

Truth and Justice Commission and Reparations: Mauritius' Unfinished Journey Towards Restorative Justice

THE UNESCO established August 23 as the International Day for the Remembrance of the Slave Trade and its abolition honouring the men and women in Saint-Domingue, Haiti, who rose up against slavery and the cruelty it imposed. They paved the way for the abolition of the trans-Atlantic slave trade.¹ In the words of Audrey Azoulay, UNESCO Director General, it was a day "to remember the victims and freedom fighters of the past so that they may inspire future generations to build just societies".

The Caribbean Community established the CARICOM Reparations Commission (CRC) with a view to seeking reparatory justice for the people of indigenous and African origins whose ancestors were victims of crimes against humanity, particularly the slave trade. The CRC believes that colonisation has been a massive source of crimes against humanity and there should be reparations for the wrongs which have been done. They chose October 12 to commemorate the International Day for Reparations, advocating a comprehensive 10-point reparation programme, including official apologies, debt cancellation and technology transfer from former colonial powers.

Why Does this Matter to Mauritius?

Mauritius, like its Caribbean counterparts, bears the deep scars of slavery and indentured labour. Between 1715 and 1835, over 63,821² enslaved people, primarily from Madagascar and East Africa, laboured on sugar plantations in brutal conditions. Following the abolition of slavery in 1835, colonial authorities are believed to have imported over 450,000 indentured labourers, mainly from India, perpetuating the exploitative labour systems.³ This history created lasting inequalities that persist today.

Mauritius' Pioneering Truth and Justice Commission

In response to these enduring inequalities particularly highlighted during the 1999 social unrest, Mauritius established the Truth and Justice Commission (TJC) in 2009 under the Truth and Justice Commission Act 2008. This commission was unprecedented globally – the world's first truth commission specifically dedicated to investigating the legacy of slavery and indentured labour.

Unlike traditional truth commissions that examine recent political violence over short timeframes, the Mauritian TJC possessed a unique mandate covering 373 years of history (1638-2011). Chaired by Alex Boraine, former deputy chair of South Africa's Truth and Reconciliation Commission, alongside four Mauritian commissioners, the TJC was tasked with investigating the consequences of slavery and indenture, determining appropriate reparative measures for descendants and examining land dispossession claims.

After two years of investigations, the Commission published a comprehensive six-volume report in 2011 (out of which only four volumes were made public), containing 290 specific recommendations across multiple areas including official apologies, land restitution, financial compensation, educational reform and anti-discrimination measures.



by Satyajit BOOLELL SC

The Hard Truths Revealed

The TJC report exposed uncomfortable realities about the Mauritian society that many preferred to ignore. It concluded that beneath the «rainbow nation» facade, Mauritius remains a deeply stratified society where racial hierarchy persists. The Commission documented how colonial exploitation created enduring patterns of exclusion, with descendants of slaves systematically marginalised in employment, education and political representation.

Regarding land rights, the Commission identified 224 cases of dispossession, with 42 presenting sufficient evidence for restitution claims. These findings revealed how colonial land policies systematically excluded slave descendants from property ownership, concentrating wealth among descendants of colonisers and creating contemporary inequalities in asset accumulation.

The need for reparation

In light of the gross violations of human rights perpetrated on slaves, Mauritius has a duty to make amends and provide reparation, in line with international law.⁴ Reparation is not about digging graves and reviving the dead or asking for forgiveness. Reparation involves a real commitment to addressing the deep structural inequalities and social exclusion which persist as direct legacies of slavery and colonialism,⁵ disproportionately affecting the descendants of the slaves, the Creole population. The TJC is a critical starting point because it established the factual record, officially acknowledged historical injustices and provided the foundation for future reparative policies – even if those policies have not yet been fully implemented.

International Context and Support

Mauritius' experience occurs within a broader global movement for slavery reparations. The African Union's theme of the year 2025 is "Justice for Africans and people of African descent through reparations" following the Accra Proclamation on Reparations in 2023, where the African Union committed to advancing the cause of reparatory justice and healing for Africans and for all people of African descent by taking action in social, cultural, political and economic areas.⁶ CARICOM's advocacy towards former colonial powers provides models for international cooperation that Mauritius could adapt. The Caribbean experience is particularly relevant given similar co-

lonial histories and contemporary challenges. However, unlike CARICOM's focus on external claims against former colonial powers, Mauritius must primarily address internal reparations to its own citizens.

The Path Forward

Implementing TJC recommendations requires sustained political will that has been conspicuously absent. An inter-ministerial committee was established to review the implementation of the recommendations⁷ but it is not clear what the outcome was. The truth is that political parties show little interest in championing measures that might challenge existing power structures.

Success requires comprehensive legislative reform, including a dedicated Reparations Act establishing binding implementation mechanisms, constitutional amendments recognising reparative rights, and independent institutions with enforcement powers. International support through African Union technical assistance and United Nations oversight could provide additional momentum.

Most importantly, affected communities must have central roles in designing and implementing reparative programmes which would meet their needs rather than remaining passive recipients of elite-designed policies.

Conclusion

Fifty-nine years after independence, Mauritius continues to grapple with its colonial past that divides rather than unites its people. The TJC provided a roadmap for transformation but its implementation requires the courage to confront uncomfortable truths about power, privilege and historical responsibility.

Reparations are not about dwelling in the past but about building an inclusive future where all Mauritians can thrive regardless of their ancestral origins. The question remains whether contemporary Mauritius possesses the political will to fulfill the promises made to those whose ancestors built the nation's prosperity but were denied its benefits.

The time for half-measures and symbolic gestures has passed. True reparative justice demands comprehensive action that addresses both historical wrongs and contemporary inequalities. Only then can Mauritius genuinely claim to be the rainbow nation it aspires to be.

1. <https://caricomreparations.org>
2. Truth and Justice Commission report, Volume I, page 61
3. Truth and Justice Commission report, Volume I, page 154
4. Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and racial intolerance, para. 29 <https://docs.un.org/en/a/74/321>
5. Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and racial intolerance, para. 7-9 <https://docs.un.org/en/a/74/321>
6. <https://au.int/en/decisions/accra-proclamation-reparations>
7. <https://www.ohchr.org/sites/default/files/Documents/Issues/Truth/CallLegacyColonialism/CSO/International-Observatory-Human-Rights.pdf>

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NATIONAL HUMAN RIGHTS COMMISSION

— Dignity for all —

POINT OF VIEW

The Right to Say 'I Do'

THEY share a home, split bills, plan holidays and care for each other in sickness and in health. They are a couple in every sense of the word. They love, trust and are committed to each other. Yet, from the comfort of our lounges, we sit and debate their life as if it were an abstract idea, arrogantly deciding for them whether they should be entitled to seal their partnership with marriage or remain legal strangers.

This is the reality for countless same-sex couples in, thankfully, fewer and fewer countries. Their love and commitment may not be different but when it comes to recognition under the law, their relationship is treated as something society feels allowed to question. The debate is not about abstract principles. It is about real people whose lives are being diminished by a refusal to grant them the recognition and dignity that everyone else has.

We often turn to the shield of tradition to justify our prejudice, as though tradition were an unbreakable law written into the fabric of humanity. It isn't. Tradition has always shifted with time, culture and the growth of human conscience. Not so long ago, it was considered "tradition" to deny women the right to vote, to prevent them from owning property and to keep them out of universities and workplaces. Equally, interracial marriages were forbidden, treated as unnatural or even dangerous to the social order. For centuries, slavery was also defended as part of the 'natural order'. Today, those practices are considered human rights violations.

Others invoke religion. Faith is deeply personal and deserves respect, but it cannot dictate civil law in a democracy. No one is asking religious institutions to perform ceremonies against their beliefs. What same-sex couples are seeking is civil recognition, a secular marriage contract that confers legal rights and protections. That is all.

The most insidious argument, however, is the claim that same-sex marriage threatens the family. What could possibly threaten the family more than instability, exclusion and inequality? Two people committing to love, care and responsibility can only strengthen the very foundation of society. Studies from countries where marriage equality is law show no collapse of family life, no erosion of values but rather greater inclusion and security.

The debate about same-sex marriage, at its core, is about one important thing: dignity. To deny that to same-sex couples is to say their love is somehow second-class. It is against human rights.

Religion and true tradition are not about clinging to old exclusions but about carrying forward the values that ennoble us: love, loyalty, dignity and justice. Denying marriage to same-sex couples betrays those very values. It traps us in the past, when the arc of history calls us towards greater equality. We will one day look back on these debates with disbelief, wondering how we ever justified treating love between any two people as something that needed our approval.

At the end of the day, the question before us is about one single issue: whether we uphold the principles of equality, dignity and fairness for all that we claim to value. If we do, then everyone should have the right to say 'I do'!



by Touria PRAYAG

Le mariage homosexuel expliqué aux enfants



• **Preeti** : Maman, l'autre jour j'ai vu Monsieur Julien et Monsieur Karim se tenir la main et rire ensemble. Et puis j'ai entendu quelqu'un dire qu'ils ne pouvaient pas se marier... pourquoi ?

• **Maman** : Ah, ma chérie... certaines personnes pensent encore que le mariage ne doit être qu'entre un homme et une femme. Mais ce n'est plus vrai aujourd'hui. L'amour, Preeti, ce n'est pas une question de garçon ou de fille. Ce qui compte, c'est que deux personnes s'aiment, se respectent et veulent partager leur vie.

• **Tom** : Donc, ils font la même chose que nous, papa et maman ?

• **Maman** : Oui, Tom. Pensez à tout ce que nous faisons ensemble : cuisiner le soir, fêter les anniversaires, partir en vacances, se soutenir quand on est malade ou triste. Tous les couples partagent ces moments. Monsieur Julien et Monsieur Karim vivent exactement la même chose, même s'ils sont deux hommes.

• **Preeti** : Et s'ils veulent avoir des enfants ?

• **Maman** : Ils peuvent adopter ou avoir des enfants biologiques. Ce qui compte, c'est que l'enfant soit entouré d'amour et de soins, pas le genre de ses parents. L'amour et la sécurité d'une famille ne dépendent pas de qui sont les parents, mais de l'attention et du respect qu'ils donnent.

• **Tom** : Mais maman, pourquoi certaines personnes sont encore contre ?

• **Maman** : Parce que certains ont grandi avec des idées anciennes. Ils pensent que l'amour entre deux hommes ou deux femmes n'est pas "normal", simplement parce qu'elles ne l'ont pas vu autour d'elles. Mais beaucoup de gens apprennent à comprendre que l'amour n'a pas de limite et que tous les

couples méritent le respect et le droit de se marier.

• **Preeti** : Alors, le mariage pour eux, c'est juste pour montrer qu'on reconnaît leur amour ?

• **Maman** : Exactement, ma chérie. Le mariage donne des droits et de la protection, mais il montre aussi quelque chose d'important : que leur amour est digne de respect. C'est une façon pour la société de dire : "Votre amour compte, et vous avez le droit de le célébrer."

• **Tom** : Comme papa et maman, donc ?

• **Maman** : Oui, Tom. Tout couple qui s'aime et qui veut passer sa vie ensemble mérite d'être reconnu de la même façon. Peu importe qu'ils soient deux hommes, deux femmes ou un homme et une femme.

• **Preeti** : Moi, je trouve ça juste. Si on aime quelqu'un et qu'on veut rester avec lui pour toujours, on devrait pouvoir le dire et le montrer à tout le monde.

• **Maman** : C'est exactement ça, Preeti. L'amour est la même chose pour tous, et chacun mérite d'être heureux et respecté pour ce qu'il est et pour qui il aime.

• **Tom** : Je comprends mieux maintenant. Et ça veut dire que même si certaines personnes ne sont pas d'accord, la loi et la société peuvent protéger leur amour.

• **Maman** : Oui, Tom. Et c'est ça l'important : que tout le monde puisse vivre son amour avec dignité et liberté.

Par T.P.

REGARDS CROISÉS SUR LES DROITS HUMAINS DES PERSONNES LGBT DÉTENUES À MAURICE

LES personnes LGBT détenues à Maurice vivent souvent une réalité encore plus dure que les autres membres de la communauté LGBT. Dans le cadre de nos visites régulières dans les prisons mauriciennes, nous avons rencontré des détenu(e)s LGBT qui témoignent de leur isolement, du rejet, du manque d'écoute et parfois de l'insécurité permanente. Être différent en détention, c'est souvent être exposé, stigmatisé, mis à l'écart – voire puni en silence.

Un détenu homosexuel m'a déjà confié : «En prison, j'ai peur à chaque instant : montrer qui je suis, c'est m'exposer à des coups, à des humiliations... La peur de la dénonciation est constante !». Le rapport du Rapporteur spécial des Nations Unies sur la torture met en lumière que les membres des minorités sexuelles en détention sont souvent victimes de violence physique, psychologique, harcèlement verbal et humiliations de la part des autres détenus mais aussi parfois du personnel pénitentiaire. Certains sont placés en isolement dit «protecteur», mais les conditions y sont parfois encore plus rudes. Le droit à la dignité, à la santé mentale, au respect : ces droits fondamentaux sont souvent bafoués au nom d'une supposée sécurité.

Pourtant, Les Règles Mandela adoptées par les Nations Unies sont les détenus, sans discrimination, doivent être traités avec respect, dignité et dans le respect de leur identité. Maurice, en tant qu'État membre des Nations Unies, a le devoir moral et juridique de garantir ces droits, même – et surtout – en prison.



Au sein de la Human Rights Commission, nous poursuivons nos efforts pour que les personnes LGBT détenues ne soient pas oubliées. Cela passe par des recommandations claires aux autorités pénitentiaires, mais aussi par une volonté d'éducation de la population mauricienne. Nos visites dans les établissements pénitentiaires soulignent l'importance d'adopter une approche systémique : il ne suffit pas d'intervenir ponctuellement, il faut intégrer la question LGBT dans les politiques générales de gestion des prisons, dans la formation continue des officiers et dans les mécanismes de prévention de la torture et des mauvais traitements.

Le changement de regard est une nécessité : ce n'est pas l'orientation sexuelle ou l'identité de genre qui définit la valeur d'un individu, mais notre capacité collective à reconnaître et protéger sa dignité.

Je reste convaincu que l'humanité ne se divise pas. Être LGBT ne devrait jamais être un facteur de souffrance, encore moins en détention. Nous avons tous, en tant que citoyens, professionnels, institutions, le devoir de reconnaître la douleur de l'autre et d'y répondre par la justice, la solidarité et le respect.

Les murs des prisons ne doivent pas cacher les injustices. Ils doivent au contraire nous rappeler que la grandeur d'une société ne se mesure non seulement en se conformant aux standards internationaux mais surtout à la manière dont elle traite ses plus vulnérables.

GENOCIDE

Never Again

THE words "Never Again" were meant to be a solemn vow, a promise etched in the global conscience after the horrors of the Second World War. Yet, a recent UN report on the situation in Gaza, which called on the Israeli government to end acts of genocide, confirms what many fear: the promise has been shattered, not once, but repeatedly. Never again the world said. Yet, similar atrocities were committed in Bosnia, Rwanda, Cambodia, Myanmar, Syria and, more recently, Gaza.

The dictionary meaning of genocide is the killing a people such as an ethnic or religious group. This is what was actually taking place in Gaza and this is what took place during the Second World War to exterminate the Jews. It was also the case in Rwanda when there was a mass murder of the Tutsis in 1994.

For nations like Mauritius, which acceded to the Convention on the Prevention and Punishment of the Crime of Genocide in 2019, the legal commitment is clear. The treaty's text is comprehensive, extending the

definition of genocide beyond direct killing to include acts like inflicting serious harm and preventing births aimed at destroying a group. But the legal language can feel distant and complex when confronted with the raw reality of suffering. The meaning of the word "destroy", the degree of the atrocity committed and the number of persons involved give rise to various interpretations. Similarly, the convention opens the door to accusations of genocide against governments if their officials inflict serious bodily harm or mental harm on members of ethnic minorities.

As we celebrate the African Human Rights Day to mark the adoption of the African charter on human rights, we should remind ourselves of the Rwanda genocide. It happened in April 1994 and is considered to be among the fastest mass killing in history, the mass murder of about 500,000 Tutsis in one hundred days. It was a tribal conflict where neighbours hacked neighbours to death under the very nose of the United Nations



by Satyajit BOOLELL SC

peacekeeping forces in Rwanda. The world stood by and watched, as we have witnessed recently with Gaza.

Today, the nightmare continues in other parts of the world, and to the global powers it has become fertile ground for a geopolitical game as resolutions after resolutions for peace are vetoed in the Security Council. These political games turn human suffering into a bargaining chip, continuing a cycle of impunity and tragedy. The continued nightmare in various parts of the world suggests that for many, "Never Again" has become an empty phrase, its meaning hollowed out by repeated failures to act.

Moazzam Begg, former Guantanamo prison detainee, briefs NHRC on conditions prevailing in US special security prison



by Jean Marie RICHARD

ON the 31st of January 2002, he was abducted in Pakistan to be detained for one year in Bagram Prison before being transferred to Guantanamo, the special security prison amidst a US base on the island of Cuba. He shared with us his experience, stating that his kidnapping had been organised by the CIA, assisted by Pakistani Special Forces. In Bagram, he de visu witnessed the beating up to death of two inmates by US military.

Thereafter, transferred to Guantanamo, where the humiliations and ill-treatment persisted for two years, enduring physical and verbal abuse intimidation and solitary confinement in windowless cells, with no contact with the family, no formal charge and no access to lawyers. Being a British citizen, he was finally released with no case to answer after two years. This experience of Guantanamo spurred his desire to engage in worldwide advocacy in favour of political detainees such as Dr Aafia Siddiqui and Abu Zubaydah, who is believed to have been among them. He has been held in Guantanamo without charge for 22 years.

He since travels the world to hold conferences, participate in documentaries and forums denouncing the violation of fundamental rights of people incarcerated and tortured by the same states which present themselves as beacons of democracy, freedom of opinion and champions of human

CAGE International's Senior Director, Moazzam Begg, paid a courtesy call to the National Human Rights Commission (NHRC) headquarters, Ebene Heights, Cyber City Ebene, on his very first day of an informative tour in Mauritius hosted by FLAG NGO. Begg, who was involved in humanitarian work, namely the creation of schools for boys and girls in Afghanistan and also the creation of fresh water wells, had to seek refuge in Pakistan following a bounty of USD 5,000 promised by special services in relation to foreigners working in the country following the take over by Taliban.

rights. Moazzam Begg affirms: "The respective US administrations have, with Guantanamo, generated so many own goals that they have become a moral and political disaster wherein people have been imprisoned for the last 23 years without being formally charged or presented to a court of justice."

During his conversation with the NHRC and investigators, Begg further addressed events on the Gaza genocide and Israel's apartheid occupation of Palestine. He also evoked the UK's recent conditional transfer of sovereignty of the Chagos Archipelago back to Mauritius. Mauritius was forced to 'sell' the islands to Britain in exchange for independence in 1968. The May 2025 transfer, however, excludes the strategically positioned island of Diego Garcia, which houses a US military base that was a central node in the CIA's top-secret rendition and torture programme. The UK will now 'lease' the island for another 99 years, with the base remaining in place.

The CAGE International Senior Director said: "One recurrent question was the role of the British and US governments in the use of Diego Garcia in the CIA torture programme during the War on Terror. Former British Foreign Secretary, Jack Straw, infamously,



MOAZZAM BEGG

once stated that believing the island was used for US rendition flights was a "wild conspiracy theory". That was until CIA Director, Mark Hayden, confirmed the use of the island for rendition stopover flights. Lawrence Wilkerson, chief of staff to the former US Secretary of State Colin Powell, confirmed prisoners were held and interrogated there. Palestinian detainee Abu Zubaydah is believed to have been among them. He's been held without charge for 22 years in Guantanamo. During his tour of the island, Moazzam Begg held conferences on the plight of Palestinians together with the necessity to close Guantanamo.

■ ABOUT CAGE INTERNATIONAL

CAGE International has evolved alongside the changing nature of the war on terror. Established in 2003 as Cage-Prisoners, it became one of the most reliable sources of information on the status and whereabouts of prisoners seized under the war on terror, for their families, lawyers, as well as press and academics.

In 2013, Cage-Prisoners became CAGE International in response to a broader remit of confronting other rule of law abuses taking place under the UK counter-terrorism strategy. CAGE International was the first to reveal the core injustices of the UK's counter-extremism strategy, Prevent, and it continuously confronted broader harmful narratives, laws and policies of the war on terror through reportage, media engagement and legal action.

Twenty years on, its unique approach, combining community-based support and advice with a keen eye on current law, policy developments and knowledge of their on-the-ground impact, means that their campaigns and actions are strong, authentic and often successful. Now, they offer advice and support in diverse civil society responses to the harmful war on terror laws and policies around the world.

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POINT OF VIEW

When Euphemisms Kill

WE hesitated to dampen the sense of relief that swept through Palestine at the announcement of the war's end. After years of unrelenting devastation, people returned to what remains of their homes; to streets they can no longer recognise; to the haunting silence of absence; to decomposed bodies lying beneath the rubble of what were once homes; to the agonising memories of dear ones who once dreamed, built and loved.

The images that emerged from Gaza were not scenes of victory; they were the ruins of endurance. Families sifted through the dust, seeking any trace of the world they knew. Children who survived played beside the remnants of schools, their laughter mingling with the cries of those searching for missing relatives. Hospitals operated amid wreckage and the air was heavy with the smell of dust, smoke and loss.

Survival for Palestinians is their way of resisting. It is the stubborn belief that a people so often written off can still rise. Built into that belief is a defiant hope that insists on seeing humanity where others see rubble; that listens for laughter amid ruins; that believes dignity can be reclaimed even after everything has been taken. Hope that stands among the ruins and still chooses to rebuild. It is the quiet, rebellious hope of those who refuse to be erased; who plant olive trees where craters once were and teach their children words of peace though they were born into war.

Such hope is both an act of remembrance and of resistance, and a promise that the story of Palestine will not end in silence but in renewal.

We would like to share in that hope, particularly in a world growing accustomed to despair. However, the recent bombardments of Palestinians and their land have shattered whatever illusion of calm the "end of war" had offered. There remains no roadmap for peace and no binding commitment from the powers that fuelled and tolerated this destruction. The so-called cessation of hostilities was merely a pause in a cycle of violence – a fragile interval now broken once more by airstrikes, mourning and unburied dead.

The semblance of peace promised to Palestinians has proven to be an illusion, more like a convenient fiction meant to placate public opinion while despair deepens on the ground.

Peace cannot be declared; it must be built. And it begins with the courage to call war crimes by their name, not to cloak them in the language of diplomacy. Words are not harmless; they shape what we see, feel and, ultimately, allow. When the bombing of homes becomes a "security measure", the slaughter of children is called "collateral damage" and the erasure of a people is described as "self-defence" instead of genocide, language itself becomes a weapon that cleanses conscience and conceals crime.

To soften the language is to soften the crime. Euphemisms numb the world into indifference. They allow horror to continue. They kill twice: first the body, then the truth. And without truth, there can be no justice; without justice, no peace.

Peace begins with the refusal to lie. It begins with witnesses who will not look away, with voices that will not be silenced by diplomacy or decorum. Only through truth can justice take root, and only through justice can peace endure. The soil of Palestine, soaked in both unimaginable grief and indomitable courage, may one day blossom again but only if we dare to speak plainly of the horror buried beneath it.

The world cannot remain silent. It must acknowledge the truth, demand accountability and support the rebuilding of lives and communities. It must ensure that Palestinians are granted their full rights, dignity and sovereignty and that those responsible for war crimes are held to account. Only then can hope itself transform from the hope of survival into the hope of lasting peace.

African Human Rights Day

AFRICAN Human Rights Day, observed each year on 21 October, marks the adoption of the African Charter on Human and Peoples' Rights in 1981. This landmark instrument, often called the Banjul Charter, set out a uniquely African vision of human dignity, rooted in community, solidarity and justice.

The Charter affirmed that every individual has the right to life, equality and freedom from discrimination, while also recognising collective rights such as the right of peoples to self-determination and development. This dual focus distinguishes it from other regional human rights frameworks.

African Human Rights Day is therefore not only a commemoration but also a call to action. It reminds states of their obligation to protect citizens' rights, and to strengthen democratic institutions and the rule of law.

Above all, the day celebrates



the resilience of African peoples in their ongoing quest for freedom, dignity and shared humanity across the continent.

In Mauritius, this year's commemoration of African Human Rights Day offers a moment for reflection and renewal. As a proud member of the African Union, Mauritius continues to uphold the principles of the African Charter by promoting

democracy, equality and social justice. Yet, the occasion also invites deeper engagement with issues such as migrant workers' rights, equality and access to justice for all. Strengthening these rights will ensure that the spirit of the Banjul Charter remains alive not only in law, but in the daily lives of all Mauritians.

T. P.

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Actualité

Professor Tarun Khaitan

Interview



Let's start with the broad agenda of constitutional reform, what are the main issues regarding Mauritius that we need to tackle?

My understanding is that there are four main issues with constitutional reform in Mauritius. Now, everything I say is with the caveat that I don't understand the context particularly well. I'm a student of Mauritius for all of one week at most. So take everything I say about you and your country with a pinch of salt.

No, I won't because what you're going to say will be based on your research on constitutional reforms in other countries. Of course.

There are things in common with other countries, aren't there? Like one of the most dividing issues here: the Best Loser System (BLS).

I've been teaching the BLS of Mauritius for a few years at LSE in my course on Constitutionalism in the Global South. And the BLS can be seen as part of a family of very common constitutional mechanisms that deeply divided the societies that adopted it. What do I mean by a deeply divided society? A society in which certain ethnic divisions, whether of religion, caste, race or language are so important that they end up having an impact on how people vote and on what the political system looks like.

So, ethnic divisions become political in character...

Indeed! And with those deep divisions, in a democracy, minority ethnic groups fear that under a majoritarian process, they will be locked out of political power, that they will basically become permanent losers of the electoral system.

Are those fears justified?

Yes. In most cases, they are justified because in a pluralist country where people have different ethnicities, though these ethnicities are not politically salient, you can be a minority and still vote in shifting coalitions, as long as those political coalitions don't track ethnic identities. But when ethnicities matter politically, then the fears of a political knockout are genuine. So the kind of mechanisms that countries tend to adopt are broadly a political insurance.

By the constitution makers?

Yes. The constitution makers give an insurance policy to the minority groups that go along these lines: 'We are guaranteeing a modicum of power sharing to you. Democracy will not overwhelm you'. This can take multiple forms.

The BLS in our case is one of them. What other forms of 'insurance policy' are there?

Several. Northern Ireland, for example, has a community veto system. In Lebanon, you had a system where different communities took turns to hold the presidency. In some countries, the Deputy Prime Minister or President has to be from a different community from the current President.

Coming back to Mauritius' BLS, you do know why it is controversial, don't you?

Yes. What I understand is there are two distinct problems. One is a specific problem that has to do with its design: it gives political insurance to some ethnic minorities but not others, in particular, the Creole community. People with African ancestry feel that being included in the general category in the BLS does not ensure adequate or fair representation for them. Now that is, at least theoretically, a problem that can be easily solved.

How?

By creating a distinctive Creole category.

As Mauritius embarks on an important national conversation around electoral reform, the University of Mauritius, in collaboration with the Mauritius LSE Society Trust Fund, the National Human Rights Commission and the UoM Law Society and Alumni, hosted a timely public lecture and panel discussion on "Constitutionalism in Mauritius" this week. We took the opportunity to interview the keynote speaker, Professor Tarun Khaitan, Chair of Public Law at the London School of Economics and Political Science, an eminent scholar whose work on constitutionalism has shaped debates well beyond the United Kingdom. In this interview, Professor Khaitan reflects on the principles that underpin a resilient constitutional order, the lessons Mauritius can draw from comparative experiences and how reforms can best safeguard both fairness in representation and the integrity of democratic institutions.

Interview by Touria PRAYAG

Rethinking Representation: Electoral Reform in Mauritius

So, instead of four, we have five categories, right? But the more serious problem is that while this kind of ethnicity-based power sharing guarantees a political insurance to the minority, doesn't it also entrench these ethnic identities by baking them into the system?

The way around that is through a voting system similar to the one Australia has been using for a very long time and which increasingly other countries like the United States are adopting. It's called the Ranked Choice Vote (RCV).

How does that work in concrete terms?

Let me just explain what the RCV system is and then I'll say how minorities benefit from it. In a RCV, voters are either permitted or required to rank their top two or top three candidates. Now, in the first round of counting, the candidate who receives the lowest number of first-ranked votes is eliminated, and her second choice votes are distributed to the other candidates. The process continues until one candidate crosses the 50% threshold or there's a last candidate standing and every other candidate has been eliminated.

How is this better than First Past the Post?

In this system, a winning candidate gets close to or over 50% before they win, unlike the First Past the Post (FPTP) where a candidate can get only 30% and still win.

So, it's more representative. But how is it good for minorities?

First, it forces all the big parties to cater to voters who are not their own voters. So every party gets an incentive in the system to tell voters of other parties, 'you may not love us, but can you tolerate us by putting us down as number two?'

Why would voters do that?

They would if the party has certain policies that favour the voters of other parties.

But can't you do that in any system? I mean, even here, there's no political party that can face the electorate without including a wide range of ethnicities amongst their candidates. So what would be different?

Two things are different. In a multi-party system where you have a FPTP model, parties are very calculating about the target. The usual target in a multi-party system, I'm not sure about Mauritius, it's between 30 and 40% of the vote. Now, you build coalitions, but you build community-based coalitions. This means that one party may easily decide that the Hindu vote and the Muslim vote are enough for me to cross that threshold. I don't necessarily need to cater to the other parties.

Not in Mauritius. It hasn't happened.

No, it hasn't happened. But what RCV system does is that if a party, for whatever reason, has a vote base that is trapped in particular community groups, it would still require an appeal that is very broadly shared. So basically, it's a majoritarian system like the FPTP but it just broadens the tent. So, the FPTP already requires parties to build broad tents. This system puts an even bigger pressure and requires parties to build an even larger tent, to be even more inclusive in their appeal to voters on the margins because little differences in second-choice voting can make a difference to who gets through. And you're very lucky in that you don't have communal parties.

They're marginal.

They're marginal because you have a majoritarian system. If you were to adopt a Proportional Representation system...

Yes, let's talk about the Proportional Representation (PR) because it keeps coming up as an alternative to FPTP or, at least, a dose of PR is being suggested to avoid situations where one party or one coalition sweeps all the seats.

The problem with PR is that it will increase sectarianism in your politics. The parties that are marginal at the moment are likely to become more powerful. And the logic is very simple. If you're a political entrepreneur in a crowded field where there are many political parties, the easiest way for you to gain that 10, 15 or 20% of the vote share is through PR. Then you become a kingmaker because under PR, coalitions are essential. PR in the system increases the centrifugal force, the force that pushes parties to the margins. RCV exerts an even stronger centripetal force. But the difference is that RCV squeezes the smaller parties less than FPTP. That is why it's a good compromise between PR and FPTP.

What about keeping FPTP and introducing a dose of PR?

That mix is a hybrid system. Many countries have thought, well, PR is good because it increases representation and FPTP is good because it creates stable and effective governments, so let's join them.

Hasn't it worked?

No, it hasn't. Lots of countries in Europe, like Germany and Italy have mixed systems and depending on the method by which you do the mixing, one of the two elements dominates. Either the proportionality element dominates or the FPTP system does. In Europe, it's mainly proportionality that dominates. So if you're a minority voter and you really like a small party. Under FPTP, you are forced to vote strategically. If your party is not a player at all in your district, you have to vote for the big party. Or you vote for that party and actually hurt the big party that is ideologically closest to you. So if you actually stick to your main preference, you end up helping the ideology you oppose.

But the drawback of FPTP is not just the lack of representation of minorities. The biggest drawback is that it does not translate the will of the people. So how do you deal with that?

The best way to get a system that can yield both an effective government and be representative is not to try to mix the electoral system, but to have two Houses. You need an effective government. You don't want a government that lasts only one or two years, right? You want political stability. In RCV, smaller parties have influence because the big parties need to cater to smaller parties a lot more than in FPTP. So even if there is some centrifugal force in the system, even if some extremist parties are being elected, they are getting a platform, they're getting a voice, but they're not getting executive power.

Can you briefly explain your full proposal?

Under my proposal, it will be RCV, not FPTP and will have two Houses. In theory, a Lower House that's elected on RCV, which is not as bad for the small parties and minority and sometimes majority voters as FPTP, but not as fragmenting as PR. It's the best of both worlds and an Upper Chamber that's elected through Proportional Representation. That is the combination that I like because the Upper Chamber can still check a PM. You don't want a PM who is too weak and unable to govern, but you also don't want a PM who has no check. The constitution making is a task in optimisation.

What about power-sharing?

Power sharing takes many forms. One form of power sharing is a divided executive, which is a semi-presidential system, where the PM and President both have real executive powers.

How does that work in practice?

It doesn't. It either becomes a system where the PM is a puppet of the President or it becomes a dysfunctional system where they both undermine each other and nothing gets done. Which is why the system I'm suggesting still has a coherent executive led by the PM and where the President remains a nominal head of government of the state.

However, it's a legislature that is divided so Parliament has an Upper House and a Lower House and the Upper House does not elect the PM but moderates him.

How is the Upper House elected?

By PR. For the system to work, the two Houses have to be elected on different electoral methods. Because if you have the same method, you don't need two Houses. Why have two Houses based on the same method?

Should the Upper Chamber also be populated with politicians?

Political experience can be useful but once you become a member of the Upper House, you should not be able to run for the Lower House to guarantee that you're politically independent. I hope that if you do go for a Second Chamber, people who are from outside politics, but who have lived in public life as academics, may also be elected to the Second House. But once you're in the Second House, that should be the final political thing you will do. You become, in some ways, the wise elders who check power and have no more ambition.

And what exactly would be your powers be if you are a member of the Upper House?

Your power would be to disagree with the Lower House on bills but you should not be allowed to completely make a government dysfunctional by not allowing it to pass any laws at all.

Wouldn't an Upper House delay bills even more?

You want your laws to take time. Of course, you don't want it to take forever but once enacted, a law can hang around for 50, 100 years. So, yes, parliamentary time is precious but laws are so important that you want them to be debated. As for budgetary bills, I think if the Upper House disagrees, the Lower House should be able to pass them with a slightly higher majority, 55%, 60%, because the Upper House should not be able to deprive the government of funding. Admittedly, in that kind of combination, the Upper House is a slightly weaker player but it has the power to check, to stop, to warn, to make you rethink and to amend and to improve.

How different is this to the Westminster system as we know it

The first difference is that Westminster in the Commons has FPTP.

Didn't the UK have a referendum on moving to RCV in 2011?

Indeed but the then ruling party, the Conservatives, defeated the referendum with a huge money-fuelled campaign, and today they have been wiped out because of the very FPTP they fought so hard to keep. If they had actually agreed to RCV, the far-right Reform Party would not be as powerful as it is today in the UK.

How? Doesn't FPTP hurts small parties?

It hurts small parties equally. So, very progressive parties and also far-right parties will be hurt equally. But as soon as extremist parties cross the 30% threshold, which is possible, countries also go mad. They don't go so mad that 50% becomes extreme. But the British far-right party has been consistently polling around 30% now for over a year. 30% can happen anywhere but in FPTP, that 30% will translate into 50+ seats.

Why?

Because Labour is at 20%. Lib Dems are at 10 to 15%. Conservatives at around 15%. So when the vote against the extremist parties is divided up, then the FPTP basically gives the party with the highest percentage of votes a seat bump and hurts the parties that are below 15 or 20%. So their seats are allocated to the top party, whoever is at the top. RCV does not allow the 70% that's against the extremist party to be split because

extremist or hateful parties are nobody's second choice.

You're not suggesting that the electoral system is the fundamental cause here, are you?

No. Electoral systems are not the fundamental cause. They are the proximate cause. However, what different systems allow is either to stop or help a political force. In Israel, for example, you've seen how one small extreme party that holds the balance of power can trigger a genocide. The AFD (Alternative für Deutschland - Ed) in Germany has been doing really well. It's a matter of time before it moves close to the 30% mark. And then it will become impossible to form a government under PR in Germany without the AFD. In India, PM Modi's BJP won in 2014 with under 32% of the vote. It formed the government, right? This would have been impossible under RCV. Unless the entire country goes mad, which is very difficult.

Tell us a bit more about how this RCV has worked in Australia.

It has worked for over 50 years. Australia is one of the few old and established democracies where the traditional party system has not collapsed and where the centre has not collapsed. There is the One Nation Party, which is the Australian far-right party but it does not get into the Lower Chamber ever because of RCV. It does get a few seats in the Upper Proportional Chamber. I think that's important because if there is an extreme political force in your system, it's important to keep it within the system rather than outside the system. It moderates them as well because they are forced to work with others. So I think giving them a platform to rant, but not executive power, is better than leaving them out completely. If they are completely outside, they will take it to violence. So that combination, I think, works really well in terms of stability in the law.

If I can take your example, from what I understand, if I'm an MMM politician in Mauritius today, what would be my calculations? FPTP hurts me very much. Under PR, my party will directly translate votes into seats. But if, as I understand, the MMM is a progressive party, it must worry about not just what PR will do to its own seat share. It must also worry about how PR will encourage an ideology that it hates, which is an extremist far-right ideology. And that is inevitable under PR as sooner or later, somebody will find that this is a low-hanging fruit.

But isn't the Australians RCV complicated? FPTP is a lot simpler and it's quicker. People don't wait for a long time for first count, second count... which would be the case in RCV...

The counting will take a little longer. The voting will not be more complicated. The system I am suggesting has a tweak. It is simpler than the Australian one which requires all the candidates to be counted. I'm suggesting a simpler system where you have a ballot with candidates in one column and three columns with first, second, third. You just put a mark in each column against each candidate.

I understand that after this interview, you're going to talk to the PM. What is the agenda? Electoral Reform or a little chat to a fellow LSE alumnus?

I think the agenda for our meeting will be up to the PM to decide. I did meet a steering committee in the Prime Minister's Office yesterday, where I shared my knowledge on constitutional reform processes and possibilities. As a scholar, my job is not to tell you what to do. My job is to tell you what other countries have done, what they have gotten wrong, what they have gotten right. And for us all to learn from other countries' mistakes.

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Dans le cadre de leur collaboration bimensuelle avec «l'express», l'organisation DIS-MOI et la Commission Nationale des Droits de l'Homme rappellent, dans ce numéro, que selon la Convention internationale relative aux droits des personnes, chaque individu a droit à l'égalité, à la dignité, à l'autonomie et à la pleine participation à la société. Les droits des personnes en situation de handicap sont des droits humains à part entière. Pourtant, trop souvent, ces droits sont ignorés ou bafoués par des obstacles physiques, sociaux ou institutionnels.



Les droits des personnes en situation de handicap et le rôle du sport dans une société inclusive

EN TANT que psychologue clinicien et membre de la Commission nationale des droits de l'homme, je suis souvent confronté à la distance entre les droits inscrits dans la Convention des Nations unies relative aux droits des personnes handicapées (CDPH) et la réalité quotidienne.

Je rencontre des jeunes brillants, pleins d'énergie et de rêves, mais qui se retrouvent bloqués par des obstacles invisibles : une école qui ne s'adapte pas, un service de santé trop compliqué à atteindre ou, tout simplement, le regard des autres. Ce n'est pas le handicap qui limite la personne, c'est souvent l'environnement autour qui ne suit pas.

Si je devais citer un espace où les barrières tombent vraiment, ce serait le sport. Dans le cadre de mon rôle de classificateur national, à titre volontaire, pour les athlètes présentant une déficience intellectuelle, j'ai eu l'occasion d'accompagner des jeunes en compétition, parfois à l'international.

Je me souviens de Yovanni Philippe, qui a réalisé une performance de maître lors des Jeux paralympiques de Paris l'année dernière, décrochant une médaille de bronze en finale du 400m T20. En franchissant la ligne d'arrivée, il a levé les bras avec un immense sourire, comme s'il disait au monde entier : «Regardez-moi autrement.» Son geste symbolisait bien plus qu'une victoire sportive ; c'était un cri d'espoir, un message puissant pour briser les stéréotypes, prouvant qu'un handicap n'est pas une limite, mais une autre manière de se surpasser.

Et comment oublier l'extraordinaire performance de Noemi Alphonse, l'année dernière, lors des Championnats du monde de para-athlétisme à Kobe, au Japon, où elle s'est brillamment imposée en finale du 100m T34, portant fièrement les couleurs de l'île Maurice au

plus haut niveau.

Au-delà de sa médaille, Noemi incarne avec force et dignité le rôle d'ambassadrice des personnes vivant avec un handicap. À travers chaque course, chaque effort, elle transmet un message fort : celui de la résilience, de la détermination et de l'égalité. Elle rappelle au monde que le handicap n'est pas une faiblesse, mais une force capable d'inspirer et de transformer les mentalités.

Une autre fois, une jeune nageuse m'a confié : «Dans l'eau, je me sens libre.» Elle avait beaucoup de mal à trouver sa place à l'école, mais dans la piscine, elle se découvrait une force, une identité. Ses parents, les larmes aux yeux, m'ont dit que le sport avait changé son quotidien.

Ces moments restent gravés. Un sourire, une accolade, une médaille : ce sont de petits instants, mais ils portent un poids énorme. Ils changent la manière dont les familles, les spectateurs, et même moi, voyons le handicap.

En guise de conclusion, reconnaître une personne en situation de handicap, c'est avant tout reconnaître son humanité et sa dignité. La signature de la Convention des Nations unies relative aux droits des personnes handicapées est une étape majeure, mais la construction d'une société véritablement inclusive dépasse les textes. Elle se vit dans les actes quotidiens et dans le regard que nous portons sur l'autre.

Comme l'a rappelé Antoine de Saint-Exupéry :

«Si tu diffères de moi, mon frère, loin de me léser, tu m'enrichis.»

Cette pensée nous invite à valoriser la diversité comme une richesse collective, essentielle pour bâtir un monde plus juste et humain. Une pensée simple, mais puissante, qui devrait guider nos actions.

Vijay RAMANJOOLOO

Expliquer le handicap à un enfant

• **Emma** : Maman, pourquoi on dit qu'il faut aider les personnes handicapées ? Elles ne peuvent pas se débrouiller toutes seules ?

• **Maman** : Certaines peuvent faire beaucoup de choses seules, mais parfois elles rencontrent des obstacles. Notre rôle, c'est de faire en sorte que ces obstacles disparaissent.

• **Emma** : Des obstacles ? Comme quoi ?

• **Maman** : Par exemple, imagine que tu es en fauteuil roulant et que tu veux aller dans un magasin. S'il y a seulement des escaliers, tu ne peux pas entrer. C'est un obstacle.

• **Emma** : Ah oui... il faudrait des rampes ou des ascenseurs.

• **Maman** : Exactement. C'est ce qu'on appelle l'accessibilité. Les trottoirs, les bus, les trains, les écoles... tout devrait être adapté.

• **Emma** : Et pour les gens qui ne voient pas ?

• **Maman** : On peut mettre des panneaux en braille, des signaux sonores aux passages piétons, ou des livres audio. C'est pareil pour les personnes qui n'entendent pas bien : on peut avoir des sous-titres, ou un langage des signes à la télé.

• **Emma** : Mais ce n'est pas juste une question de matériel, non ?

• **Maman** : Tu as raison. Il faut aussi du respect. Parfois, les gens parlent aux personnes handicapées comme si elles étaient moins intelligentes. Ce n'est pas vrai et ce n'est pas gentil.

• **Emma** : Donc il faut les traiter comme tout le monde ?

• **Maman** : Oui. Dire bonjour, leur parler normalement et demander avant



d'aider. Certaines personnes aiment se débrouiller seules.

• **Emma** : Et à l'école, on peut faire quoi ?

• **Maman** : On peut apprendre dès petit que tout le monde est différent. On peut inviter des personnes handicapées à venir raconter leur vie, ou organiser des activités où tout le monde peut participer.

• **Emma** : Et pour le travail ?

• **Maman** : Les entreprises devraient adapter les postes pour qu'une personne handicapée puisse faire son métier. Parfois, il suffit d'un bureau à la bonne hauteur ou d'un logiciel spécial.

• **Emma** : Ça a l'air simple, en fait.

• **Maman** : Oui, si tout le monde y pense. Et l'État peut aussi aider en donnant de l'argent pour acheter un fauteuil roulant, une prothèse ou un appareil auditif, par exemple.

• **Emma** : Donc, aider les personnes handicapées, ce n'est pas juste leur porter leurs affaires... ?

• **Maman** : Non. C'est construire une société où elles n'ont pas besoin de demander, parce que tout est déjà pensé pour elles.

• **Emma** : J'aimerais que l'île Maurice soit comme ça.

• **Maman** : Moi aussi, Emma. Et ça commence par nous.

Par T. P.

Rejoindre la Commission des droits des personnes en situation de handicap de DIS-MOI

La Commission des droits des personnes en situation de handicap de DIS-MOI s'appuie sur la Convention internationale relative aux droits des personnes handicapées pour orienter et renforcer ses actions à Maurice et à Rodrigues. Elle mène des activités de sensibilisation, de plaidoyer et de formation afin de promouvoir une société plus inclusive et respectueuse des droits de toutes et tous. DIS-MOI est une organisation non-gouvernementale régionale qui milite pour la promotion et la protection des Droits humains dans l'Océan Indien.

Que vous soyez en situation de handicap ou non, vous pouvez rejoindre la Commission et contribuer à ce mouvement collectif. Chaque voix compte pour faire avancer l'égalité, la dignité et la participation pleine et entière de toutes les personnes dans notre société.

Ces initiatives sont rendues possibles grâce au soutien de la National Social Inclusion Foundation (NSIF) et la NHRC.



Il est difficile de mesurer la douleur et la souffrance. Selon l'Organisation mondiale de la santé, plus d'un milliard de personnes, soit une sur sept, souffrent d'un handicap. Mais ce chiffre est peut-être excessif. Le Bureau du recensement américain, qui recense les personnes handicapées depuis 1830, en a dénombré 57 millions lors d'une enquête sur la situation économique en 2018. Cela représente près d'une personne sur cinq, dont la moitié déclarait un handicap grave.

La technologie a créé une multitude de solutions, mais aussi de problèmes. L'Homme bionique, une figurine

construite à partir des parties du corps artificiel les plus avancées, reproduit plus de 50 % du corps humain. Ses bras et ses jambes ont l'amplitude de mouvement de vrais membres. Reliés aux nerfs d'un corps vivant, ils peuvent être contrôlés par le cerveau, tout comme des membres sains. De telles solutions sont coûteuses : la vision bionique coûte plus de 150 000 dollars, et les bras robotisés entre 20 000 et 120 000 dollars pièce. Pourtant, si vous pensez que c'est coûteux, imaginez les litiges à venir pour savoir si ces équipements annulent le handicap, voire confèrent des avantages injustes à ceux qui les utilisent.



QUI EST UNE PERSONNE HANDICAPÉE ?

SOUS la Convention des Nations unies relative aux droits des personnes handicapées, le handicap est un «concept évolutif». Les définitions évoluent au fil du temps. Le handicap peut se traduire par la cécité, la surdité ou le déplacement en fauteuil roulant. Mais bien plus de personnes handicapées souffrent de maladies chroniques courantes,

comme les lombalgies (principale cause mondiale d'années de vie avec un handicap). Dans certains pays, le droit du travail considère également l'hypertension artérielle et l'asthme comme des handicaps. D'autres, dont beaucoup souffrent de ces pathologies, contestent farouchement ce qu'ils perçoivent comme une étiquette négative.

POINT OF VIEW

Different, no less

CONFINED to a wheelchair yet unbowed, U.S. President Franklin D. Roosevelt declared, "The only thing we have to fear is fear itself." More than the disability, it is fear that most disabled people have to deal with on a daily basis. The fear of living in an exclusionary society designed with only a narrow slice of people in mind.

A disabled person who uses a wheelchair, for example, is not afraid of being on the wheelchair. S/he is afraid of encountering stairs without a ramp. Someone who is 'deaf' is only excluded when public services refuse to provide sign language interpretation. The burden is therefore not on the individual but on the collective. The question is no longer "What's wrong with you?" but "What's wrong with the world you live in?"

The irony is that inclusive design doesn't just help disabled people but helps everyone. Curb cuts, originally created for wheelchair users, are now indispensable for parents with strollers, travellers with rolling luggage and workers hauling carts. Closed captions help not only the Deaf but also commuters in noisy environments and language learners. Accessibility is not charity; it's good design.

Mauritius has made important strides in recognising the rights of persons with disabilities. The Training and Employment of Disabled Persons Act (1996) was one of the first landmark laws, requiring all employers with more than 35 employees to ensure that at least 3% of their workforce consists of persons with disabilities. This was meant to create meaningful access to the labour market. In addition, the Equal Opportunities Act (2008) prohibits discrimination in employment, education and access to services on grounds including disability, affirming that persons with disabilities deserve a fair treatment and equal participation in society. Accessibility has also been addressed through the Building Control Act and related guidelines, which stipulate that public infrastructure should be designed to accommodate everyone.

Mauritius also ratified the United Nations Convention on the Rights of Persons with Disabilities (CRPD) in 2010, signalling its commitment to international human rights standards. The legal framework is therefore present and relatively comprehensive.

The challenges are at the level of the implementation. Employment quotas are often ignored and enforcement mechanisms remain weak. Accessibility to public transport, workplaces and schools is still patchy, despite legal provisions. Children with disabilities continue to face barriers to inclusive education, and social stigma often undermines the spirit of equality enshrined in the law.

Laws alone are not enough. Without consistent enforcement, robust monitoring and a shift in public attitudes, disability rights risk remaining more symbolic than real. We need to start treating accessibility as a baseline by enforcing the laws that already exist and changing our cultural lens. Disabled people do not exist to inspire or serve as cautionary tales; they exist as full, complex humans whose needs and contributions deserve the same weight as anyone else's.

By making life easier for people with disabilities, we will also make life easier for everyone. A society that works for its most marginalised is a society that works for all. At the end of the day, the measure of a society is not how it treats its most privileged but how it welcomes those whose lives fall outside the 'norm'. An inclusive Mauritius is one that recognises that being different does not mean being less, but being equally part of our shared future.

Disability is not something to be feared. What needs to be feared is living in a world that refuses to adapt.



by Touria PRAYAG

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