorney or solicitor, as is often referred to, is to be the first point of contact with the client. One should not forget that attorneys are in a position of trust. They provide advice which is enormously important to their client on local and international level. It is important that a legal opinion is expert, independent and efficient.

To offer this quality of specialised service, it is of paramount importance for attorneys to work in partnership as is the case in other Commonwealth jurisdictions on which model our legal profession

originates. The Bill drafted as it is, does not give the Law Society an international role. It is of paramount importance to create the appropriate legal entity either in the form of *société professionnelle*, limited liability partnership or law corporation for attorneys to evolve locally and internationally. Various benefits would derive from the institution of such law firms.

First, the practice of law with partners under one roof allows for specialisation, especially as regards the global business centre, corporate law and tax advice. The same firm may also provide for family law practice, thereby allowing the client to have access to specialised lawyers under one partnership. I invite the hon. Minister of Justice to state whether such a Law Corporation Bill is upcoming in the near future.

The pooling of resources cater for reduction of costs and overheads to the benefits of the client. The quality of service would improve as the client would have access to better equipped lawyers, whether logistically, and from the point of view of human resource. Better equipped professionals would make it possible to avoid unnecessary delays and postponement as the lawyer would be better able to follow litigation cases diligently.

Law corporation, Mr Deputy Speaker, Sir, will enable legal profession to organise their retirement and succession. Mauritian professionals would be more competitive internationally. As we all know, Mr Deputy Speaker, Sir, nowadays, it is very difficult for young attorneys to exercise on their own, especially during the first years of practice in view of the onerous costs to rent an office. Presently, young attorneys may be employed by a more senior attorney without having the opportunity to progress to the position of a partner.

A law corporation, Mr Deputy Speaker, Sir, would be for the benefit of the young practitioners who would have more opportunities ahead of them. It is very commendable that the Eight Schedule of the Local Government Act is being amended so that licence fees be now payable to the Law Society. This initiative will give the financial resources to the Law Society to evolve for the benefit of its members. It will have the financial means to have, *inter alia*, a full-fledged secretariat, a registered office and, why not, a library! It may also organise annual conferences to address relevant issues confronting the legal profession as a whole.

Mr Deputy Speaker, Sir, let me come to the clauses of the Bill. I note that clause 5 (i) (a) states that the Society should safeguard and promote the interests of its members. I consider that the Society should promote the profession of attorney and the general interests of its members because it could be interpreted as if the Society has the obligation to safeguard the interests and the specific interests of each member. I further note with great concern that there is no appellate provision with respect to the Society's decision to temporarily remove the name of an attorney from the register under clause 10(3)(a) of the Bill. Such provision may cause long term harm to a professional who may face unjustified or frivolous allegation.

I think we should add under clause 5(2)(i) of the Bill the following words "of the public at large being given that the relationship between attorneys and client is of fundamental importance", so that it reads -

"The furtherance of good relations between law practitioners in Mauritius and in other jurisdictions, of the public at large being given that the relationship between attorneys and client is of fundamental importance."

I am of the considering view that the State Attorney appointed on the Council as per clause 6 (a) should be designated by the Attorney-General in view of the importance and representation of such an appointment. Under clause 6, there will be a total number of 8 members. I suggest that the total number be an odd number, let's say, 9 members so as to avoid deadlock situation whereby the Chairperson would have to use his casting vote.

Under clause 10(i)(c), the removal of an attorney from the register should not be by the mere requirement of the Supreme Court. I am confident that the hon. Attorney-General would agree to this proposal. The removal should be as required by a judgment of the Supreme Court whereby the wording should be amended so as to add by a judgment of the Supreme Court.

Another subject concerns the opening of the profession to international law firms and practitioners. International firms are predominantly firms of attorneys or solicitors. One should consider the global context in which the profession is now evolving, requiring multi jurisdiction skills. I consider that the practice of international law should be part and parcel of our legal profession in order to allow attorneys to service

and meet the needs of global players and multinationals. Therefore, I suggest, Mr Deputy Speaker, Sir, that this matter be opened for debate and that a working committee be instituted by the hon. Attorney-General for the benefit of the legal profession and the Republic of Mauritius.

Having said so, the evolution and changes in the legal profession have been very dynamic internationally. Compared to other jurisdictions like Singapore and other Commonwealth countries, the status of the profession in Mauritius is too conservative. We should be inspired by more modern models and to continuously adapt to global changes. For example, in Singapore, the legal profession is a fused one, meaning that there is no division into barristers and solicitors. Practising lawyers in Singapore are known as advocates and solicitors. Lawyers generally work as a team which may consist of partners and para-legals for the whole benefit of the legal system. The introduction of the Bill, firstly, is not sufficient to meet the ongoing challenges, public interests and expectations as regards the corporate clients who need advice in real time. A continuous monitoring and continuous reforms, are of fundamental importance to have a more dynamic legal profession in my humble submission. Reforming the Judiciary is incomplete without considering major changes to equip the lawyers to face the global context and the need of international clients.

To end, I wish to, again, stress the importance of the introduction of the Law Corporation Bill without which I think the Law Society Bill will be incomplete.

As I stated earlier, I invite the hon. Attorney-General to state whether such a Law Corporation Bill is coming so as Attorneys need, we all know, legal tools to work as full-fledged in an economic environment which requires such partnership.

Thank you, Mr Speaker, Sir.

Second Reading

**THE NATIONAL SOLIDARITY FUND (AMENDMENT) BILL
(NO. XXXV OF 2005)**

Mr S. Soodhun (Fifth Member for La Caverne and Phoenix): Mr Speaker, Sir, first of all, I would like to thank and congratulate the hon. Minister for mentioning the fact that the former Deputy Prime Minister and Minister of Finance announced the creation of the Worker's Hardship Relief Scheme in the 2005-06 Budget Speech.

Mr Speaker, Sir, the House may recall the exact intention and motivation of the former Deputy Prime Minister when he mentioned the Scheme at paragraphs 185 and 186 of the Budget Speech, after consultations. It was very difficult to convince the employers. Even if I am in the Opposition today, I must admit that it is not easy to take one cent from the employers' pocket. We must be fair as to what has been done. I personally have intervened in many cases. We have had consultations with the Mauritius Employers Federation, especially, the employers of the EPZ. I will come later to the workers of the EPZ. This is a very noble decision that the Government has taken to come forward with this amendment.

I would like to quote what the former Deputy Prime Minister and Minister of Finance said in his Budget Speech -

"We are creating a Workers' Hardship Relief Scheme to give assistance to workers. Under that Scheme, workers facing financial hardship in the future due to closure of their enterprises will receive a one-off payment of Rs6,000 to meet their subsistence expenses.

Employers will be called upon to make a one-off contribution of Rs100 per worker to that Scheme and Government on its part will contribute Rs100 per Government employee."

Mr Speaker, Sir, I made it a duty to go through all the 281 paragraphs of the Government Programme. I have not found a single line where mention is made about this Scheme. But it does not matter. What is important is *la continuité*. I am proud that the hon. Minister has come with such an amendment.

Mr Speaker, Sir, I am happy that the present Government is introducing the Scheme, because it was found that when a company went on liquidation or bankruptcy, the workers did not receive a single cent. Let me explain. Unfortunately, the Minister of Justice is not present, because after the closure of a factory, he used to meet the workers in the *Jardin de La Compagnie*.

(Interruptions)

Maybe there are Members on both sides of the House who are not aware of it. Many workers in this country have contributed a lot for the EPZ sector. I would like to pay homage to Sir Gaëtan Duval. He was the man who had given incentives to the EPZ sector. Let me tell you, Mr Speaker, Sir, *ce que nous avons vécu*. As a former Minister, I know what I am saying. When a factory closes down and is placed in receivership, the workers who reckoned 15 or 20 years of service do not receive anything, I know personally of cases, of workers who did not receive anything even after a judgment of the Industrial Court.

We know about the cases of Prosimex Industrial Ltd. and of MGI where employees will be dismissed on 31 December. We will buy gifts for our children and celebrate the new year. It will not be the case for these employees. We used to call the employer and discuss with him. Lawyers know that after the closure of a factory, compensation has to be effected according to *pari passu*, but the workers are the last ones to receive the compensation. Most of the time, the employers do not have adequate funds to pay for the workers. I know of many such cases. At least these poor workers can get Rs6,000, especially women who are the only household breadwinners. This is a very important Bill.

My good friend, the hon. Minister of Finance, knows very well that the trend now shows what will happen by next year.

(Interruptions)

I will quote what Mr Ahmed Parkar, the Chairperson of the MEPZA said in an official document submitted to Government -

(Interruptions)

Mr Speaker: Order! Address the Chair, please!

Mr Soodhun: Let me quote what Mr Ahmed Parker said in an official document -

“Un document intitulé - Impact of Job Losses resulting from the EU/NAMA Proposals on the Textile and Apparel Industry – et élaboré par la Mauritius Export Processing Zone Act (MEPZA) traduit en termes concrets les répercussions de ces propositions de réduction de lignes tarifaires. Deux emplois directs sur cinq dans le secteur du textile et de l’habillement sont menacés dans les années à venir - next year. Mais si Bruxelles est forcée à revoir à la hausse ses ambitions de réduction des tarifs, la situation pourrait devenir encore plus catastrophique. Après la première vague de licenciements dans la zone franche, qui a précédé le démantèlement de l’Accord Multi-Fibre (AMF) le 1er janvier de cette année, la réduction des tarifs douaniers dans le cadre des accords de l’OMC pourrait se traduire par de nouvelles pertes d’emploi dans ce secteur économique.”

Il continue –

“Les prévisions établies par la MEPZA dans le rapport soumis au gouvernement lors d’une rencontre cette semaine ne sont guère optimistes. Les 57,000 (...)”

(Interruptions)

I am quoting officially what has been submitted to the Government.

Mr Speaker: Can I ask the hon. Member to tell me what this has to do with the Bill? I have given him some latitude to quote, but now he will have to come back to the Bill.

Mr Soodhun: What I would like to prove, Mr Speaker, Sir, is that this Bill is coming at the right time because this is what is going to happen by next year, early January or even before that. I would like to congratulate the hon. Minister because it is at the right time that she is coming with this Bill.

(Interruptions)

Mr Speaker, Sir, we are going to face a very important and serious situation. As a patriot, not as a Member of the Opposition, it is my duty to contribute to that.

Mr Speaker, Sir, we, therefore, support this Bill and we would like to thank the former Deputy Prime Minister and Minister of Finance for having put workers first in his Budget Speech, and brought about policies for the protection of the most vulnerable groups of our society.

Thank you, Mr Speaker, Sir.

Debate No. 18 of 02.12.2005

GOVERNMENT PROGRAMME 2005-2010

Mr G. P. Lesjongard (Second Member for Port Louis North and Montagne Longue): Mr Speaker, Sir, allow me at the very outset to congratulate you for your nomination as Speaker of this august Assembly. Allow me also to congratulate Members on both sides of this House and also those who have intervened up to now on the debate.

I feel, again, Mr Speaker, Sir, much privileged to address this House, but this time, from the Opposition side. Mr Speaker, Sir, all of us in this House, share a commonality and a similar sense of purpose, that of serving our motherland and our Mauritian fellows with all our vigour and force. But, Mr Speaker, Sir, how many among us will be able to achieve that?

I am an Engineer by profession, Mr Speaker, Sir, and I live on facts, the sources, integrity and respectability of which are paramount. And it is based on these facts that I shall focus my intervention today.

Avant tout, M. le président, cinq mois se sont écoulés depuis que l'alliance sociale est au pouvoir. Entretemps, ils ont gagné les élections municipales et les 100 jours sont derrière nous. Nous avons fait savoir à la population que, ces 100 jours passés, il y aurait ce coup de massue. Mais avant de venir sur ce coup de massue, M. le président, permettez-moi de parler un peu des événements qui se sont passés avant, les augmentations qu'a connues ce pays.

Il y a quelque temps de cela, le Premier ministre, dans un discours, avait blâmé les électeurs des circonscriptions 8, 10 et 14 et avait aussi parlé des *rodères boute*, des activistes de l'Alliance Sociale. M. le président, c'est un coup dur aux activistes de l'alliance sociale. Ces gens qui ont travaillé nuit et jour pour les faire élire ont été traités de *rodères boute*, M. le président par le Premier ministre. Ces gens qui ont collé leurs affiches, ces gens qui ont marché nuit et jour avec eux ont été traités de *rodères boute*, M. le président. Si on gagne les élections, c'est par leurs activistes.

(Interruptions)

Après, je vais venir sur Mare Chicose. Ne vous en faites pas! Il y a eu d'autres événements, M. le président, et là laissez-moi vous raconter une anecdote, et je le dis haut et fort que je condamne avec force ce qui a été fait; et cela concerne les activistes. Imaginez-vous, M. le président, on a vu cela dans un journal. Il y eut une descente des lieux à Triolet où une cinquantaine de policiers sont allés arrêter quelqu'un. Et vous savez quelle était l'arme du crime? Un sceau de peinture et des pinceaux, M. le président! J'ai dit que je condamne cela, mais n'empêche que ce sont les activistes de l'alliance sociale.

(Interruptions)

Mais en disant cela, M. le président, je vais faire un appel au gouvernement. A côté de l'*overpass* de Pailles, il y a des graffitis qui ont été écrits contre le Président de la République. Rendez-nous un service, faites effacer cela aussi

s'il vous plaît parce que nous mettons la réputation de notre Président en jeu! S'il vous plaît, effacez cela aussi, Messieurs, qui sont du côté du gouvernement.

(Interruptions)

Mr Speaker: Order! Order!

Mr Lesjongard: Il y a eu aussi, M. le président, des professionnels qui ont dû - comme on dit maintenant, c'est à la mode - *lève paké allé*. Il y a eu des questions à l'intérieur de cette Chambre concernant Madame Jeetun, Madame Gayan, Monsieur Makhan et Monsieur Peter Craig.

Mr Speaker: I am sorry to interrupt the hon. Member. I will request the Deputy Speaker to take the Chair, please.

At this stage, the Deputy Speaker took the Chair.

Mr Lesjongard: Mr Deputy Speaker, Sir, I was talking about those who had to *lève paké allé* in this country. I mentioned a few names, those professionals of our country.

Mais il n'y a pas eu que cela, M. le président, il y a eu ces malheureux qui ont été recrutés au niveau du ministère de la santé, de l'environnement et de la municipalité. Vous vous imaginez que ces pères de famille, ces mères de famille, M. le président, auront à fêter, dans quelque temps, les fêtes de fin d'année, la Noël et le nouvel an! Imaginez-vous qu'est-ce qu'un père de famille ou une mère de famille qui a perdu son emploi va dire à ses enfants à la veille de Noël et du nouvel an, M. le président! *Is this putting people first, Mr Deputy Speaker, Sir?* C'est malheureux pour des salaires de misère, M. le président. Il y aura des enfants qui vont verser leurs larmes en cette période de fin d'année, pour le nouvel an et pour la Noël, M. le président à cause du gouvernement.

M. le président, un peu plus tôt, je parlais des augmentations qu'a connu le peuple Mauricien il y a quelques jours de cela, augmentations touchant le gaz ménager, principal combustible domestique.

(Interruptions)

Mais ils ont dit à la population qu'ils ont une baguette magique et qu'il n'y aura pas d'augmentation.

(Interruptions)

Mais que constatons-nous, M. le président?

(Interruptions)

The Deputy Speaker: Order! Order!

Mr Lesjongard: Selon la CSO - et c'est là où le bât blesse - en ce qui concerne le gaz, je ne vais pas faire des commentaires, mais allons voir le kérosène, le pétrole lampant qui a été augmenté par 130%. Et quand on regarde les chiffres du *Central Statistics Office*, en premier lieu, nous avons le gaz ménager, combustible que presque 91% des ménagers s'en servent. En deuxième position - même pas l'électricité - M. le président, le kérosène, le pétrole lampant qui est utilisé par 2.8% des gens, ce qui fait à peu près 8,000 familles qui auront à payer 130% en plus.

(Interruptions)

Et puis il y a eu la saga du lait, M. le président. Le ministre de tutelle est venu annoncer en fanfare à la population qu'il allait importer du lait de l'Inde et ce sera le lait le moins cher, M. le président. Que constatons-nous? Ce lait s'est trouvé parmi les laits les plus chers de ce pays. En fin de compte, ce qui est plus triste, M. le président, c'est qu'on a dû mettre des gens à la porte encore une fois. Des gens ont perdu leur emploi encore une fois par faute de ce ministre. M. le président, ce sont ces mêmes gens qui les ont menés au pouvoir. S'ils sont là aujourd'hui, c'est grâce à ces gens-là, M. le président.

M. le président, permettez-moi de me référer à deux observations faites par l'actuel Premier ministre quelque temps de cela et reprises par le ministre David. Le premier est la politique prônée par l'actuel gouvernement et le second est sur la tendance politique et l'influence de cette tendance sur les élections à Maurice.

Some time back, Mr Deputy Speaker, Sir, in an interview to the press, the actual Prime Minister spoke about the left wing tendencies of his party.

Mr Deputy Speaker, Sir, we all know that most of the political parties of this country do have left wing tendencies, be it on this side of the House or on the other side of the House.

(Interruptions)

The similarities in our stance on public policy issues, Mr Deputy Speaker, Sir, are so marked that very often we confuse the electorate and most of the time it greatly affects the decision for which party people vote.

It is sad to say it that very often they make their decision to vote on the basis of the political leaders rather than what they stand for. Et c'est cela la campagne qu'on a eue avant les élections générales. Qu'on le veuille ou non, cela a été une bataille entre l'actuel Premier ministre et le Leader de l'opposition.

(Interruptions)

Je vais venir sur les élections municipales, ne vous en faites pas! C'est pourquoi, M. le président, nous dénonçons avec force cette campagne communale au cours des dernières élections générales. Nous connaissons tous ...

(Interruptions)

Il n'est pas là. Pourquoi parler de lui? *Let me talk of other things.* M. le président, malheureusement le ministre David n'est pas là.

(Interruptions)

The Deputy Speaker: Order!

Mr Lesjongard: Il avait fait des comparaisons entre le socialisme et le capitalisme, M. le président. Permettez-moi de citer une observation de Karl Marx sur le socialisme et le capitalisme –

“Socialism presupposed capitalism, in other words (...) that society has to undergo capitalist transformation before the correct conditions for socialism can exist.”

Mr Deputy Speaker, Sir, today, in our country, it is becoming more and more complex to define public policy. As the nation grows and becomes more diverse socially, culturally and economically, the burden falls on Government to deliver policies; and these policies have to be clear and coherent. Firstly, for the nation and secondly, which is most important, for the business community.

Allow me to refer to the statement made by the Deputy Prime Minister and Minister of Finance on 30 August 2005 on – “Setting the Stage for Robust Growth”.

M. le président, cela a été dit un peu plus tôt nous courons vers une catastrophe. Malheureusement, le ministre des Finances n’est pas là. Tout à l’heure je lisais une interview de M. Vishu Lutchmeenaraidoo. Nous connaissons le courage de M. Rama Sithanen, mais je le vois très, très timide en ce moment-çi. Quand on lit son *statement*, on ne sent pas qu’il a compris l’urgence de la situation, mais il est intelligent et je pense qu’il a compris. La question qu’on se pose: est-ce qu’il a les coudées franches? Et c’est là le point le plus important. Je reprends un journal qui avait fait une remarque assez intéressante -

“Aujourd’hui qu’est-ce qui freine, M. Sithanen?”

Vous savez qu’est-ce qui freine, M. Sithanen? Ses collègues! Et tout à l’heure, M. le président, ...

(Interruptions)

The Deputy Speaker: Order!

Mr Lesjongard: When I made mention, Mr Deputy Speaker, Sir, that policies should be clear and coherent, I was referring ...

(Interruptions)

Il faut écouter. When I made reference ...

(Interruptions)

The Deputy Speaker: Hon. Miss Deerpalsing, you should put the decorum of the House, first. Don't you think so?

Mr Lesjongard: *Thank you, Mr Deputy Speaker, Sir. When I made reference to policies and I said that policies should be coherent, laissez-moi prendre des exemples, M. le président, et là je vais faire référence à ce qu'avait dit M. Sithanen sur l'Integrated Resort Scheme à la page 18, paragraphe 143 and I read Mr Deputy Speaker, Sir –*

“Mr Speaker Sir, in our bid to stimulate investment, I should like to clarify our stance on the Integrated Resort Scheme. It is not Government's intention to freeze IRS projects. But as stated in Government Programme, we are reviewing the Scheme. Our aim is to improve the IRS at five levels.”

En s'adressant à la presse, l'actuel Premier ministre, alors le *Leader* de l'opposon, le 26 juillet 2004 au Square Guy Rozemont, avait ceci à dire concernant le *Integrated Resort Scheme* –

“Tout ce que ce gouvernement a fait jusqu'ici a été d'aider les barons sucriers à faire fortune et à faire fortune à travers le Voluntary Retirement Scheme and the Integrated Resort Scheme.”

(Interruptions)

Et il vient ajouter, M. le président, le 13 février 2005 dans une interview à la presse -

“Nous ne voulons pas de villas de luxe avec des ghettos tout autour. C'est inacceptable et dangereux. Il y a déjà plusieurs plages auxquelles on n'a pas accès parce qu'il y aura des IRS à ces endroits.”

(Interruptions)

L'incohérence, M. le président, dans tout cela est ce que le ministre du tourisme, l'honorable Xavier Luc Duval, avait dit le 25 janvier 2005 sur l'*Integrated Resort Scheme*. Je lis –

“(...) and before the PMSD has always played an important role in the economy of the country. We introduced the Permanent Residents Scheme, the Integrated Resort Scheme.”

Alors, l'incohérence et la cerise sur le gâteau, M. le président, vient du ministre des terres et logement. Quand on lui avait posé la question sur le *Integrated Resort Scheme*, voilà ce qu'il a répondu –

“Ce gouvernement n'est pas en faveur de l'apartheid économique tel que prôné par l'ancien régime concernant le *Integrated Resort Scheme*.”

M. le président, voilà ce que j'appellerai de l'incohérence dans la politique de ce gouvernement. Il n'y pas eu que cela, il y a eu le contrôle des prix qui avait été évoqué par le ministre du commerce. Nous savons tous la position du ministre des finances sur le contrôle des prix, M. le président, il se sent gêné. Et il y a aussi eu de l'incohérence dans le secteur de l'informatique et c'est cela que j'appelle, M. le président, de l'incohérence politique, et M. Sithanen sait très bien de quoi je suis en train de parler. Dans le passé il a été le grand argentier. Aujourd'hui il se trouve à la même place et il connaît les enjeux. S'il n'a pas les coudées franches, M. le président, nous allons vers une catastrophe. Quand on lit son *statement* en profondeur, M. le président, que voyons-nous? Que la montagne a accouché d'une souris! Je reprends une formule chère à l'honorable ministre des collectivités locales: "Il ne sert à rien de donner du panadol à un sidéen, M. le président". Il faut un traitement de choc et la population le sait. Ce gouvernement a mis la population sous anesthésie. Le réveil sera dur pour eux, brutal même. Demain il y aura l'augmentation du prix du pain et puis ce sera sur le tarif de l'électricité. Le pire est à venir, M. le président.

(Interruptions)

M. le président, un conseiller financier auprès de la banque mondiale avec son franc parler n'est pas passé par quatre chemins pour le dire. Il prévoit que si on ne fait rien, le pays entrera dans une crise économique dans deux ou trois ans. Le temps presse.

I want to share my views with this House on that phenomenon called globalisation, which has been mentioned earlier. Mr Deputy Speaker, Sir, whether we like it or not, we have to live with the global economy. It is fast

becoming one of the greatest forces that we have to face. *Il est triste de le dire et nous avons connu cela avec le textile quelques temps de cela, maintenant c'est le sucre.*

The end of great protectionist tradition has come, Mr Deputy Speaker, Sir. One important question that we should ask ourselves is whether globalisation is another form of colonisation. It was mentioned earlier that we have a new economic order and we have to respond intelligently to that new economic order.

Permettez-moi de dire quelques mots sur le secteur sucrier qui est en train de vivre les moments les plus noirs de son histoire. Il y a eu une déclaration du ministre de l'agro-industrie, l'honorable Boolell et cela a paru en gros titre - l'Union Européenne nous a laissé tomber. Oui, M. le président, ils nous ont laissé tomber. Il est bien que le Premier ministre écrive à ses amis, M. Tony Blair, M. Chirac. Mais il est trop tard. Il nous faut travailler maintenant, M. le président, et cela doit être du travail sérieux, c'est-à-dire peaufiner. Répondant à la PNQ plus tôt, le ministre a dit qu'il faut peaufiner les mesures d'accompagnement. Mais il faut reprendre ce qui a été dit plus tôt; et là je rends hommage à deux personnes: les anciens ministres Nando Bodha et Pravind Jugnauth. La vision de Pravind Jugnauth, en tant que ministre de l'agriculture a eu....

(Interruptions)

pour le secteur sucrier a été la vision qui nous permet de respirer aujourd'hui. Entre 1995 et 2000 ils auraient dû être courageux et amener des réformes dans l'industrie sucrière, ils n'ont pas pu le faire. Nous avons amené des réformes entre 2000 et 2005, que ce soit le *Voluntary Retirement Scheme*, nous avons pu sauver 8,000 travailleurs de l'industrie sucrière. Et qu'est-ce qu'ils ont eu? De l'argent et près de 1,000 arpents de terrain à être distribués entre eux, M. le président. La même vision a été prise par l'ancien ministre Bodha par la suite et cela nous a permis de faire face aujourd'hui à cette situation dont nous avons à gérer. M. le président, quand nous étions au pouvoir, nous avons énuméré les grandes lignes et c'est ce qu'ils appellent le *road map* sur lequel nous avons déjà travaillé.

Concernant le textile, il y a un récent rapport du FMI intitulé "*Africa in the Doha Round Dealing with Preference Erosion and Beyond*". M. le président, ce rapport souligne que la libéralisation commerciale entraînerait

l'érosion des préférences et fera chuter de 19.6% les exportations de textile en provenance de Maurice. Le rapport mentionne six pays sur le continent africain et on est en première position avec 19,6% de chute et les autres pays sont dans la fourchette de 7,7% et 4,1%, la Cote d'Ivoire, le Maroc, les Seychelles, le Swaziland et la Tunisie. C'est pourquoi, M. le président, la situation qui va évoluer dans les années à venir est très précaire. Il y va de l'avenir de cette population et il nous faut agir très vite. C'est pourquoi je vais demander au gouvernement de continuer la politique du précédent gouvernement concernant le secteur de l'éducation et de la formation. Quand j'entends des commentaires par les membres du gouvernement sur certains sujets, par exemple, laissez moi me référer à un document qui est en train d'être discuté en ce moment ci au niveau de la banque mondiale. C'est un rapport qui date du mois d'août 2005. Voilà ce que ce rapport, M. le président, dit à l'article 4 sur le travail qui a été abattu par l'ancien gouvernement. Permettez moi de lire quelques paragraphes de ce rapport, M. le président, je cite –

'The contraction of the sugar and textile sectors, which have been made the generators of employment, has been a strong factor in the high level of unemployment. It has not been easy for workers, who have been for most of their life employed in one industry, to be trained and to find employment in other sectors. Most of the time, the new jobs do not exist. Nevertheless, the Government is helping with different programmes of retraining as regards the mismatch of skills'

Et là, fait important, M. le président, parce que ce mismatch of skills est fondamental. Je prends un autre document – “Challenges of Sustained Growth for Mauritius”. A la page 55 de ce rapport, il est dit, je cite –

'The length and quality of education in Mauritius fall short of that in many countries in East Asia, especially in the areas of science, maths and computers. The large majority of unemployment is in the categories of semi skilled and unskilled labour. Almost three fourth of the registered unemployed, as of December 2001, have not passed the CPE exams. Consequently, it is almost impossible for many workers as well as for the unemployed to acquire high level skills. The significant investment in education should help to address this issue over the medium term'

That is why, Mr Deputy Speaker, Sir, we have invested massively in education –

“(...) for the more immediate future and in order to meet the needs of the market, the authorities have launched a national programme for the training of five thousand high school graduates in skills related to the needs of the ITC sector”

Nous avons fait cela, M. le président.

‘Attention is also being given to the training of those who have not completed high school education and who are having the most difficult time finding a job, especially training programmes in a number of crafts and professions are being provided. The programme is starting with some 3,000 trainees this year’

Voilà ce que je voulais partager, M. le président, en ce qui concerne le domaine de l’éducation et de la formation parce que nous avons déjà, M.le président, jeté les bases pour un avenir meilleur concernant les enfants de ce pays.

Mr Deputy Speaker, Sir, when we talk of education and training, there is one word that worries me a lot, and it concerns the ICT sector, that is, digital divide. ICT is fast becoming an important pillar of our economy and thanks to the former Prime Ministers, Sir Anerood Jugnauth and Paul Berenger, we also invested massively in that sector. Why I say this worries me, Mr Deputy Speaker, Sir, is that if the social disadvantage of this country continues to occupy an inferior position in society because of the low level of education and the lack of training facilities, their chances of getting basic employment are very slim. Training in the ICT sector is becoming increasingly important for access to the job market. As the current situation stands, Mr Deputy Speaker, Sir, it seems that we are going ahead for a digital divide. Why do I say that? When I read the President’s Address and the document that have been presented in this House by the Minister of Finance, no mention is made regarding that aspect, Mr Deputy Speaker. And yet we all know about those people who might be affected by that digital divide. Their support – may be for this side of the House - is crucial, mostly for the Government side for keeping them in power. We should be very careful about that, Mr Deputy Speaker, Sir.

Let me now, Mr Speaker, Sir, dwell on a subject which interests me a lot. I have been, in the past, the Minister responsible for the housing sector and I would like to say a few words on this sector. Earlier I have talked about exclusion and I believe this is another factor that contributes to exclusion. Lots of questions have been answered in this House regarding the housing sector, and I believe it is time to set the record straight. In a PNQ addressed to the Minister responsible for housing and lands regarding persons who have broken in NHDC houses on the eve of the last general election, this is what he had to say, Mr Deputy Speaker, Sir -

‘Such dramatic situation occurred because the previous Government and the then Prime Minister failed miserably to shoulder their responsibility and failed to take necessary action and measures’

I don’t know whether he was wrongly informed by officers of his Ministry. Allow me to table copy of a letter which was addressed to the Permanent Secretary of the Ministry of Housing on 27th June 2005, that is, the day after people broke in these houses.

‘We wish to inform you that some squatters have illegally occupied the housing blocks on the above sites

(and they mention the sites and they give the dates when those blocks were occupied)

The officers of Camp Levieux Police Station came to site this morning at 8.30 a.m. to request the squatters to vacate the housing units but in view of their hostile attitude, the Policemen left the site quickly.

I have already been in touch with the DCP J. Bruneau at Line Barracks and he informed me that DCP Suroojbally of ADSU, Line Barracks, Port Louis was now in charge of the operation’

On vient dire que rien n'avait été fait par le précédent gouvernement, M. le président. *I am laying this document on the Table of the National Assembly, as I said earlier, to set the record straight.* Quand ce problème a commencé, ce fut un drame, M. le président. Mais en faisant la lecture d'un journal, j'ai

compris certaines choses mieux. Je vais citer une déclaration qui avait été faite quatre jours avant le événements dans ces NHDC *housing estates*. C'est lourd de conséquences, M. le président!

"Ena 21,000 lettres ki pé sorti dépi NHDC kot pou dire banne dimounes le premier juillet vini. Pé faire dimounes croire ki zot pou gagne lacaze. Dans lettre là dire dimounes vini pou ène entrevue, mais seulement, bizin paye Rs100 pou entrevue-là."

Four days later, Mr Deputy Speaker, Sir, those people broke in those housing estates. The sites were visited later by the Bishop of Port Louis, Ministers and also Members from this side of the House.

Si je me rappelle bien, M. le président, il y avait eu une déclaration contre certains de l'autre côté de cette Chambre à l'effet qu'ils avaient incité les gens *to break in those houses*. Je n'entends plus parler de cela maintenant. Mais il y a eu une déclaration du Père Labour qui avait visité un des ces sites. Il avait dit ceci -

"J'ai senti une grande tension, une effervescence. Je suis allé aux renseignements. On m'a fait comprendre qu'une voiture avec des hommes et des armes venaient de quitter les lieux. Les occupants de la voiture cherchaient les trois personnes qui avaient consigné des dépositions à la police contre les politiciens qui avaient donné l'ordre d'occuper illégalement les appartements de la NHNDC pendant la campagne électorale."

Il a expliqué comment il a croisé la voiture avec les auteurs des ces actes d'intimidation. Le vicaire-général souhaite que la police fasse diligence dans cette enquête car le numéro d'immatriculation de la voiture a déjà été communiqué.

"J'ai été témoin de la tension qui était visible chez les réfugiés. De mon point de vue ces agissements portent la signature de ceux qui se sentent responsables. J'espère que la Police fera diligence dans cette enquête." dit-il.

Ce sont les paroles du Père Labour, le vicaire-général du diocèse de Port Louis en date du dimanche 24 juillet 2005.

M. le Président, il y a eu des questions parlementaires sur le relogement de ces *squatters*. Des réponses ont été données. Je prends le cas qui avait été soulevé par deux députés de la circonscription Savanne et Rivière Noire se trouvant de ce côté de la Chambre concernant le relogement de ces personnes abandonnées. Il y a eu un article de presse sur le relogement de ces *squatters* à Bois Marchand. Je suis allé voir pour en savoir plus.

M. le président, ce qui a été fait est ignoble. Je vais expliquer à la Chambre. On a relogé ces personnes dans un endroit qui se trouve à moins de 10 mètres de l'autoroute du nord. Ces personnes n'ont ni électricité ni eau et il n'y a aucune infrastructure. On est en train de créer des ghettos dans ce pays, M. le président, qui causeront des problèmes plus tard. A Karo Kalyptis qui se trouve dans ma circonscription, nous avons bossé dur, M. le président, pour faire partir ces personnes vers des maisons habitables. Allez voir ce qui se passe dans cette région, M. le président? Quand on parle de *squatting*, il est bon de faire référence à ce qui s'est passé. Tout à l'heure, je vais venir sur le *squatting* dans le pays, mais laissez-moi prendre des exemples. On parle d'héritage. Qu'avions-nous hérité en 2000 à Cité Richelieu? Plus de 50 familles avaient pris d'assaut des maisons qui étaient en construction à Richelieu. Mais qu'avons-nous fait? L'honorable Bhagwan n'est pas là. Mais si vous passez devant ces maisons, c'est un bijou. Nous avons aussi relogé ces mêmes personnes dans des maisons dignes, M. le président. Quand on parle de ce qu'a fait ce gouvernement en matière de réhabilitation dans le secteur du logement, nous avons un riche bilan. Laissez-moi prendre comme référence ce qui a été dit dans le *Presidential Address under social housing*. Je cite -

“My Government is committed to creating the necessary conditions for the setting up of decent social housing at a reasonable and affordable cost. This will include adequate planning of living space, basic services and amenities, security and access to transport, shopping facilities and education.”

Mais ces gens à Bois Marchand n'ont pas tout cela, M. le président.

In the President's Address of 1996, it is said –

“Government will propose a “Marshall Plan” to provide pathways out of poverty and deprivation for the poorer sections of our

community. This plan will provide an integrated approach to the development of whole neglected regions with the provisions of special classes for low- performing students, nurseries, pre-primary schools, day-care centres, schools, sports and leisure activities, upgrading of infrastructure and community centres. Priority will be given to the rehabilitation of some 50 CHA housing estates as well as the Dockers Flats through infrastructural works (...)”

M. le président, nous savons tous quel est ce gouvernement qui a relevé les habitants du *Dockers Flat*. Quand le *Leader* de l’Opposition était, que ce soit vice-Premier ministre ou Premier ministre de ce pays, s’est donné corps et âme à réaliser ce que nous avons réalisé dans le secteur du logement. La construction de 1,500 *Firinga-type houses* ont été construits pour les plus démunis de la société. Il y a eu la construction de 1,700 *Exim bank houses* ce qui fait un total de 3,500 maisons. Concernant les *Sites and Services Projects*, M. le président, dans différents endroits de l’île, nous voulions lancer les appels d’offres pour la construction de 2,000 maisons, mais, malheureusement, on a perdu les élections.

Il y a eu d’autres interrogations à l’intérieur de cette Chambre concernant un sujet d’actualité, M. le président. L’ancien gouvernement avait pris des décisions concernant ...

(Interruptions)

... la regularisation des *squatters*.

That decision, Mr Deputy Speaker, Sir, was taken as far back as July 2001 and you will agree with me that since then, we have been able to control squatting in this country. We have inherited 3,000 squatters and we have been able to regularise the situation of 2,149 cases before we left Government.

Des membres viennent de mentionner *la veille élection*, laissez-moi clarifier ce point, ce sont des cas que nous avons hérités à des moments bien précis de notre histoire, hérités à la veille des élections partielles; et je vais mentionner les endroits où nous avons eu des élections partielles.

(Interruptions)

En 2003, nous avons régularisé 273 cas à Vallée Pitôt; 14 cas à Pailles...

(Interruptions)

These figures are correct, Members can go and verify. Anse Jonchée: 51 et à Pointe des Lascars: 52. En 2004 - et je prends à témoin, l'honorable ministre Bachoo - nous avons régularisé 238 cas des squatters à Belle Mare et 12 cas à Vallée Pitot. And do you know when this happened? It was before the by-election in Constituency No. 9. En février 2005, à La Chaux, Mahebourg: 51 cas. En mars 2005: 171 cas à Dubreuil, 28 cas à Cluny, 42 cas à Albion, 5 cas à Vieux Grand Port. En avril 2005, à Vale il y avait 50 cas. And I can go on and on there were cases that were regularised....

The Deputy Speaker: Order! Order!

Mr Lesjongard: ...during the months of June and July. But I wanted to show to the House - and as said by the Minister responsible for that sector in his reply - that this is an ongoing process. We don't start and stop at a particular point in time. It is an ongoing process. These are the very words that were said and used in this House by the Minister responsible for the housing sector. Since we decided, as a Government, that we would regularise the cases of those squatters, we have been working on those cases, but we should understand, Mr Deputy Speaker, Sir, that there are procedures to be followed, before we can regularise the cases of those squatters. We have to survey the site. Then, there are the filling in of a lot of necessary documents - birth certificates, marriage certificates; there is a social enquiry to be carried out, survey work, the preparation of the lay-out. But most importantly, there is a research to be carried out on the land ownership, and this takes time. The first cases were regularised in 2003.

There is another subject which is of utmost importance, Mr Deputy Speaker, Sir.

I won't be long. Let me say a few words.

(Interruptions)

No society is crime free, but when their statistics escalate, it becomes a matter of grave concern for the public, especially for a silent majority. Paragraphs 17 and 21 of the President's Address talk a lot about law and

order in this country. But, Mr Deputy Speaker, Sir, we all know that when we talk of law and order, the situation has not improved. This is a very serious situation.

(Interruptions)

We know that in 1995 when they were in power, what the situation of law and order was in this country. Il y avait l'escadron de la mort, les émeutes de 1999, l'incident de l'Amicale de Port Louis and there were also the escape of five hardened criminals from this country.

(Interruptions)

We should take this very seriously, parce que quand on parle du tourisme, il est important que l'ordre et la paix règnent dans le pays.

(Interruptions)

Mr Deputy Speaker, Sir, they want me to talk about solid waste management. In this very House, the then Leader of the Opposition, now Prime Minister, asked for a Commission of Enquiry and that Commission was accepted. They all had the chance to go and depone, be it officers, politicians, people from all walks of life.

(Interruptions)

The hon. Member had the chance to depone; he deponed and we know the outcome of that Commission of Enquiry. A few weeks ago, we asked that a Commission of Enquiry on the allocation of contract for security services in this country be set up. We were told, Mr Deputy Speaker, Sir, that there is a Fact Finding Committee...

(Interruptions)

If they want transparency, if they want things to go the way they have to be in this country they should set up the Commission of Enquiry! We set up two Commissions of Enquiry, one on Mare Chicose and the other one on the portique at the port...

(Interruptions)

They had the chance to depone!

(Interruptions)

We all know the findings of that Commission of Enquiry. This is what I had to say, Mr Deputy Speaker, Sir.

Let me now come to another sector where I feel people are suffering. We are all talking of the seafood hub. True it is, that the hub can become a pillar of our economy. But, earlier on, we did hear from the Minister responsible for Agro Industry of *les dangers qui guettent ce secteur*.

(Interruptions)

C'est vrai qu'il y a des dangers qui nous guettent et il nous faut les combattre. Mais je le dis, à cette Chambre, c'est un secteur d'avenir. Nous avons consacré beaucoup de temps à convaincre ceux qui sont dans ce secteur.

(Interruptions)

Pas seulement le secteur privé, mais les acteurs de ce secteur, les pêcheurs. Aujourd'hui, je n'entends plus parler des pêcheurs. Est-ce que ces pêcheurs existent aujourd'hui? Do you realise that we have about 200 bank fishermen qui ne sont pas partis pour la campagne de pêche qui doit se terminer avant les fêtes de fin d'année? M. le président, le gouvernement a donné son aval aux opérateurs de ce secteur pour aller recruter à Madagascar, au lieu de recruter nos pêcheurs à l'île Maurice.

(Interruptions)

Oui, mais des gens sont en train de crever de faim dans ce pays, M. le président!

(Interruptions)

Certains ne pourront même pas passer la Noël ou le Nouvel An....

(Interruptions)

C'est cela leur politique, M. le président, *Putting People First!* C'est triste de le dire. Ces personnes ont dû venir manifester devant l'Hôtel du Gouvernement quelques semaines de cela.

(Interruptions)

La vérité fait mal, M. le président! Ceux qui prônent une politique d'aider les plus démunis de cette société font du tort, aujourd'hui, à ces malheureux pêcheurs, M. le président! Comment pouvons-nous démarrer le secteur de seafood hub si nous n'avons pas de pêcheurs avec nous? Qui sont ceux qui vont faire fleurir ce secteur à l'île Maurice...

(Interruptions)

Il n'y a pas que le secteur privé.

The Deputy Speaker: Order!

Mr Lesjongard: Il faut qu'il y ait des pêcheurs aussi. Ils ont fait fleurir ce secteur depuis la nuit des temps. Regardez un peu dans leur direction, eux qui prônent une politique pour les plus démunis de notre société! Eux qui disent dans le *President's Address, let us put people first! At the eve of Christmas, at the eve of the New Year, put these people first!*

M. le président, je vais terminer avec un secteur qui est très important pour le développement de ce pays. D'ailleurs, le ministre des finances l'a, lui-même, dit. C'est le secteur concernant les petites et moyennes entreprises. The work that we have done up to now, especially by the former Deputy Prime Minister and Minister of Finance - les mesures énoncées dans son dernier budget, concernant ceux qui opèrent dans ce secteur - must continue.

(Interruptions)

Mais c'est une bonne chose que, dans son *statement*, le ministre Sithanen fait la part des choses concernant les petites et moyennes entreprises. Nous constatons que c'est aussi un secteur d'avenir, mais qu'il faut créer un environnement nécessaire. Quand on était au pouvoir, nous avons passé une loi, regroupant la SMIDO et la NHPA, donnant une définition à ces entreprises et créant l'environnement nécessaire pour que les entreprises puissent évoluer correctement. Et là aussi, je constate que dans le secteur des petites et moyennes entreprises, il y a un secteur que le gouvernement oublie.

(Interruptions)

Peut-être que le ministre qui a ce portefeuille se retrouve avec trop de responsabilités et ne peut pas accorder l'attention nécessaire aux artisans de notre pays...

(Interruptions)

Cela concerne aussi l'honorable Xavier Duval, parce que l'artisanat est très important pour le secteur touristique. Mais, malheureusement, encore une fois, qui sont ces artisans? Ceux qui se retrouvent au bas de l'échelle dans divers endroits de notre pays. Il les ont oubliés. Je ne comprends pas comment dans leur discours-programme *you put, not in bold letters, but in golden letters "Putting People First"*, et ils ont oublié ces malheureux, qui gagnent leur vie en faisant de l'artisanat ou autres choses. Ils les ont oubliés complètement. Et, M. le président, ils se gargarisent pour venir épater la Chambre; et je l'ai dit un peu plus tôt que je comprends bien la position de ceux qui sont de l'autre côté de cette Chambre.

Je vais reprendre ce que j'avais dit en guise d'introduction et cela a été dit par le *Leader* de l'opposition dans sa PNQ cet après-midi. Nous avons, en politique, des gens qui nous aident, qui travaillent pour les partis politiques; et chaque mardi, nous voyons un bal incessant - que ce soit de ce côté de la Chambre ou de l'autre côté - des gens qui viennent nous dire qu'ils ont travaillé pour nous, c'est l'heure de la récompense. Et je comprends la remarque du Premier ministre concernant les *rodères boute*. Je suis un politicien, on arrive difficilement à différencier ceux qui sont des *rodères boute* et ceux qui ne le sont pas. Mais quand on regarde les nominations qu'on a vues...

(Interruptions)

Il faut analyser les nominations parce que ces nominations sont souvent des sources de frictions; et certains de l'autre côté de la Chambre, savent très bien de quoi je parle.

(Interruptions)

Non, je ne parle pas de nominations lointaines; je parle des récentes nominations. L'honorable Duval et l'honorable Bachoo savent de quoi je parle. Comme je disais, il faudra rendre des comptes à tous ces activistes qui travaillent pour les partis politiques. Ils ont les rênes de ce pays entre

leurs mains; le peuple sait ce qu'il a fait, mais on sent une certaine déception. Ils parlent de *feel-good factor* à l'intérieur de cette Chambre; nous nous entendons de *feel-bad factor* à l'extérieur de cette Chambre, *out there*, comme disait l'honorable Boolell. On commence à sentir une certaine déception. Ils ont tellement promis. *Expectation is very high out there*. Je leur souhaite bonne chance. Mais les réalités ne se trouvent pas à l'intérieur de cette Chambre. *And time will tell, Mr Deputy Speaker, Sir*, s'ils vont être à la hauteur de cette responsabilité envers le peuple et à travers ce peuple, nos enfants, parce qu'il y va de l'avenir de nos enfants. Dans quelque temps, est-ce qu'ils vont pouvoir - je prends une phrase prononcée par un précédent orateur - *deliver because* le peuple vous surveille.

Merci, M. le président.

