



Embassy of the Republic of Mauritius and Permanent Mission of Mauritius to the United Nations and other International Organizations

Ambassade de la République de Maurice et Mission Permanente auprès des Nations Unies et des autres Organisations Internationales

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The Embassy and Permanent Mission of the Republic of Mauritius to the United Nations and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights (OHCHR) and has the honour to refer to the letter from the Secretariat of the HRC Advisory Committee dated 13 March 2018 requesting inputs from Member States, has the honour to submit the contributions of the Government of Mauritius on the following three studies:

- (i) The negative impact of the non repatriation of funds of illicit origin to the countries of origin on the enjoyment of human rights
- (ii) Effects of terrorism on the enjoyment of all human rights
- (iii) Activities of culture funds and their impact on human rights

The Embassy and Permanent Mission of the Republic of Mauritius to the United Nations and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights (OHCHR) the assurances of its highest consideration.

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Geneva, 3 July 2018

The Office of the High Commissioner for Human Rights (OHCHR)
Palais des Nations
Geneva



Resolution 34/8 - EFFECTS OF TERRORISM ON THE ENJOYMENT OF ALL HUMAN RIGHTS

Mauritius is mostly dependent on the Tourism Industry, Foreign Direct Investment, Integrated Resort Scheme, under the Non-citizen Property Act and a single terrorist attack may seriously affect these economic sectors.

Terrorism indeed overshadows every aspects of economic, social, cultural and political life. While it brings instability and disrupts peace, it directly endangers the lives of peoples and restricts the environment for them to enjoy their fundamental rights and freedoms.

Foreign investors lose confidence which prompts large outflows of capital and once a country is branded a terrorist target, it would attract reduced levels of Foreign Direct Investment (FDI).

The fight against terrorism implies long-term measures with the aim to preventing the causes of terrorism, by promoting, in particular, cohesion in our societies and a multicultural and inter-religious dialogue. Counter-terrorism must be lawful, respect human rights: **Rights to Life, Liberty and Security of Person and Freedom of Religion or Belief** are protected under Article 6, 9 and 18 of the International Covenant on Civil and Political Rights (ICCPR) and other international law provisions.

The threat of terrorism and the means to fight it are becoming a key concern for policy makers, law enforcement agencies and the population at large as the consequences, often directly impacting the enjoyment of all human rights and fundamental freedoms.

However, the major challenge for the government and law enforcement agencies is to counter terrorism and take measures that neither infringe human rights nor raises the question of its incompatibility with international human rights law and standards.

Mauritius has enacted a number of laws criminalizing terrorist acts and terrorist related activities:-

- Prevention of Terrorism Act (POTA) 2002;
- Prevention of Terrorism (Denial of Bail) Act 2002;
- The Prevention of Terrorism (Special Measures) Regulation 2003;
- The Prevention of Terrorism International Obligations Act 2008;
- Prevention of Terrorism Act (Amendment) 2016;
- The Convention for the Suppression of Financing of Terrorism 2003
- The Financial Intelligence and Anti Money Laundering Act (FIAMLA) 2002;
- The Prevention of Crime Act 2002;

- The Financial Intelligence and Anti Money Laundering Act (FIAMLA) Regulation 2003;
- The Anti Money Laundering (Miscellaneous Provision) Act 2003; and
- The Geneva Convention Amendment Act 2003.

Mauritius has over the years associated itself with a number of regional and international associations related to the protection of the rights of people. In this context, several resolutions, conventions and treaties have been ratified by Mauritius and eventually domesticated in our laws. Mauritius has also contracted partnership agreements to show its strong commitment to addressing all forms and manifestations of terrorist threats.

Mauritius is a signatory to the following legal documents:-

- United Nations Security Council Resolution 1373;
- United Nations Conventions on the Suppression of Terrorists Bombing 2003;
- United Nations Conventions against Transnational Organized Crime 2003;
- United Nations Conventions on the Prevention and Punishment of Crimes against Internationally Protected Persons 2003;
- International Conventions for the Suppression of Acts of Nuclear Terrorism 2003; and
- United Nations Global Counter Terrorism Strategy 2006.

Mauritius has also put in place a number of mechanisms to address issues though not directly related act of terrorism but other matters that may likely affect the enjoyment of Human Rights of our citizen. These mechanism include among others, the setting up of institutions/organizations such as the National Human Rights Commission, Independent Police Complaints Commission, the Ombudsman's Office, Amnesty International Consumer Association of Mauritius (ACIM), Petroleum Pricing Committee, and other institutions that ensure the civil, economic, social, cultural rights of the citizen are protected at all times.

Bilateral and multi-lateral cooperation have been enhanced between friendly countries such as India, USA, UK, France, China, Australia, Reunion Island, Seychelles, etc. Furthermore, advanced information are disseminated to Police through Interpol and information sharing, regarding persons suspected to indulge in acts of terrorism.

The situation in Mauritius has so far not warranted a state of emergency to be implemented. In that context, a number of measures have been adopted to counter the terrorist threats, keeping in mind the fundamental rights of individuals which are enshrined in our constitution, particularly Section 3, where freedom of expression, freedom of movement and right to privacy are guaranteed.

It is important to highlight that as at now Mauritius has not been the target of acts of terrorism.

So far Police have neither registered any act of terrorism nor received any report from any citizen regarding violation of their rights following acts of terrorism.

The Government is continuously reinforcing all institution including the Mauritius Police Force, Counter Terrorism Unit, Federal Intelligence Unit, Mauritius Revenue Authority, Tourism Authority, etc to proactively identify signal events related to act of terrorism and take remedial actions. A recent example, was a video clip uploaded on Facebook inviting youngsters to join the ISIS and same was immediately removed from the net.