**Ministry of Foreign Affairs, Regional Integration and International Trade**

**(Human Rights Division)**

**Special Rapporteur on the human rights to safe drinking water and sanitation**

1. **Introduction**

1.1 There are no indigenous people in the Republic of Mauritius. All inhabitants in Mauritius have access to water and water projects are implemented both in rural and urban areas.

1.2 The Republic of Mauritius, being a democratic state, guarantees the rights of its citizens by virtue of the Constitution, which provides an unequivocal right for every citizen to be treated equally and to live a life free from discrimination.

1. **Legal Framework**

2.1 In some instances, the rights to clean water and sanitation or to food have been encompassed under the right to live in dignity which itself is construed as an emanation of the right to life as provided under Chapter II of the Constitution of the Republic of Mauritius.

2.2 The general framework regarding the supply of water is governed by the Central Water Authority Act and the Ground Water Act. The Central Water Authority Act defines the duties of the Central Water Authority (CWA) as being responsible for the control, development and conservation of water resources and the treatment and distribution of water to domestic, industrial and commercial purposes throughout Mauritius. Since the Water Resources Unit, operating under the aegis of the Ministry of Energy and Public Utilities, took over the responsibility of water resources administration and implementation of water mobilization projects, the CWA is now mainly responsible for the treatment and distribution of potable water for domestic, commercial and industrial usage.

2.3 On the other hand, the disposal of wastewater is governed by the Wastewater Management Authority Act, which provides that the Wastewater Management Authority (WMA) is responsible for the wastewater sector in Mauritius and to carry out, monitor, supervise, maintain, manage and control wastewater works*.* Additionally, it shall be the main undertaker for collection, treatment and disposal of wastewater.

2.4 Public utility providers (water and wastewater) are regulated by the Utility Regulatory Authority (URA) which was set up under the Utility Regulatory Authority Act (URAA).

The aforementioned legislations can be accessed on the following links:

1. <https://publicutilities.govmu.org/Pages/Legislation/Water.aspx>
2. <https://publicutilities.govmu.org/Pages/Legislation/Wastewater.aspx> .

2.5 Moreover, regulations providing for restrictions on the use of water are also made when required during the “dry season” and revoked when restrictions are lifted. The regulations apply to domestic and non-domestic use as well as in respect of irrigation. By virtue of the regulations made by the Government of Mauritius under the CWA Act to control the use of water during drought period, *no person shall, without reasonable excuse, use any water supply for domestic purpose or water supply for non-domestic purpose through a hosepipe, sprinkler, or any similar apparatus or in any wasteful manner to wash a vehicle; to wash a pavement, building or part of a building and to water a hedge to lawn or garden*. Moreover, no person shall, without reasonable excuse, carry out irrigation through abstraction of water resources except on specific days and time.

1. **Situation in Mauritius**

3.1 According to the 2011 Housing and Population Census, the proportion of population using safely managed drinking water service is 99.7% and 99.8% population is using safely managed sanitation service in Mauritius.

3.2 All water supply infrastructure in Mauritius namely, water treatment plant, pumping stations and distribution network are owned and managed by the CWA, which is a government entity. However, the CWA contracts out to private water tankers to dispense water in regions where water supply may be inadequate. Whenever there is water supply disruption due to pipe burst, water tankers are deployed and the repairs are done under emergency.

3.3 In areas where there are squatters, who are not CWA subscribers, water is being provided by water tankers on a humanitarian ground. Areas in vulnerable situations and most exposed to water cuts during droughts have been identified by the CWA based on pronounced decrease in available water resources (surface water and groundwater) during dry periods. To counter this issue, water tanker facilities are deployed to a greater extent to deliver potable water in those identified areas. Also, temporary mobile filter plants are installed to abstract and treat water from natural watercourses to supplement existing facilities for potable water supply.

3.4 Water supplied by the CWA confirms to the World Health Organization Drinking water quality standards. The CWA continuously monitors the quality of portable water and all necessary protection measures are taken to safeguard water sources from pollution. Chemical and bacteriological analyses are carried out daily from samples collected throughout the island. Moreover, monitoring of water resources is made on a regular basis for decision making in terms of water abstracted and distributed.

3.5 In cases of prolonged dry season when water is inadequate, the hours of daily water supply to population have to be reviewed. Consequently, proper communication is made to ensure that the inhabitants are aware of water disruptions and they can take their precautions. It is important to note that no increase in water and sanitation tariffs are effected during drought periods. The policy, planning and management of water resources in Mauritius are effected through a consultative and participatory approach among all concerned stakeholders in the water sector through a “Water Resources Monitoring Committee” led by the Ministry of Energy and Public Utilities, whereby the relevant stakeholders decide on the water allocation to the domestic, irrigation and economic sectors of the country, particularly during period of dry spell. The water allocation is based on the prevailing meteorological and hydrological situation over the island. The Committee ensures that domestic water supply is prioritized during prolonged dry spell.

3.6 Alternately, whenever there are floods which contaminate river sources, the CWA resorts to the abstraction of ground water and surface water through impounding reservoirs to guarantee water supply.

Sanitation

3.7 With regards to sanitation, up to now, 28.04% of population is connected to the wastewater network. The Government through the Wastewater Management Authority (WMA) is aiming to connect by the year 2030, 50% of the population to the public sewer. The remaining population have access to adequate sanitation through onsite disposal system (improved pit/septic tanks).

3.8 The WMA also licenses private wastewater carriers (under Wastewater (Registration of Wastewater Carriers and Disposal of Wastewater) Regulation 2006) for emptying of septic tanks/pits in regions which are unserved. The wastewater collected is discharged at the Roche-Bois Pumping Station and then conveyed to the Baie du Tombeau Wastewater Treatment Plant. In cases where nuisances are caused to the environment and private wastewater operators cannot provide services, the WMA has tankers which can intervene to prevent wastewater discharge to the environment. During the lockdown in 2020, both the private water tankers and private wastewater carriers have continued to provide their services.

1. **Right to water and the COVID-19 pandemic**

4.1 During the lockdown period associated with the COVID-19 pandemic, necessary arrangements have been made to enable a continuous water supply throughout the island. Moreover, all water treatment plants and pumping stations across the island have operated normally to ensure a normal water supply distribution during lockdown period. The Government of Mauritius had in place, during the confinement period, a system of Work Access Permit where employees of essential services, including those working in the water and wastewater sectors, have been authorised to travel and ensure continuity in business operations and minimum service.

4.2 No major vulnerability on the water services have arisen during the COVID-19 pandemic owing to the various financial and other incentives provided by Government of Mauritius. Normal water supply and the normal hours of domestic water distribution have been maintained throughout the island for the public to have access to potable water for handwashing as recommended by the World Health Organization (WHO). The average per capita consumption has been maintained at 150 liters – 200 liters per day.

1. **Situation in Rodrigues**

5.1 The issue of water in Rodrigues, which has been facing an acute water shortage for decades, remains a very high priority for its development. The increase in the standard of living and the socio-economic development have contributed to water stress situation. Improving water production, storage and distribution is therefore essential to enable the population to have access to adequate water for domestic and other uses on a more regular basis. The economic development of Rodrigues has always been a priority of the Government of Mauritius. Hence, resolving the water shortage is a key issue as Rodrigues depends a lot on its agriculture, tourism and related sectors which require an adequate water supply.

5.2 Paragraph 285 of the Government Programme of 2015-2019 makes mention that the water problem in Rodrigues would be addressed with the construction of new reservoirs and plan exploitation of available resources. This is further reinforced by paragraph 186 of the Government Programme 2020-2024 which provides that in order to increase water supply in Rodrigues, the Government of Mauritius will support the application of new technologies for desalination and storage. The above mentioned Government Programmes can be accessed on [govprog2015.pdf (lexpress.mu)](https://www.lexpress.mu/sites/lexpress/files/attachments/article/2015/2015-01/2015-01-27/govprog2015.pdf) and [Govt Programme 2020-2024.pdf (govmu.org)](https://gis.govmu.org/Documents/Govt%20Programme%202020-2024.pdf#search=government%20programme) respectively.

1. **Measures taken**

6.1 A series of measures have been implemented in Mauritius with respect to the right to safe drinking water and sanitation, namely;

1. a National Water Policy (NWP) was prepared by the Government of Mauritius in 2014 which aims at providing a general framework for the water sector to achieve specific objectives such as: water resources development for social and economic benefit of the country on an equitable and sustainable basis; ensure 100% access to safe and reliable water supply; water allocation on the basis of national priorities; improve water supply services by applying modern management practices; protect, conserve and enhance water resources; and develop a legal and regulatory environment. The NWP, accessible on [https://govmu.org/EN/infoservices/energyutilities/Documents/National%20Water%20Policy[1].pdf#search=National%20Water%20Policy](https://govmu.org/EN/infoservices/energyutilities/Documents/National%20Water%20Policy%5b1%5d.pdf#search=National%20Water%20Policy), also adopts an Integrated Water Resources Management Approach, in line with national priorities and objectives;
2. the Integrated Water Resources Management (IWRM) Plan 2017-2022, which was developed in consultation with different stakeholders, adopts a holistic approach whereby a number of priority areas have been identified and are being implemented. This IWRM Plan provides a roadmap for achieving the multi objectives of the water sector aiming towards the sustainable development of Mauritius;
3. to ensure water security, the Government of Mauritius has been investing massively through the construction of Bagatelle and Midlands dams for domestic, industrial and agricultural purposes. Moreover, the construction of the Rivière des Anguilles dam with an expected storage capacity of about 14 Mm3 aims at harnessing additional water resources to improve and meet the present and future water demands for both potable and irrigation purposes of the southern and south-western regions of Mauritius is expected to be completed in 2024;
4. the La Ferme Dam, which was constructed in the year 1914 to store water for irrigation in the Western Coast, will be upgraded to increase its storage capacity to 14 Mm3. Consultancy Services for its rehabilitation will start shortly. Similarly, a study for increasing the capacity of La Nicolière Reservoir is presently ongoing. This would significantly improve yield from the reservoir, from 66,000 m3 to 100,000 m3 daily. These measures would optimise the Midlands Dam/La Nicolière Reservoir System;
5. there is an ongoing annual programme for the drilling of new boreholes in order to harness additional groundwater resources. Three to four boreholes are drilled yearly to identify new sources of water;
6. several regulations have been promulgated under the Environment Protection Act 2002 which aim at protecting the public against toxic exposure of pollutants namely the Environment Protection (Drinking water standards) Regulations amongst others. The aforesaid mentioned regulation, which sets the standards for supply of water meant for human consumption through pipelines, bottles or other containers, is based on WHO guidelines and prescribe permissible limits for a variety of toxic pollutants. It is currently being reviewed for enhanced protection and to be in line with new scientific evidence on toxicity of substances to human health and the environment;
7. rainwater harvesting schemes have been put in place to capture water at household level thereby reducing dependence on water supplied by Authorities. Moreover, the Ministry of Energy and Public Utilities is working with various stakeholders to consider rain water harvesting to be used for irrigation and cleaning purposes;
8. several sensitisation campaigns are held at national level through the use of mass media to promote efficient use of water;
9. public sector irrigation has been upgraded to include water efficient systems such as sprinkler, centre pivot and drip;
10. to ensure access to potable water for households with a low-income bracket, the Government of Mauritius has exempted households consuming up to 6 m3 per month from payment of water charges. Such measure was also maintained during the COVID-19 pandemic;
11. to improve the supply of potable water to the population water autonomy, a grant of Rs8000 is being provided to low-income families for the purchase of water tank of capacity 400 to 1000 litres a domestic water pump. The eligibility income threshold for this grant has also been increased to Rs 50,000;
12. the installation of 38 mobile pressure filters by the CWA in rivers and lakes in order to abstract and treat water for domestic use. This concerns mostly water stressed areas and is a temporary measure pending the implementation of larger projects regarding water storage, water treatment and distribution. Containerized water filters have also been installed at different places across the island, namely at Mont Loisir Rouillard, Plaine Des Papayes, L’Unité, La Marie, Valetta Lake and Salazie to improve water supply in the respective regions;
13. temporary measures were also implemented during the lockdown period whereby surcharge on water and wastewater bills were waved; there were no disconnection for charges due during that period; part-payment facilities were granted to consumers on a case-to-case basis and an additional moratorium of up to four months was provided for payment of bills following the lifting of the confinement;
14. the CWA encouraged people to use the existing online payment system to settle bills during the curfew. Those, who were not able to pay their bills online, were able to pay later with no penalties. This also applied for other utility services and loan repayment;
15. households registered under the Social Register of Mauritius and found living in absolute poverty, are eligible to apply for housing support. A decent dwelling for every family is high on the agenda of the Government. In this regard, housing support is being provided to the most vulnerable households so that they can have access to a decent housing unit. The purpose is not only to provide a decent dwelling but also to provide access to clean water and sanitation, affordable electricity, a decent and safe living environment and a healthy neighbourhood concept in line with community development values. To this end, the National Housing Development Company housing units are provided with all necessary amenities such as water, adequate sewage disposal systems (Septic tanks or Sewerage Treatment Plant), power supply, storm water evacuation systems, parking facilities, road infrastructure and refuse collection facilities;
16. in order to strengthen access to water, sanitation and hygiene, the CWA proceeded with the renewal of 168 km of pipelines across the island is constantly renewing pipe networks to reduce losses/leakages and expansion of sewer networks by targeting 50% of the population to be connected to the public sewer in an endeavour to protect the environment;
17. during drought periods, there is no increase in in water and sanitation tariffs. However, sensitization campaigns are constantly carried out for a more judicious use of water. Vulnerable groups from the low-income bracket are provided up to six cubic metres of water monthly free of charge. These households are also protected from water disconnections;
18. in order to maintain water quality and shortage of water supply due to climate chance, a re-afforestation programme is being implemented particularly in reservoir catchment areas;
19. the sustainable management of water by the private sector is of great relief to the national water supply system. The hotel industry, both in Mauritius and Rodrigues, has taken the lead by investing in desalination plants and addressing potential water shortages. Many luxury hotels, have such plants, using the reverse osmosis water purification technology enabling them to be water independent and meet their daily water demands. Measures have been taken to make it mandatory for hotels with at least 50 rooms and located on the seaside to provide for a desalination plant. New hotels on beachfront either over an area of 5 arpents or with more than 50 rooms, should include a desalination plant. This is taken into consideration for the grant of the EIA licence by the Ministry of Environment, Solid Waste Management and Climate Change. On the other hand, hotels with more than 50 rooms, including Integrated Resort Scheme (IRS) projects, shall be equipped with a wastewater treatment plant, if public sewer is not available;
20. with regards to sanitation, developments which are outside the sewered regions should provide onsite wastewater treatment in compliance with the Environment Protection Act and the Planning Policy Guidance of the Ministry of Housing and Land Use Planning. To that end, the WMA addressing sanitation problems in CHA Low-Cost Housing Estates and regions which are vulnerable to environmental hazards in respect of wastewater disposal and which are in line with the Government Programme. As such, rehabilitation of wastewater infrastructure in 4 CHA Estates have been completed and works in 2 other CHA Estates (i.e Cite Atlée and Cite Vallee des Pretres will be implemented in Financial Year 2021/2022;
21. the CWA will increase its water storage capacity through the construction of 5 Service Reservoirs while using new technologies available on the market at the same time. A provision of Rs 8.7 Billion was also earmarked for CWA investment projects for financial year 2019-2020 including Pipelaying Programme, Upgrading of Water Treatment Plants and Construction of new service reservoirs;
22. the Pailles water treatment plant was also upgraded to operate at 80,000 m3 daily. Moreover, new Water Treatment Plants at Pont Lardier (GRSE), Mon Blanc, La Nicolière WTP, Rivière Du Poste WTP and Piton Du Milieu would also be constructed;
23. the Ministry of Energy and Public Utilities is preparing a road map to enunciate the new paradigm, strategy and portfolio of projects in the water sector with a view to improving the provision of water for domestic purposes across the island during the dry season, over the period of 2021 to 2024. Immediate measures were put in place since 2020 to increase water production through tapping of water directly from rivers, exploitation of new boreholes and laying of new stretches of pipes to carry water from alternative sources to supply water to the stressed areas; and
24. a Water Bill, which is being worked by a Technical Committee at the level of the Ministry of Energy and Public Utilities, is also under preparation for clearer definition of the roles of institutions and for an integrated water resource management.

6.2 As far as Rodrigues is concerned, the actual water demand for domestic, agricultural and industrial purposes is estimated at 18,000 m3 per day of which the domestic demand stands at 12,000 m3 per day. The Government of Mauritius is committed to improve water distribution and access to safe drinking water on a regular basis in Rodrigues. Hence, a substantial investment and different projects are being undertaken to address the issue of water production and supply in Rodrigues.

6.2.1 Since December 2014, the Government of Mauritius has been working in close collaboration with the RRA to implement various measures and projects to improve water production, treatment and distribution. In fact, as from January 2015 to date, an amount of over Rs413 m. has been allocated to the RRA to target water sector initiatives in line with the following strategies –

1. increasing water production through seawater desalination projects;
2. optimal exploitation of other available water sources, mainly boreholes, springs and dams;
3. construction of new reservoirs and upgrading of existing ones;
4. installation of wastewater treatment plant;
5. provision of grants and facilities to encourage households to have rainwater harvesting systems. Assistance is also provided to needy families for construction of roof gutters and domestic water tanks. Moreover, it is also a requirement for new constructions to include such rainwater harvesting systems;
6. upgrading of the water distribution network, and
7. reform of the water distribution management.

6.2.2 As a result of measures taken, including the construction of 5 desalination plants at Pointe Cotton, Songes, Caverne Bouteille, Baie Malgache and Pointe Venus to relieve the pressure on the existing boreholes, springs and reservoirs currently serving the island and the implementation of rainwater harvesting projects, water production in Rodrigues has increased from 4,500 m3 per day to 9,000 m3 per day.

6.2.3 Regarding affordability of water services and payment of bills in Rodrigues, it should be noted that there is no water tariff but only a nominal yearly fee is levied and to date, there has been no disconnection for non-payment of the fee reported.

6.2.4 Assistance provided by international organisations to Rodrigues

1. A grant of EUR 3 million (approximately Rs 120 million) was approved by the European Union under the 10th EDF Programme entitled: ‘Support to Water Development in Rodrigues’, under two separate Calls for Proposals, over a period of two years each (1st Call for Proposal: 2015- 2017 & 2nd Call for Proposal: 2016-2018).
2. Moreover, since 2017, 4 rainwater harvesting projects which were co-funded by the Rodrigues Regional Assembly (RRA) and the European Union have been completed. The projects aimed at improving rainwater harvesting at school level, public buildings, including hospital and household level.
3. In 2018, Rodrigues pioneered an innovative project in the Indian Ocean with the construction of a solar desalination in line with the vision of making it an ecological island. The plant is producing 80 m3 of fresh drinking water for 2,400 inhabitants every day. At night, it uses a hybrid solar-grid powered source to produce 240 m3 of drinking water. This project was a collaboration between the Indian Ocean Commission, the European Union, the Agence Française de Développement (AFD) and the RRA.
4. Moreover, in view of improving the water sector in Rodrigues in the long-term, the RRA has been working in collaboration with the AFD on two major projects, namely the setting up of the *Observatoire de l’eau* and the Consultancy Services for the Development of Rodrigues Water Resources Strategy and the Definition of Priority Action Plan which aims at providing a sustainable solution to the persistent water scarcity. The *Observatoire de l’eau*, which is being co-funded by the AFD and the RRA, will enable the development of an information system to collect data from all sectors, share information, identify priorities and facilitate decision-making and better resource management.
5. In this context, the Rodrigues Regional Assembly has signed a Memorandum of Understanding with *l’Office de l’eau* of Reunion Island and the Ministry of Energy and Public Utilities for the setting up of the *Observatoire*. The expected completion date of the project is September 2022. As regards the development of the priority action plan, the services of the Consultant Firm BRL Ingénierie have been enlisted for the elaboration of a strategy for the sustainable development of the water sector in Rodrigues. The consultancy is fully financed by AFD to the tune of 100,000 Euros.
6. **Accountability Framework**

7.1 In line with the objective of the Government of Mauritius to place citizen at the centre of public service delivery, the Citizen Support Unit (CSU) of the Prime Minister’s Office has been set up on 28 April 2017 to manage an internet-based complaints management platform, the Citizen Support Portal (CSP). This pioneering platform, which is accessible round-the-clock on the web address [www.csu.mu](http://www.csu.mu), has been developed and put in place to facilitate the registration of complaints/general inquiries of citizens and/or their suggestion/ideas to Ministries, departments, parastatals and local authorities, online.

7.2 Members of the public are also encouraged to report complaints regarding inadequate water supply in their locality on the CSP.

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