

BUSINESS AND HUMAN RIGHTS

Mauritius' urgent need for a national action plan

MAURITIUS has spent decades building its reputation as a stable and competitive economy. Today, we speak confidently of investment, innovation, financial services, tourism and sustainable development. Yet a fundamental question remains insufficiently addressed. When business activity harms workers, communities, consumers or the environment, do we have a coherent national framework to prevent harm, establish responsibility and ensure effective remedy?

Mauritius urgently needs a national action plan on business and human rights. This can no longer remain at the margins of our development debate. The United Nations Guiding Principles on Business and Human Rights, endorsed by the UN Human Rights Council in 2011, provide the framework. They rest on three pillars: the State's duty to protect human rights; the corporate responsibility to respect them; and access to remedy for people harmed by business activity.

For Mauritius, the challenge is to translate those principles into a practical, measurable national plan. Corporate social responsibility, unfortunately, is not enough. Many Mauritian businesses make valuable contributions through philanthropy, education and environmental initiatives. These efforts should be encouraged. But corporate social responsibility, often voluntary, cannot replace respect for human rights. A company may choose which community projects to support. Respect for decent working conditions, equality, health and safety, privacy and the environment cannot depend on corporate goodwill.

A national action plan would allow Mauritius to examine its laws and institutions systematically, identify gaps in protection, set clear expectations for responsible business conduct and improve access to remedy. It would connect policies that are too often considered separately, from labour and environmental protection to investment, procurement and digital regulation. That work should begin with a national baseline assessment grounded in Mauritian realities.



by Ms Melany NAGEN, Deputy Chairperson

First, it should examine the experiences of workers, including migrant workers, discrimination and disability inclusion, occupational safety, sexual harassment, pollution and climate impacts, land use, supply chains and barriers to justice. Furthermore, it must address emerging risks. Artificial intelligence, automated recruitment, workplace surveillance and the use of personal data can affect employment, privacy and equality. In addition, a plan intended to guide Mauritius' development must account for the economy we are building as well as the one we have today.

Including young people from the start is recommended as they have a particular stake in this work. They are entering the labour market, undertaking internships and apprenticeships, using digital platforms and living with the long-term effects of environmental decisions. Some are starting businesses themselves. Their participation should therefore be built into the assessment, consultations and monitoring of the action plan.

Students, young workers, young entrepreneurs and young people facing barriers to employment or participation should have meaningful opportunities to contribute, including in Rodrigues

and less-heard communities. Their involvement must go beyond a ceremonial seat at a meeting. Decision-makers should hear what young people experience, consider their proposals and explain how those contributions have shaped the plan. Human rights education can help young people participate confidently and hold institutions to their commitments.

Young people's voices are essential, but they are part of a wider process. Workers, trade unions, businesses, civil society, academia, professional organisations and affected communities must also be heard. The National Human Rights Commission can contribute independent expertise within its mandate. The most pressing test comes when prevention fails. Where can a worker facing exploitation turn? What remedy is available to a community affected by pollution or a person excluded unfairly by an automated system?

A credible action plan must examine whether existing judicial and non-judicial mechanisms are accessible, timely and effective. Remedy may require compensation, rehabilitation, changes to harmful practices or guarantees that violations will not recur. Adopting a plan must not become the achievement in itself. Mauritius needs designated responsibilities, deadlines, measurable objectives, public reporting and independent review. A document that sits on a shelf will offer little protection to anyone.

Clear expectations can also benefit responsible businesses. They will help enterprises identify risks, prevent harm and compete without shifting human or environmental costs onto workers, communities or future generations. Mauritius should aspire to attract investment that creates prosperity while respecting human dignity.

A national action plan will not solve every challenge overnight. It will, however, provide the national roadmap we urgently lack. One that links economic ambition to prevention, accountability and effective remedy, with young people helping to shape the future it promises. The question is no longer whether Mauritius should act. It is how much longer we can afford to wait.

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— Dignity for all —

“ANOU KOZ LALWA”

A day in court: what to do when the police knocks on your door

SECTION 10 of the Constitution guarantees that anyone charged with a criminal offence will receive a fair hearing, within a reasonable time, before an independent and impartial court. This right is usually discussed from the point of view of the accused. Less is said about victims and witnesses. Yet a hearing can only be fair if the people taking part in it understand the process and what is expected of them. So let us start with the basics.

It is Friday evening. You have had a long week, the tea is hot and the weekend has finally arrived. Then there is a knock at the door. You are not expecting anyone. It is the police. Your stomach drops. Your heart starts to pound. Has something happened to someone in the family? Have you done something wrong?

The officer hands you a note. “*Madam, you must be in Court at 9:30 on Monday. Don’t forget: if you are not there, a warrant will be issued against you.*” A warrant is a court order allowing the police to arrest you. You read the note twice. The words make no sense. You ask what this is about. The officer gives you a case number and tells you that you are a witness in a case against a Mr X. He cannot say more.

He wishes you good evening and leaves. You stand in the doorway, note in hand, unable to move. Back inside, the tea has gone cold and your mind is racing. Who is Mr X? Did I ever give the police a statement? What will the Court ask me? Will I be in trouble? The weekend you were looking forward to suddenly feels very long.

► What to do now?

First, do not panic. Being called as a witness does not mean you are in trouble. You are not the accused and you have done nothing wrong. The court believes you may have seen or heard something that can help it reach a fair decision.

Second, try to work out which case it is. The Supreme Court website publishes a weekly “cause list”, the schedule of cases each court will hear. It usually names the type of offence, which



by Deepti THAKOOR, Barrister-at-law

may help you recognise the case. It is perfectly understandable for a person not to have any recollection of the statement he gave to the police, especially when cases are lodged three to four years after the alleged event. If you remember, gather any papers connected to it and plan to arrive on time.

Third, if you still cannot remember, arrive early on Monday. Look for the uniformed police officer at the courtroom door holding a number of sheets of paper, the police orderly and ask for help. You can also speak to the court usher, who sits just below the magistrate’s bench and wears a suit. The usher calls out names and needs to know that you are present.

Finally, if the case still means nothing to you, wait until it is called. Then tell the magistrate that you do not know which case this is and have nothing to say. It is far better to say so in person than to stay away. Although rare, a magistrate may issue a warrant against a witness if the person has been personally informed to attend court and fails to do so.

Courts can feel like frightening places, full of unfamiliar words, formal dress and strict rules. But the people who work there know that most witnesses have never set foot in a courtroom. From the police orderly to the usher and the magistrate, they are there to help. Do not be afraid to ask. You are being called to play a small, but important part, in justice being done and you are not alone.

COMMÉMORATION

Traite et éducation gratuite

LE 23 août 2026, le monde a commémoré la Journée internationale du souvenir de la traite négrière et de son abolition, proclamée par l’UNESCO. Cette date commémore la révolte des esclaves de Saint-Domingue, dans la nuit du 22 au 23 août 1791, événement majeur dans le processus qui conduisit à l’abolition de la traite et de l’esclavage.

Cette journée a pour but de commémorer les victimes de la traite négrière et de l’esclavage ainsi que rappeler que des millions d’Africains ont été déportés et réduits en esclavage pendant plusieurs siècles. Il convient également de reconnaître les résistances et luttes des personnes esclavisées pour leur liberté et leur dignité, et de réfléchir aux conséquences historiques, sociales et économiques de l’esclavage afin d’être en mesure de renforcer la lutte contemporaine contre le racisme, les discriminations et toutes les formes d’exploitation humaine.

Pour la République de Maurice, cette commémoration devrait revêtir une importance particulière. Le pays et ses Îles constituantes ont connu l’esclavage pendant la période coloniale, et une partie importante de la population trouve ses origines dans les populations africaines et malgaches déportées dans le cadre de ce système d’exploitation. Le 1^{er} février, qui marque l’abolition de l’esclavage à Maurice en 1835, constitue donc une autre date essentielle de notre mémoire nationale.

Le 23 août permet de replacer cette histoire mauricienne dans le contexte plus large de la traite négrière dans l’océan Indien et dans le monde. Il ne doit pas être uniquement une journée de mémoire. C’est également une occasion de rappeler que la dignité humaine, la liberté et l’égalité sont des droits universels. La mémoire de la traite et de l’esclavage nous invite à combattre aujourd’hui toutes les formes de discrimination, de racisme, de servitude, de traite des personnes et d’exploitation, afin que les violations du passé ne se reproduisent pas sous de nouvelles formes.

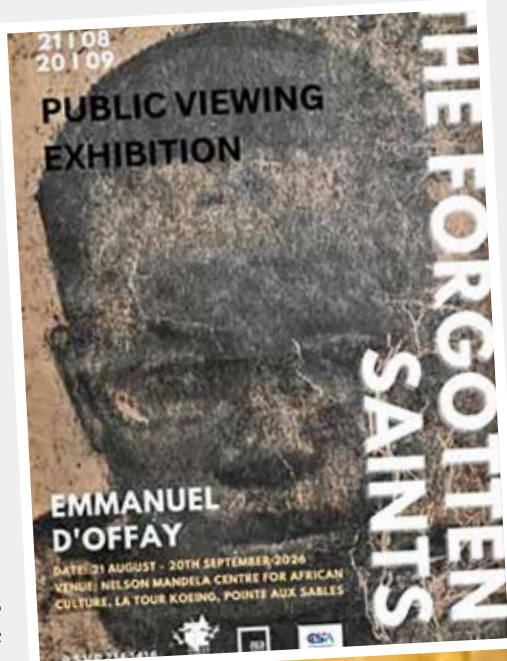
► Du souvenir à l’action

Nous avons un devoir de mémoire afin d’honorer les victimes de la traite négrière tout en célébrant la volonté de résistance et en défendant la dignité humaine que représente le marronage documenté dès le début de la colonisation hollandaise au 17^e siècle. C’est dans une certaine mesure ce qu’a suggéré de manière matérielle l’exposition *Forgotten Saints* proposée par l’artiste seychellois Emmanuel d’Offay, artiste et voix culturelle acclamé à *Lespas Lar* du centre Nelson Mandela pour la culture africaine, dont le vernissage a eu lieu le jeudi 20 août dernier, en

collaboration avec ZeeArts Mauritius et Creative Seychelles Agency des Seychelles.

Forgotten Saints est dédié aux silencieux, aux blessés et aux invisibles – à ceux dont la vie a été marquée par la souffrance, mais transformée par l’endurance, la foi, le sacrifice et la grâce. Ce voyage se déroule à travers la douleur non pas comme une fin, mais comme un passage. Chaque œuvre nous invite à une pause, à contempler l’espace fragile qui existe entre la souffrance humaine et la force sacrée. Les figures présentées ne sont pas des icônes lointaines, polies par l’histoire ; ce sont des âmes façonnées par la perte, la lutte, l’exil, la dévotion et la résilience.

La traite négrière et l’esclavage constituent une négation radicale des principes que nous considérons aujourd’hui comme fondamentaux : la liberté, l’égalité, la dignité et le respect de la personne humaine. L’histoire nous enseigne donc une leçon essentielle : aucune société ne peut être véritablement libre si certains de ses membres sont considérés comme inférieurs ou privés de leurs droits.



par Jean Marie F RICHARD
Membre de la «Human Rights Division»

La Déclaration universelle des droits de l’homme affirme que «*tous les êtres humains naissent libres et égaux en dignité et en droits*». Ces mots ont aujourd’hui une portée universelle. Ils nous obligent à regarder notre société avec lucidité, et à combattre toutes les formes contemporaines de discrimination et d’exploitation. La traite des êtres humains, le travail forcé, l’exploitation des personnes vulnérables, le racisme et les discriminations constituent autant de défis qui nous rappellent que la défense des droits humains n’est jamais définitivement acquise.

► Une mémoire qui rassemble

La mémoire de l’esclavage ne doit pas être utilisée pour diviser. Elle doit au contraire nous permettre de mieux comprendre nos origines, de reconnaître les souffrances du passé et de renforcer notre unité dans le respect de la diversité. Nous devons transmettre cette mémoire aux jeunes générations. Notre jeunesse doit connaître l’histoire de ceux qui ont souffert, mais aussi celle de ceux qui ont résisté, espéré et combattu pour leur liberté. Car l’histoire de l’esclavage est également une histoire de résistance, de courage et de dignité.

► Le devoir d’agir

Commémorer le 23 août nous impose également un devoir : celui de transformer la mémoire en action. Nous devons continuer à promouvoir une société dans laquelle chaque personne, quelles que soient son origine, sa couleur, sa culture, son sexe, sa condition sociale ou ses convictions, puisse vivre dans la dignité et exercer pleinement ses droits. À ce niveau, l’éducation publique – dont nous commémorons cette année le 50^e anniversaire de la mise en place – se doit d’intégrer ces pans entiers de notre histoire afin que les jeunes générations prennent conscience des fondations sociales de notre pays à travers les siècles et les époques. Elles seront ainsi mieux armées intellectuellement à intégrer notre histoire et à s’ériger en remparts de toute forme de discrimination. Car la lutte contre le racisme et la discrimination ne relève pas seulement des institutions. Elle concerne chacun d’entre nous.

CONTACTS UTILES

Pour toute information, accompagnement ou dépôt de plainte, voici les coordonnées essentielles de la NHRC

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