



**NATIONAL
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PART 1
CYBERBULLYING

Rethinking Online Safety for Minors : Why Mauritius Must Adopt a Duty-of-Care Approach

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Chairperson NHRC



Growing Global Pressure for Stronger Safeguards

Since 10 December, Australia has banned all under-16s from accessing social media platforms - a significant departure from the long-standing reliance on parental supervision and digital education. Malaysia intends to follow suit, and several other countries are now reevaluating how best to protect minors online. These developments highlight a crucial global shift: traditional approaches to online safety are no longer sufficient in the face of rapidly evolving digital risks.

Mauritius has approached these challenges primarily through education and awareness campaigns, encouraging digital literacy and the responsible use of privacy settings. While these initiatives are important and reflect genuine concern, their impact is slow and incremental. The harms faced by young people online, however, are immediate and continually intensifying.

The Escalating Risks Faced by Young Users

The digital dangers confronting teenagers are now well documented. They include cyberbullying, grooming, exposure to violent or sexual content, privacy violations, misinformation, compulsive behaviours, and various forms of online exploitation and predation. These threats have triggered vigorous debates around the world as governments attempt to strike a balance between protecting minors and safeguarding freedom of expression and access to information.

Mauritius has experienced first-hand the devastating consequences of online harm. In October, a 17-year-old student took her life on the eve of her examinations after intimate images of her were shared online without her consent, with intent to harm. It was an unequivocal case of revenge pornography. Such tragedies starkly illustrate that online harm is not theoretical; it can destroy lives and families in an instant.

They also underscore the inadequacy of relying solely on awareness programmes to shield vulnerable users.

Mauritius’ Legislative Tools: A Foundation, Not a Solution

Mauritius has developed an important legal and regulatory foundation through the Data Protection Act 2017 and the Information and Communication Technologies (ICT) Act 2001. The Information and Communication Technologies Authority (ICTA) has also implemented filtering systems to combat child sexual abuse material (CSAM) and regularly engages in education campaigns.

Yet it is necessary to acknowledge that these efforts, while essential, have not had the expected effect of deterring teenagers from biting into the forbidden apple. A strategy that places the bulk of responsibility on teenagers, parents, and educators—rather than on the platforms that shape the digital environment—is no longer fit for purpose.

The online ecosystem is engineered for constant engagement. Expecting minors to resist powerful design features, or parents to monitor ever-shifting platforms, is unrealistic and unfair. What is needed is a paradigm shift in responsibility.

The Case for a Statutory Duty of Care

Mauritius must now consider adopting a legal duty of care for online platforms, requiring them to identify, mitigate, and

prevent foreseeable harm to minors. This approach must be supported by enhanced regulatory powers for ICTA, enabling it to impose heavy fines, demand risk assessments, and suspend or restrict the licenses of non-compliant platforms, if necessary.

The concept is not radical: employers already have a legal obligation to provide a safe and healthy workplace. Likewise, entities that profit from the digital activities of children should bear legal responsibility for ensuring their environment is reasonably safe. A statutory duty of care would embed this responsibility directly into the architecture of platform design, moderation, and policy.

International Models to Learn From

Different jurisdictions are experimenting with distinct solutions. Australia’s ban on under-16s is bold and remains to be assessed in practice. It signals, however, a growing impatience with the inadequacy of self-regulatory models.

The United Kingdom offers a more structured alternative through its **Online Safety Act**, which imposes enforceable duties of care on platforms. Companies must conduct risk assessments, implement preventive systems, and ensure harmful content is addressed proactively. This model prioritises systemic safeguards rather than relying solely on individual users to navigate complex digital risks. Such an approach aligns with global debates and provides a useful template for Mauritius as it



reassesses its online safety framework.

Mauritius at a Policy Turning Point

The government's ongoing public consultation on amendments to the ICT Act signals a willingness to strengthen regulatory oversight. Discussions around age verification, platform responsibilities, and increased penalties for online misuse indicate that policymakers recognise the need for change.

Integrating a duty-of-care model into these reforms would provide a coherent, future-proofed approach. It would move Mauritius beyond piecemeal measures and toward a comprehensive framework that aligns legal responsibility with the power and influence of digital platforms.

Conclusion: Protecting the Young Requires Structural Change

The internet has become an indispensable part of young people's lives, bringing opportunities for learning, creativity, and social connection. But it also exposes them to unprecedented risks. Relying on education and individual responsibility alone—no matter how well intentioned—has not been enough to keep minors safe. If Mauritius is committed to building a digital environment that truly protects its youth, there should be a paradigm shift. A statutory duty of care, backed by an empowered regulator and meaningful enforcement mechanisms, is what is required. The moment demands bold, structural action. Our children deserve nothing less.

EDITORIAL

Cyberbullying and the Right to Dignity: A Human Rights Crisis

Touria PRAYAG



The online world might be virtual but the pain it causes is brutally real.

The tragic news of a young teenager taking her own life after being tormented online hits like a punch to the heart. Behind the statistics and headlines, there is always a face: that of a child who laughed once, who had dreams and who simply wanted to belong. And yet, in today's hyper-connected world, the cruelty of a few clicks, comments or shared photos can destroy that fragile sense of self.

We often talk about cyberbullying as if it was just part of growing up in the digital age, a painful but inevitable side effect of social media. It isn't. It's a violation of basic human rights: the right to dignity, privacy and to feel safe in one's own skin.

The Universal Declaration of Human Rights may have been written long before the first smartphone but its spirit still speaks powerfully today. It tells us that everyone is born free and equal in dignity and rights. When someone is targeted, humiliated or dehumanised online, that promise is broken.

The online world might be virtual but the pain it causes is brutally real.

What makes cyberbullying so devastating is how inescapable it feels. There's no safe corner to retreat to when the bullying follows you home, pinging on your phone, popping up in your messages and haunting your feeds. What might have once been whispered behind a school gate is now broadcast to hundreds, sometimes thousands. A photo, a rumour or a cruel joke can spread faster than anyone can react and it stays there, long after the laughter dies down.

International law already recognises that children have a right to be protected from all forms of violence, including emotional and psychological harm. The Convention on the Rights of the Child makes this clear. But rights on paper are not enough when a young person feels cornered, unheard and unprotected. Governments, schools and social media companies all share responsibility for turning those rights into real protection.



Social media platforms in particular can no longer pretend to be passive observers. Their design choices shape the way people behave. They decide what gets amplified and what gets buried. Yet, too often, the burden falls on victims to report and relive their trauma, while bullies hide behind fake names and digital shadows.

Also, as a society, we must stop treating cyberbullying as “kids being kids”. It is abuse, plain and simple. When online harassment leads to anxiety, isolation or suicide, it’s not just a personal tragedy; it’s a collective failure.

The loss of yet another young life should shake us out of our complacency. Sadly, we can’t undo what has already happened but we can choose to do better by remembering what we too often forget: that there’s a person behind every screen. Remembering that could save a life.

25 November: A Day to Honour the Women We Failed to Protect

By Melany NAGEN

Our motherland has long proclaimed its commitment to dignity, equality and the protection of fundamental rights. Yet, the brutal sequence of gender-based killings, the murders of Bibi Nawsheen Chady in July 2025, Danaa Laetitia Malabarin October 2025, and Natasha Vidushi Cornet later that same month reveal a far harsher reality. These killings expose, with painful clarity, that far too many women in Mauritius continue to face intolerable levels of violence within their homes, and very often with fatal consequences.

The facts are stark. Preliminary Police investigations reveal that Mrs. Chady had reportedly been beaten to death by her husband. Mrs. Malabar was brutally murdered by her spouse and left in an abandoned house. Mrs. Cornet's lifeless body was discovered in Pamplemousses, with her husband identified as the primary suspect. These tragedies, occurring within mere weeks of each other, are not isolated incidents. They represent the continuation of a long, distressing pattern of intimate-partner violence persisting despite our constitution, the Protection from Domestic Violence Act, and Mauritius' binding obligations under The Convention on the Elimination of Discrimination against Women (CEDAW), the International Covenant on Civil and Political Rights (ICCPR), and other core human-rights instruments.

These recent killings come in the shadow of yet another deeply troubling case: that of Sandhya Bappoo, who was violently killed by her husband years ago. Despite the gravity of the offence and the irreversibility of the harm inflicted, her husband was subsequently granted a revised sentence by the **Commission on the Prerogative of Mercy**.^[1] This decision, widely debated in the public domain, raises serious concerns about proportionality, accountability and the message conveyed to survivors of domestic violence and to society at large. It underscores, with alarming force, the systemic minimisation of violence against



women and the institutional blind spots that continue to undermine justice for victims.

Mauritius has historically aligned itself with the global movement for women's rights, as an early and active supporter of the **Beijing Declaration and Platform for Action (1995)**.^[2] Yet this legacy stands in sharp contrast with the systemic shortcomings that these cases expose. The gap between our international commitments and the lived reality of women in Mauritius is unfortunately widening and must be urgently addressed.

International jurisprudence is unequivocal in that sphere. Landmark cases such as **Opuz v. Turkey**^[3] and **Velásquez Rodríguez**^[4] affirm that States have a positive obligation to protect individuals from foreseeable harm, including violence by private parties. When police complaints, hospital visits, prior assaults are evidently warning signs, and the State fails to intervene decisively, it risks

breaching its duty of protecting lives. The deaths of Chady, Malabar, and Cornet and the unresolved legacy of the Bappoo case collectively raise pressing questions: Were early-warning indicators recognised? Or were ignorance of warning signs allowed to pave the way for preventable violence?

It is undeniable that Mauritius still lacks a unified, transparent national framework for recording and monitoring femicides and high-risk domestic-violence cases. Fragmented reports, inconsistent records, and institutional silos obscure the true scale of the crisis. No reliable data means we are just taking shots in the dark.

It is also clear that Mauritius must establish a centralised national mechanism for documenting and analysing gender-based killings which can track patterns, identifying risk factors, consolidating complaints, and coordinating timely interventions. Such a mechanism is essential for evidence-based prevention and systemic accountability.

Equally, inter-institutional coordination must be strengthened. Police, social services, medical professionals, NGOs, and the judiciary cannot continue to operate in isolation. Protection-order breaches must trigger immediate responses. It is important that high-risk women are not left unprotected because of administrative fragmentation.

Finally, existing legal protections must be enforced with seriousness and urgency. Protection orders must carry real weight. Police intervention must be swift, trained and gender sensitive. Emergency support for victims must be accessible and reliable.

Mauritius cannot allow these women to become footnotes in a country that prides itself on human rights. Women's rights are human rights. The right to life, security, dignity and effective protection is not optional. It is the cornerstone of a just society.

[1] <https://defimedia.info/grace-presidentielle-15-ans-de-remission-pour-le-meurtrier-de-sandya-bappoo-pour-conduite-exemplaire>

[2] https://archive.uneca.org/sites/default/files/uploaded-documents/Beijing20/NationalReviews/mauritius_beijing_review_report_0.pdf?utm_source=chatgpt.com

[3] <https://hudoc.echr.coe.int/fre?i=001-92945>

[4] https://www.corteidh.or.cr/docs/casos/articulos/seriec_04_ing.pdf

LE CYBERHARCÈLEMENT: UNE URGENCE PSYCHOLOGIQUE ET UN ENJEU DE DROITS HUMAINS

Par Vijay RAMANJOOLOO



Au cours de cette année 2025, plusieurs cas de suicides d'adolescents à l'île Maurice ont bouleversé l'opinion publique. Un cas particulièrement troublant a touché une adolescente de 17 ans, qui s'est donné la mort après la diffusion non consentie de ses photos intimes sur la plateforme Telegram. Ce drame a profondément choqué la société mauricienne et a suscité des appels à une prise de conscience collective et des actions renforcées auprès des familles, des écoles et des autorités.

Si les causes du suicide sont toujours multifactorielles, l'analyse des situations observées cette année montre clairement que le cyber-harcèlement – sous toutes ses formes – est devenu un facteur contributif majeur chez nos jeunes. Invisibles, persistantes et souvent minimisées, les violences numériques affectent profondément la santé mentale des jeunes et posent un sérieux problème de protection des droits humains.

En tant que psychologue clinicien, je rencontre régulièrement des adolescents qui vivent un mal-être profond, nourri par

des agressions en ligne : insultes, moqueries, rumeurs, diffusions de photos intimes, menaces. Le cyberbullying génère chez eux des conséquences psychologiques lourdes : anxiété, dépression, troubles du sommeil, isolement social et baisse de l'estime de soi, phobie scolaire, comportements autodestructeurs. Et dans les cas les plus extrêmes, le suicide devient, aux yeux de certains adolescents, la seule porte de sortie face à une détresse qu'ils n'arrivent plus à verbaliser.

L'espace numérique, censé être un lieu d'échange et de découverte, devient pour eux une prison invisible, sans issue apparente. Ce harcèlement ne s'arrête pas à la porte de la maison, il les suit jusque dans leur chambre, sur leur téléphone, à toute heure.

Mais au-delà de la dimension psychologique, ce phénomène constitue une grave atteinte aux droits fondamentaux des enfants. Le droit à la dignité, à la protection contre la

violence, le droit à la santé mentale, à l'éducation dans un environnement sûr. N'est-il pas de notre devoir collectif de veiller à ce que ces droits soient garantis, même – et surtout – dans l'espace numérique ?

Que faire ? Une réponse collective est nécessaire.

Face à cette urgence, les solutions doivent être à la fois préventives, éducatives et institutionnelles :

1. Renforcer l'éducation numérique dans les écoles, en apprenant aux enfants à repérer, dénoncer et se protéger contre le harcèlement en ligne.
2. Former les parents et enseignants à reconnaître les signes de détresse psychologique liés au cyberharcèlement.
3. Mettre en place des mécanismes de signalement efficaces, accessibles aux jeunes, et surtout qui garantissent une réponse rapide et empathique.
4. Promouvoir l'accès aux soins psychologiques dans les établissements scolaires et les structures de protection de l'enfance.
5. Rendre les plateformes numériques responsables en exigeant des mécanismes de modération plus réactifs et des outils de protection renforcés pour les mineurs.

Il est temps d'agir. Cet appel à la vigilance et à la solidarité doit nous mobiliser tous pour que le numérique cesse d'être un espace où le mal-être des jeunes

propage, et devienne au contraire un lieu d'expression respectueux, sûr et bienveillant. Chaque adolescent qui met fin à ses jours est un signal d'alarme que nous ne pouvons ignorer. En tant que société, nous avons l'obligation morale et légale de protéger nos jeunes, non seulement dans les rues et à l'école, mais aussi dans cet espace devenu central qu'est le numérique.

Ce combat ne peut se gagner qu'ensemble : institutions, familles, écoles, acteurs du numérique. Il y va de la santé mentale, de la sécurité et, tout simplement, de la vie de nos enfants.





UDHR : A CHARTER BORN FROM THE ASHES OF WAR

By Satyajit BOOLELL SC

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law

.....

Emerging in the aftermath of World War II and the horrors and atrocities of Nazi Germany, the Universal Declaration of Human Rights (UDHR) represented humanity's collective resolve to build a new world order – one grounded not in might but in dignity, equality and the rule of law.



This December 10th, the National Human Rights Commission will commemorate that historic moment in the presence of His Excellency, the President of the Republic, and two distinguished scholars – Professor Clare Anderson, University of Leicester and Dr. Mellissa Ifill, Vice-Chancellor of the University of Guyana.

A legacy older than 1948

The idea of human rights was not born in 1948 nor was it confined to one continent or culture.

One of the earliest known articulations of human rights values appears in the Cyrus Cylinder (circa 593 BCE). After conquering Babylon, Cyrus the Great declared freedom of religion, abolished slavery, and proclaimed equality among peoples – principles now reflected in the first four articles of the UDHR.

In India, the ancient Vedic teaching “*Vasudeva Kutumbakam*” – “*the whole world is one family*” - expressed a philosophy of universal connectedness, urging people to look beyond differences and recognise their shared humanity.

Such ancient traditions remind us that while the UDHR was groundbreaking, it did not invent human rights; rather, it codified and universalised principles that have shaped human societies across millennia.

The two dimensions of universality

If the UDHR did not give birth to human rights, it strengthened the universality of human rights at two levels:

First, regardless of national legislation everyone is eligible for human rights because of our common humanity.

Second, national sovereignty must not provide a cloak behind which government hide, claiming that human rights abuses against their own citizens or residents are their own business as long as they comply with national laws.

Birth of international human rights law

The universal impact of the UDHR also saw the birth of international human rights law, providing safeguards for people.

Today, there are at least 16 legally binding UN human rights treaties, alongside regional instruments such as the European Convention on Human Rights, upon which Chapter II of the Mauritian Constitution is based.

In addition, numerous UN bodies – Committees, Councils, Commissions, and Special Rapporteurs – monitor compliance, investigate violations, and provide guidance to States. All of these mechanisms trace their origins to the moral and legal blueprint laid down by the UDHR.

A document of principles, not promises

The UDHR had never claimed that it would eliminate all human rights abuses worldwide. Violations remain widespread. The UDHR was not meant to be a magic solution but it intended to affirm the inherent worth of every human being and to offer a foundation upon which societies could build systems of justice and peace.

As Shami Chakrabarti eloquently observes, *“human rights celebrate and protect everything that humans need in order to survive in this world. They are our best attempt at respecting human dignity.... there are no effective human rights without a good society to protect them. Without respect for fundamental rights and freedoms, no good society will endure.”*

The challenge, therefore, is not simply to praise the UDHR – but to live its values.

A call to embrace our shared humanity

The UDHR gifted humanity a moral compass: a reminder that despite our differences, we belong to one human family bound by human dignity. As we mark Human Rights Day, let us not only commemorate the Declaration but renew our commitment to its vision.

A just and peaceful society is never guaranteed. It must be continuously built—through courage, empathy, and steadfast respect for the rights of all.



HUMAN RIGHTS DAY: A PROMISE WE KEEP BREAKING

By Touria PRAYAG

Some dates we celebrate; others force us to confront ourselves. December 10 is one of the latter. Every year, Human Rights Day returns not as a celebration, but as a reminder of our failure: after 76 years, what have we truly done with the Universal Declaration of Human Rights?

Adopted in 1948, in a world still reckoning with the horrors of war and oppression, the Universal Declaration (UDHR) was a bold statement of principle. It insisted that every person, regardless of race, gender, belief, nationality or status, is entitled to dignity and rights. It was meant to serve as a moral guide for a world seeking justice, equality and peace.

Yet, as we mark another 10 December, the gap between the Declaration's promise and reality continues to widen. The past year has shown just how fragile human rights can be when politics, power and prejudice take precedence over human dignity. In Gaza, entire families have been decimated, homes, schools and hospitals destroyed and children buried under rubble in what many describe as a relentless genocide. In Sudan, conflict has forced hundreds of thousands to flee, leaving civilians



exposed to unspeakable violence, starvation and disease. Across the world, communities endure repression, displacement and targeted attacks, while the international response is often delayed, inconsistent or selective. Such uneven attention exposes the double standards that weaken the UDHR's authority.

Silence is a form of complicity. Human Rights Day should never be a comfortable ritual. The UDHR was not written to be admired once a year; it was written to challenge us, to unsettle us and to demand action. It asks difficult questions: why are some lives treated as less valuable? Why are we up in arms when some countries are attacked but we look away when others are subjected to a genocide? In other words, why do states cite human rights when convenient but ignore them when inconvenient?

Human rights do not fail because declarations are weak. They fail because people are either indifferent or have double standards. This is why Mauritius, though a small island, has a role to play.

Our voice has long carried weight in international forums because it is

principled, consistent and rooted in our own history of struggle. We know that turning away from suffering anywhere in the world is a betrayal of our own humanity. Human rights begin at home but they do not end at our borders.

The first article of the UDHR states that all human beings are born free and equal in dignity and rights. The world has spent decades showing how difficult it is to uphold that principle. Yet, it has also shown that when people stand together and speak with one voice, change is possible.

Human Rights Day is not a reminder of what we have achieved. It is a reminder of our responsibility. This year, more than ever, it asks us to decide: will we let dignity erode in silence or will we refuse to look away?



HUMAN DIGNITY - THE FOUNDATION WE MUST REMEMBER

By Deepti THAKOOR

The very first line of the Preamble of the Universal Declaration of Human Rights (UDHR) speaks with striking clarity. It recognises the *“inherent dignity and the equal and inalienable rights of all members of the human family,”* and declares that this dignity is the *“foundation of freedom, justice and peace in the world.”* After the devastation of the Second World War, the world needed a moral compass—so Article 1 of the UDHR put it plainly:

“All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.”

Human dignity lies at the heart of the Universal Declaration of Human Rights (UDHR). It is the philosophical and legal foundation[1] on which the modern human rights system is built.

But what do we really mean when we talk about human dignity? And why does it matter so much?

Although difficult to define in precise legal terms, human dignity is something we recognise intuitively.



We know when it has been violated — when someone is humiliated, degraded, dehumanised or treated as less than fully human. Yet, we cannot exactly define it.[2]

Spijkers defined human dignity as the *“state or quality of being worthy of honour or respect by virtue of being human”*[3]. This definition is simple yet profound: dignity is not earned nor can it be lost. It is simply inherent.

Criminal law captures this intuition and provides sanctions for any violation of a

person's dignity such as insult, assault, larceny or more serious offences like rape or murder. The law intervenes because society recognises that certain acts strike at the very core of what it means to be human.

However, irrespective of the fear of criminal sanctions and the fear of deterrence, can we start putting respect and human dignity at the heart of our interactions with people we like, those we are indifferent to and particularly towards those we dislike?

In that way, we would be making human rights an everyday essential; not as a philosophical and legal aspiration sitting on an ivory tower devoid of any practical reality but as something real, lived and shared.

It starts with a small step: let us see the other for who they truly are, a human being.



[1] Spijkers, O, The United Nations and the Evolution of Global Values (Antwerpen: Intersentia, School of Human Rights Research Series, 2011) 293

[2] Spijkers, O, The United Nations and the Evolution of Global Values (Antwerpen: Intersentia, School of Human Rights Research Series, 2011) 300

[3] Spijkers, O, The United Nations and the Evolution of Global Values (Antwerpen: Intersentia, School of Human Rights Research Series, 2011) 296

HUMAN RIGHTS DAY 2025

By Satyajit BOOLELL SC



Distinguished guests,

Today marks the commemoration of the International Human Rights Day. On this day in 1948, the world adopted the Universal Declaration of Human Rights (UDHR) at Palais de Chaillot, Paris.

The idea of human rights however, was not born on the 10 December 1948, nor was it confined to one continent or culture. The adoption of the UDHR, was the codification of values that humanity

had been shaping for thousands of years. It was drafted following unprecedented events that had rocked the world, the Great Depression, war, genocide, and the devastation of nuclear weapons. Humanity had learned, at a terrible cost, that rights without moral responsibility result in the collapse of societies.

And the UDHR did something revolutionary. It affirmed two simple truths:

Firstly, that human rights are universal, they belong to every person by virtue of being human; and

Secondly, that human rights are international; no state can hide behind sovereignty to excuse abuse.

Today, as we celebrate National Human Rights Day, the theme “Human Rights: An Everyday Essential” carries a profound message: human rights are fundamental to our dignity and vital in our daily lives, in our homes, workplaces, schools, streets—and in the way we treat one another.

Everyday essentials are things we cannot live without: food, shelter, water. Human rights belong on that same list. They are the air of dignity, the oxygen of equality, the backbone of justice. And like the air we breathe, we often pay very little attention to them – until it is too late.

And this is why a book like **La nuit au cœur** by **Natasha Appanah** matters deeply today. Among many themes, Appanah shows how silence, in the face of sheer violations of basic rights, enables harm and kills.

At the National Human Rights Commission (NHRC), silence is not an option when human rights are being abused. As a direct descendant of the UDHR, the NHRC exists precisely to safeguard human rights which the drafters of our Constitution saw fit to entrench under Chapter II of our Constitution.

It exists to bring hope to those who suffer from human rights violations and face insurmountable obstacles to have access to justice. In my short tenure, I have seen how the Commission can make a difference to the lives of many complainants.

Allow me to share just three examples:

For the first time in our history, the Commission successfully petitioned the Supreme Court for a prisoner who had overstayed in jail due to a wrong computation of his remission time. The said prisoner was released immediately.

In the case of the Air Mauritius Retirees Association, the Commission intervened for the retired workers, who had their concessionary travel privileges taken away following initiation of legal proceedings, affirming the important constitutional principle that no citizen should suffer intimidation for asserting their legal rights.

Finally, in the report on the Melrose Eastern High Security Prison, the Commission recognised an often-forgotten truth: that even those who guard our institutions deserve dignity, respect, and fair prospects. We made recommendations accordingly.

But let us remember that this responsibility does not rest on institutions alone. It belongs to each one of us. Human rights are protected not only by laws, but by attitudes:

The way we speak to one another
Whether we intervene when we witness harm.

Whether we honour the humanity of those who are different from us.

So today, I invite all of us to rediscover the profound simplicity of human rights in our everyday interaction with others.

Let us make the UDHR a living document – not one to be left in libraries, but in a living document in our lives

Let us ensure that its moral compass continues to guide us, and that the spirit of the Universal Declaration shines in our daily choices. Above all, let us remember that dignity is not negotiable.

May we commit, as a nation, that human rights are not to be celebrated only once a year, but lived every day – by everyone, for everyone.

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May we commit, as a nation, that human rights are not to be celebrated only once a year, but lived every day – by everyone, for everyone.

Speech by Gavin Glover SC - Attorney General

Human Rights Day is always a moment of pause, a moment when the noise of daily administration should fall away so that we may hear the quieter and more demanding questions of principle.

The United Nations theme this year, the “everyday essentials” of human dignity, reminds us that rights do not live only in courtrooms or in public statements. They live in the fabric of ordinary life: in security, in fairness, in clean water and food, in privacy... At the same time, these everyday essentials exist because there is a larger architecture to support them. Hannah Arendt spoke of “the right to have rights”, meaning the basic conditions that allow every other right to be exercised. The concrete, practical rights we honor today can only exist in a system where there is the confidence that the State will act lawfully. That the rule of law prevails over the desires of men.

In this regard, the Government Programme 2025 to 2029 sets a clear direction. The commitment to restore the rule of law, renew our democracy, and modernise the protection of rights is central to our action. It reflects the realisation that our Constitution, now almost six decades old, must address the realities of a country that has changed a lot. A Mauritius shaped by new demographics, different economic pathways, modern technologies, environmental pressures, and by a heightened expectation of transparency and justice. The reforms announced are wide, but at their heart is the conviction that institutions must serve people, and not the other way around.

One of the most consequential steps ahead is the establishment of the Constitutional Review Commission. Its mandate includes recommendations for the protection of new generation rights: environmental rights, digital rights, the rights of Nature, and social and economic rights - all long recognised by international treaties. The challenge will be, not only to recognise these rights, but to decide how to recognise them.

Here, the question framed by scholars such as Tarun Khaitan, the LSE Professor who visited us earlier this year, deserves careful attention. Should these rights be substantive, guaranteeing a concrete amount of water, housing, healthcare or digital protection for each Mauritian? Or should they be procedural, requiring every policy and project to evaluate and justify its impact on these rights?



Substantive rights may seem more generous - but they place courts in the difficult position of deciding what is enough, often without access to the information or resources required to make those determinations. Procedural rights, by contrast, allow courts to safeguard fairness and rationality. They ensure that environmental decisions consider the rights of Nature, that development plans take account of climate justice, and that digital policies respect privacy. It is a more modest judicial role, but often a more realistic and effective one.

The Constitutional Review Commission will have to navigate these questions independently and rigorously. Your views will be essential. The Commission’s public consultation, research, and deliberation will shape the way our country understands and articulates its next generation of rights. What matters most is that the process reflects national ownership. Reform imposed from above, or from outside, rarely endures. Reform built through thoughtful, open engagement and participation often does.

Human rights also require institutions that are capable of delivering accountability today, not only in a reformed future. The National Human Rights Commission is one such institution. Its work can appear slow or even tedious, a letter here, a site visit there, a follow up on a detail that others might have overlooked. Yet these are the daily practices through which the dignity of detained persons is protected, through which vulnerable individuals are heard, and through

which the State is reminded that power must remain answerable.

This year, the Commission demonstrated real responsiveness, notably in relation to the Melrose incidents of 17 July. At a time when public confidence was shaken, the NHRC delivered. Not by simply brushing matters under the rug and reassuring everyone. But by moving quickly, asking difficult questions, and insisting that explanations be given. This is what gives the Commission its relevance. It is also why its members must be able to work with independence, resolve, and sometimes a measure of zeal. A watchdog that never disturbs anyone is not doing its job.

The NHRC today is composed of strong personalities, individuals with experience, conviction, and occasionally sharp views. That is not a weakness. A collegial body functions precisely because its members do not think alike. They challenge one another, temper one another, and gradually produce positions that reflect both independence and responsibility. Their mandate is not to please the Police, the prison administration, or the Prime Minister's Office. Their mandate is to ensure that these institutions, and mine as well, remain within the bounds of law and fairness.

As we strengthen our human rights architecture, we must also correct what does not work. The Independent Police Complaints Commission is an important mechanism but its structure and efficiency raise legitimate concerns. Public trust suffers when an oversight body relies heavily on retired police officers to investigate serving police officers. We must therefore reflect seriously on the consolidation of these functions, possibly within the NHRC itself. This does not mean reducing oversight. It means strengthening it, and ensuring that investigations into police conduct are carried out by individuals who are, and are seen to be, structurally independent from the force.

If we take seriously the United Nations invitation to reflect on "everyday essentials", then we must admit that these reforms, whether constitutional or institutional, are not theoretical. They determine whether a young person feels safe in custody, whether a protester trusts the police response to be lawful, whether an elderly citizen enjoys privacy in an increasingly digital State, and whether our natural environment is

recognised as a partner in our wellbeing rather than a resource to be used until exhausted.

This Government's agenda is ambitious. The Police and Criminal Evidence Bill, the National Crime Agency, the strengthening of the prosecutorial system, the overhaul of digital law, and the embedding of new generation rights into the Constitution are all significant undertakings. Their purpose, however, is simple. They aim to rebuild the foundations of trust: trust in institutions, trust in the law, and ultimately trust in one another.

Human Rights Day reminds us that rights do not enforce themselves. They depend on individuals: investigators who insist on answers, commissioners who act without fear, civil

servants who refuse shortcuts, lawyers who ask the difficult questions, policemen and prison officers who respect the law, and judges who remain strong and principled. They also depend on our willingness to acknowledge past failures and to correct course when need be.

As we look to the years ahead, let us reaffirm that human rights in Mauritius will not remain slogans. They will be embedded in our Constitution, in our institutions, in our procedures, and in our national culture. And they will be measured, not by the elegance of our postures, but by the daily, essential protection we extend to those who need it most.

Thank you.

Speech by His Excellency Mr Dharambeer Gokhool G.C.S.K., President of the Republic of Mauritius

Introduction

Ladies and Gentlemen,

Good morning and thank you for the kind invitation to join you on this very important occasion: UN International Human Rights Day.

A day to commemorate the 1948 adoption of the Universal Declaration of Human Rights -UDHR.

The chosen theme is: Our Everyday Essentials - like food, safety, health, freedom -the daily foundations of dignity and well-being.

As you may be aware, in my capacity as President of the Republic, I bear the solemn duty of safeguarding our Constitution and the values that anchor our nation, our people.

And the prerequisite for human rights to be upheld is that we first recognise our shared humanity - that we start with basics - the recognition that we are all human beings.

With that recognition comes the responsibilities that give those rights meaning and moral strength.

Sunday, 7th December, marked one year since I assumed Office - a milestone that has deepened my appreciation for the pillars that uphold our Republic and for the enduring spirit with which we sing our national anthem: as One People, as One Nation, in peace, justice, and liberty.

It is in that same spirit that I address you today on International Human Rights Day 2025.

Allow me to convey my sincere appreciation to Mr. Satyajit Boolell, Senior Counsel, Chairperson of the National Human Rights Commission, and to all members of the Commission for their leadership and steadfast dedication to the advancement of human rights in our country.

I also extend a warm welcome to Professor Clare Anderson and Dr. Melissa Ifill.

I thank the UN Resident Coordinator, H.E. Ms. Lisa Singh, and the Attorney General, Mr. Gavin Glover, Senior Counsel, for their valuable insights.



Having listened attentively to their perspectives, I would like to reiterate that human rights are not upheld solely through institutions or legislative frameworks alone. But also, through our daily thoughts, actions and interactions as human beings.

Reflections

Allow me, therefore, to offer a few reflections – I emphasise - a few-and perhaps raise some thoughtful questions – on that which no statute can compel, and no institution can impose, yet remains the bedrock of human rights in our daily lives: conscience and responsibility of each person.

This year's theme, “Our Everyday Essentials”, reminds us once again that human rights are not abstract ideals but principles reflected daily in how we treat others - including those we may not know, yet whose humanity commands our respect, fairness, and protection.

We must also bear in mind that over time, the scope of human rights - from 1948 to date - has expanded significantly.

From first, we have now reached the fourth generation of human rights.

Also, it has been argued that all human rights cover a wide spectrum of rights and are universal, indivisible, interdependent and interrelated.

The realities and specificities of societies- political, economic, social technological, cultural and environmental- put to test the universality and indivisibility of human rights.

Reconciling internationally agreed norms with domestic circumstances and realities can, therefore, be very challenging and call for careful reflection and prudent action.

Presidential Reflections

This is why, since assuming Office, I have made it a point to welcome citizens from all walks of life- children, adults, persons with disabilities, and seniors - to promote reflection and constructive dialogue at the State House.

Over 8,500 visitors have reminded us that governance is meaningful only when rooted in human values.

You would also recall that in July, I convened a roundtable on disability inclusion with the UN, the National Human Rights Commission, and over thirty NGOs to engage multi-stakeholder consultations to foster collaboration aimed at tangible action.

From Reflections to Application

Ladies and Gentlemen,

While we take pride in being a nation that has signed and ratified a wide range of international human rights instruments, we must also acknowledge that the work of human rights is never complete.

Our Constitution, adopted in 1968, remains a pillar of our democracy, yet like all living instruments, it invites periodic reflection.

While the letter of our Constitution provides frameworks to protect human rights, it is only when its spirit is embraced daily -through conscience, empathy, and the fulfilment of our responsibilities - that these rights truly come alive.

As our society evolves, so too must the frameworks that safeguard dignity, equality, and justice.

Questions

In this context, I would like to mention a number of issues demanding urgent attention and introspection:

- *If the right to life implies the right to that which sustains life, should health - and by extension mental health- not be guaranteed for doctors, frontliners, police and prison officers, and journalists who shoulder extraordinary responsibility?*
- *Secularism and diversity remain cornerstones of our nation; how do we deal with religious symbols, cultural attire, or identity so that they do not become barriers to opportunity, productivity or meritocracy in workplaces?*
- *As digital access becomes a gateway to education, justice, and opportunity, but also to cyberbullying and “rage bait”, how do we ensure that knowledge about rights and responsibilities is available and accessible to every citizen?*
- *In a world of displacement, conflict, and humanitarian crises, how do we prepare our society to offer clearer protection to refugees, asylum seekers, and migrant workers, and foster empathy?*
- *What cultural shifts must we bring to ensure chronic health conditions, such as PCOS (Polycystic Ovary Syndrome) or Endometriosis - which can become disabilities- do not erode opportunity or fairness for women in professional and public life?*
- *With our elderly population projected to reach 33% by 2050, how do we guarantee they are respected every day, free from taunts, stigma, isolation, or dismissive attitudes?*
- *In light of prejudices faced by Rodriguans and Agaléans migrating to Mauritius, how can we ensure that our shared responsibilities toward dignity and fairness shape our response?*

- *How can environmental rights, aligned with climate resilience and the Sustainable Development Goals, be more firmly embedded in our legal framework?*

In the face of the climate crisis, the paradox of air conditioning as both a lifesaving necessity and a climate-damaging device takes centre stage.

Extreme heat threatens life itself. Can we imagine a future where access to cooling, clean energy, and climate-resilient infrastructure is intertwined with the right to life and the right to health?

The UN Environment Programme has reported that that extreme heat will affect nearly 1,000 cities by 2050, with average summer highs reaching 35°C and 1.6 billion people exposed.

Air conditioning is now seen as bordering on a human right, especially for vulnerable groups - the elderly, outdoor workers, and those without access to cooling.

So how do we harmonise the complex dual reality of upholding the immediate right to life through cooling, while fulfilling our responsibility to protect a healthy, sustainable environment for current and future generations?

This list of issues I have raised is by no means exhaustive, but I hope they will provoke reflection, stimulate debate, and inspire action. As we look toward the future, let us remember that the protection of human rights is not achieved by ratification alone.

It is realised through continual reform, ethical leadership, and the courage to modernise what no longer serves our people.

Our nation must remain open to renewal, whether as regards strengthening constitutional guarantees, advancing environmental and socio-economic rights, modernising outdated laws, or ensuring that equality and justice guide every public institution.

Conclusion

On this realistic but optimistic note, allow me to conclude by reaffirming my commitment, as President of the Republic, to uphold human rights and, just as importantly, to ensure that responsibility is embraced and practised by every citizen.

I hope that today's fruitful gathering and deliberations will inspire reflection, stimulate action, and strengthen our shared commitment towards a more just, inclusive, and humane society.

May God bless our Republic.

Thank you for your attention.

HUMAN RIGHTS DAY IN PHOTOS - I



HUMAN RIGHTS DAY IN PHOTOS - II



Digital Justice: Using a Human Rights Approach to address Cyberbullying

By Dishali Ramdenee (Intern)

In today's increasingly interconnected world, online spaces are critical for communication, education, and social interaction. However, such platforms expose individuals, particularly young people and vulnerable groups, to online threat. Cyberbullying has become one of the most common types of digital abuse. When viewed from a human-rights lens, it undermines dignity, privacy, equality, and security online, making digital justice an increasing priority.

According to the World Health Organization / Europe (HBSC 2024), around 15% of teenagers (1 in 6) worldwide have experienced cyberbullying. According to some estimates, internet harassment affects between 5% and 21% of children and adolescents in various nations. These data depict millions of young people whose safety and dignity are threatened every day.

Mauritius is not immune. The trend is rising: from **3,348 cases in 2022 to 5,221 in 2024**, reflecting a **56% increase** over two years. Many victims remain silent due to shame or fear, highlighting the urgent need for awareness and accessible reporting mechanisms. Cyberbullying can take numerous forms, including online harassment, impersonation, hate speech, image sharing without consent, doxxing, and sextortion. Each kind can infringe on fundamental rights. Persistent humiliation violates an individual's right to dignity; publishing private pictures without consent violates the right to privacy; threats and intimidation undermine the right to safety; and harassment based on gender, colour, appearance, or beliefs violates equality and non-discrimination. Cyberbullying can also interfere with children's and young people's right to an education, causing fear, absenteeism, or withdrawal from learning.

To ensure digital justice, one must develop an online environment in which everyone can participate safely. This requires a collaborative effort from families, schools, online platforms, civil society, and human-rights organizations. Social media platforms

must improve their response systems, while schools and parents should promote digital literacy, responsible online behaviour, and internet safety.

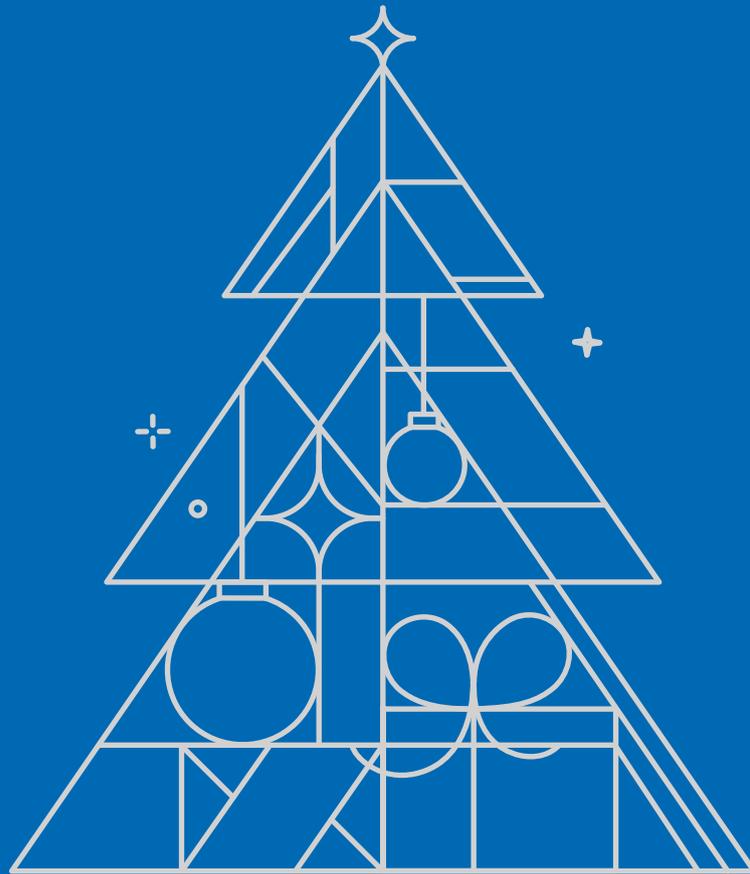
Human rights give a clear framework for addressing cyberbullying by ensuring people's dignity, privacy, security, and equality online. Human-rights concepts provide legal and ethical requirements for governments, institutions, and internet platforms by acknowledging that everyone has the right to live free of harassment, intimidation, and discrimination. Human rights-based laws and regulations guarantee that victims have access to remedies, support services, and safe reporting channels. At Last, human rights-based education and awareness efforts teach responsible digital behaviour, encourage respect for others, and enable users to identify and prevent abuse. By tying online behaviour to fundamental freedoms, human rights make cyberspace a safer place where people can communicate, learn, and participate without fear, directly minimizing the harm caused by cyberbullying.

GOOD NEWS MAURITIUS

By Jean Marie RICHARD



La commission nationale des droits humains accede a la Vice presidence de l'Association Francophone des Commissions Nationales des droits humains qui se tient a Rabat au Maroc depuis le debut de cette semaine. La NHRC y etait representee par Mme Touria Prayag. C'est au Rwanda que la presidence a ete confiee. Le theme du sommet etait "Intelligence Artificielle et droits humains" 18 des 35 pays membres etaient representes a la conference de Rabat.



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On Behalf Of The Chairman & All Members Of The
National Human Rights Commission



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