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

**(Human Rights Division)**

**Questionnaire in relation to Human Rights Council resolution 45/7 on Local Government and Human Rights**

1. **Introduction**

In Mauritius, the Ministry of Local Government and Disaster Risk Management (MLGDRM) is responsible for local government, disaster risk management matters, for the formulation of appropriate policies and strategies and the establishment of necessary legal framework to ensure that entities under its purview operate smoothly to contribute effectively towards achieving national objectives in respect of:

1. Local government matters in Mauritius.
2. Disaster Risk Reduction and Management.
3. Enforcement of conveyance of municipal solid waste.
4. Cleaning, landscaping and embellishment of public places.
5. Fire prevention and fighting as well as rescue service.
6. Meteorological services.

The MLGDRM also ensures that: -

1. Local Authorities adhere to the principles of good governance;
2. local Authorities are empowered and provided appropriate support so as to enable them to manage the affairs of the local communities effectively and efficiently; and
3. all stakeholders are also engaged in local community affairs.
   1. **Main legislations of the MLGDRM**

The Ministry administers the Local Government Act 2011 and makes such regulations for the smooth implementation thereof and provides general policy guidance to Local Authorities. The main legislations of the MGLGDRM are as follows:

1. The Local Government Act 2011
2. The National Disaster Risk Reduction and Management Act 2016
3. The Mauritius Fire and Rescue Service Act 2013
4. Mauritius Meteorological Act 2018
5. Statutory Bodies Pension Fund Act 1978
6. **Units operating under the aegis of the MLGDRM**

**2.1 Local Authorities Governance Unit (LAGU)**

A LAGU was set up in 2012 with the objective of monitoring the performances of Local Authorities while providing support to Chief Executives of Local Authorities in their planning, budgeting, delivery of services and reporting and also in the monitoring of their resources.

The Unit is headed by a lead Analyst and supported by an Analyst/Senior Analyst who advise the Head of the Ministry on financial Governance of Local authorities and recommend measures and remedial actions to ensure that local authorities: -

1. achieve the milestones set on the Roadmap for the implementation of the International Public Sector Accounting Standards (IPSAS) in Government;
2. keep an updated Fixed Asset Register in line with IPSAS; and
3. obtain approval of their respective Budget Estimates for FY 2021-22 within 3 weeks of Budget Day to avoid recourse to Vote on Account.

**2.2 Land Use Planning Unit**

The Land Use and Planning Unit assists and advises in the interpretation of planning instruments such as Planning Policy Guidance (PPGs) and Action Area Plans/Master Plans to be used by local authorities and other institutions whilst granting permits and licences.

Construction or use of a place as a place of worship

The Local Government Act provides that approval of the Ministry of Local Government is required for construction of a place of worship and the development must comply with planning policy guidance.

Democratising access to land

The Local Government Act provides that where the owner of a house, standing on a portion of land belonging to a Municipal City Council or Municipal Town Council, is willing to buy the house as well as the portion of land on which it stands, he may do so by private contract at the price of 2000 Rupees.

* 1. **Field Services Unit (FSU)**

The FSU started its operations in 1987 and carries out the following activities:

1. Execution of minor infrastructure projects for the Ministry itself, as well as for various other Ministries/Departments and organisations, such as the Beach Authority, the Living Environment Unit, Solid Waste Management Division, the Sugar Industry Labour Welfare Fund and Local Authorities, by providing manpower for various tasks, including cleaning, repairs, transportation of equipment, painting, carpentry and masonry.
2. Cleaning of the Motorways.
3. Cleaning of overgrown barelands at the request of Ministries, Departments, Governmental organisations, and civil society organisations.
4. Assisting the Local Authorities in Bulky Wastes Collection Campaigns.
5. Landscaping and embellishment works across the island.
6. Maintaining a nursery so as to have a stock of plants for landscaping and embellishment purposes, as well as for official functions organised by other Ministries/Departments.

**2.4** **Unified Local Government Service Board (ULGSB)**

The ULGSB has been set up under section 68 of the Local Government Act and operates at the level of the MLGDRM with a view to optimizing human resources in Local Authorities. The Board is responsible, inter-alia to:

1. approve the establishment of any office of emolument in the service of a Local Authority;
2. issue guidance on general human resource matters;
3. approve loans to eligible officers;
4. determine applications for leave without pay made by officers; and
5. approve schemes of service.
6. **Organisations operating under the aegis of the MLGDRM**

**3.1 Mauritius Fire and Rescue Service (MFRS)**

The Mauritius Fire and Rescue Service (MFRS) aims at making Mauritius a safe place by minimizing the risks of loss of life, property and environmental damage through enforcement of fire legislations, education and rescue services. It is an “all hazards” department that responds to all types of incidents including fire, road traffic collisions, hazardous materials response, technical rescues, flood, special assistance, and much more. It currently operates 11 Fire stations all over the island and a fire post in Agalega island.

The MFRS also has the statutory obligation for the issue of Fire Certificates and carry out Enforcement Inspections and also being involved in promoting emergency preparedness, fire prevention and Fire Safety Education.

The MFRS is responsible for ensuring that the people of the Republic of Mauritius are supported by and benefit from an effective disaster and emergency management system and essential emergency response services.

**3.2 Mauritius Meteorological Services**

The Mauritius Meteorological Services (MMS) is the sole authority mandated to provide weather and climate services for the general welfare of the citizens of Mauritius. In addition, it provides early warning for natural hazards so as to reduce the loss of life and damage to property.

The MMS is an essential service and operates on a 24/7 basis.

The Mauritius Meteorological Services Act 2019 was promulgated to ensure proper surveillance and monitoring of meteorological parameters. Under Section 5 of the aforementioned Act, the MMS has as one of its functions to monitor, assess and conduct research on climate change, in particular on the science of climate change and sea level rise, and provide baseline information for the sustainable development of Mauritius and promote education, sensitisation and awareness on weather and climate.

The MyT Weather App

The **MyT Weather App,** is a free Mobile App developed by Mauritius Telecom in collaboration with NDRRMC and MMS to disseminate information regarding any emergency to the population, including persons with disabilities. The App contains inputs, including Alerts, Communiques, vital information, daily weather forecast, hotline from the MMS, the Police and the NDRRMC at one click dial for all responders with maps.

1. **Local Authorities**

Local Authorities in Mauritius consist of Urban Councils and Rural Authorities. Rural Authorities, in turn, comprise the District Councils and the Village Councils.

According to Section 49 of the Local Government Act the purpose of a Local Authority is to: -

1. promote the social, economic, environmental and cultural well-being of the local community;
2. improve the overall quality of life of people in the local community;
3. ensure that services and facilities provided by the Council are accessible and equitably distributed;
4. ensure that resources are used efficiently and effectively o best meet the needs of the local community;
5. ensure transparency and accountability in decision –making; and
6. provide for he prudent use and stewardship of local community resources.

Local Authorities are responsible for infrastructural development and control mechanisms to mitigate impacts of climate change in the communities. They include the construction, maintenance and cleaning of drains of all roads other than motorways and main roads, the collection and conveyance of waste to waste disposal or management facilities, the undertaking of afforestation and terracing works along public roads, the construction, control, care, management, maintenance, improvement and cleaning of the beds and banks of lakes, rivers, rivulets and streams, and the control of pollution.

The MLGDRM lays much emphasis on community development. Local Authorities, through Welfare Officers cater for the welfare of the communities and members of the public through the promotion of social, economic, environmental and cultural well-being of the local community and improvement of the overall quality of life of people in the local community amongst others.

* 1. Improving good governance, strategic planning and risk management

With a view to reinforcing internal audit and risk management to further strengthening accountability and transparency in local authorities, the following measures have been implemented by the MLGDRM in ensuring that Local Authorities adhere to the principles of good governance:

1. Setting up of Audit Committees at the level of all local authorities;
2. adoption and implementation of Public Sector Anti-Corruption Framework including, managing of conflict of interest and introduction of gift policy;
3. publication of customer charters;
4. implementation of recommendations of ICAC following Corruption Risks Assessment in the processing of Building and Land Use Permits; and
5. adoption and preparation of Financial Statements on accrual IPSAS ahead of FY 2020-2021.
6. **The National Disaster Risk Reduction Management Centre (NDRRMC)**

5.1 The National Disaster Risk Reduction and Management Act 2016

Mauritius, is vulnerable to natural disasters such as cyclones, storm and tidal surges, torrential rains, floods and flash floods, landslides, tsunami as well as man-induced disasters. Consequently, it has come up with a comprehensive policy for the safety of all individuals in times of humanitarian emergencies and situations of risks and disasters. The National Disaster Risk Reduction and Management Act was proclaimed in July 2016 and a National Disaster Risk Reduction Management Centre (NDRRMC) was set up to coordinate efforts of various agencies responsible for disaster mitigation.

The National Disaster Risk Reduction and Management Act (2016) was promulgated with the objective to provide for:

1. prevention and reduction of the risk of disasters;
2. mitigation of the adverse impacts of disasters;
3. disaster preparedness; Effective response to disasters; and
4. management of post-disaster activities, including recovery and rehabilitation.

The NDRRMC acts as the main institution in Mauritius for coordinating and collaborating with all relevant stakeholders so that disaster risk reduction and management becomes an integral objective of environment-related policies and plans, sound land use planning, natural resources management, education and social development plans, economic and sectoral policies, as well as infrastructure through enforcement of building codes (section 9). The NDRRMC coordinates with stakeholders to ensure that risk reduction and preparedness planning is included at all levels of the country, from individuals and communities, institutional to Government policy and strategy.

The NDRRMC carries out regular sensitization campaigns on disaster risk reduction and organizes frequent simulation exercises and activities. These campaigns and simulations exercises take into account the special needs of persons with disabilities for whom the 2016 Act provides safe evacuation in situations of risks and humanitarian emergencies, as well. Safe evacuation procedures are tested for implementation in case of occurrence of disasters.

5.2 People in vulnerable situations

The NDRRMC has a network in place at local government level to support preparedness and response in situation of extreme weather events and they include a list of vulnerable people in respective regions. Additionally, the Ministry of Social Integration, Social Security and National Solidarity has a list of most vulnerable people who are provided with various support including refuge in emergency shelters, payment of cyclone and refugees allowances, flood allowances, fishermen allowances as well as other ad hoc allowances as appropriate.

The NDRRMC has prepared several Contingency plans to deal with any disaster event in flood prone areas.

1. Development of contingency plans for vulnerable areas

Contingency plans have been developed for identified flood prone and life critical threatening areas. These plans elaborate the roles, responsibilities and actions of stakeholders to save/protect life as well as reduce the impacts flooding. The development of these plans are done at level of the NDRRMC with the close collaboration of the Local Authority. Some 44 emergency plans have recently been developed and caters for disabled persons living in those flood prone and/or affected areas. Therefore, during emergencies, priority are given to children, persons with disabilities and elderly people.

1. Community Disaster Response Programme (CDRP)

During the CDRP training, volunteers mostly residing in vulnerable areas are initiated to basic rescue techniques, including the proper way to handle persons with disabilities and as well as to assist first responders.

1. Development of contingency plans for Residential Care Homes (RCHs)

The NDRRMC has devised a template and set of guidelines to facilitate the drafting of emergency plans involving inmates with disabilities. The Ministry of Social Security, National Solidarity and Reform Institutions is presently supervising the development of those plans and is assisting the Managers of RCHs to prepare their emergency plans.

1. School Emergency Response Plan (SERP)

Emergency plan for the safety of students in a particular vulnerable school prone to flooding is available to assist the rectors to evacuate students as per elaborated protocols. The NDRRMC in collaboration with the Ministry of Education, Tertiary Education, Science and Technology organises awareness campaigns with officers in charge of primary schools (Government owned and private) with the view of sensitising the school community including students with disabilities.

1. Protocol on Heavy Rainfall for the Public Sector

The Government of Mauritius has established a Protocol for Heavy Rainfall for Public sector in 2017 that provides advice and practical arrangements in times of heavy rainfall/localised heavy rainfall and aims at ensuring the safety of employees and service continuity. For the proper implementation of the Protocol, a list of employees be drawn up and kept updated region wise; *with mobility problems such as those who are pregnant or* *physically handicapped;* and by address, starting with those who live furthest from the place of work to those living nearby

1. Protocol on Heavy Rainfall for the Private Sector

A similar protocol for the Private Sector while taking into consideration the different specificities has been elaborated and ratified consequently by the National Disaster Risk Reduction and Management Council. Relevant amendments have been made in the ‘the Workers’ Rights Act 2019’ to facilitate the implementation Protocol of Heavy Rainfall for the Private Sector as regards the remuneration to be paid to workers of the private sector where work has been stopped as a result of climatic condition, including heavy rainfalls. The protocol is also applicable for persons with disabilities working in the Private Sector.

5.3 **Major activities held by the NDDRMC**

5.3.1 Grounding of the Wakashio

Following the grounding of the ‘Wakashio’ Bulk Carrier on the coral reefs at about 1.5 NM off Pointe d’Esny in July 2020, the National Emergency Operation Command (NEOC) was activated at level II and subsequently upgraded to level III with key NEOC members to assist and coordinate all on site response activities as well as the arrival of the international humanitarian experts for a period of the thirty days. A total of sixty-four NEOC Situation Reports was compiled and circulated to a restricted number of high officials.

The NDRRMC Mobile Command Post (MCP) was deployed at the Blue Bay Marine Park Centre to assist in term of logistical support and as well as information and communication support to the National Crisis Committee. The MCP has been operating on site for many days

5.3.2 Sensitisation Campaigns

To better prepare and educate the population of Mauritius regarding disasters, the NDRRMC regularly organizes sensitization/awareness programmes in critical areas as well as other areas prone to be affected by hazards such as cyclones, flooding and storm surge amongst others.

During the last financial year (2019-2020), the NDRRMC was closely involved in 27 sensitisation programmes namely training programmes, lectures and workshops. In addition, a video clip on the impacts of heavy rainfall and flooding, containing both audio commentary and sign language was produced in association with and broadcasted on the Mauritius Broadcasting Corporation (MBC) TV.

**6 Promotion of Human Rights by the MLGDRM**

**6.1 Gender equality**

The Gender Policy Statement of the MLGDRM subscribes to the broad principles of the National Gender Policy Framework 2008 and is guided by its comprehensive vision. It reflects the Ministry’s commitment to mainstreaming gender in their specific sector intervention, ultimately promoting gender equity and equality for a sustainable society.

Gender Mainstreaming Activities

The MLGDRM in collaboration with the Mauritius Civil Service College organised a one-day workshop on Gender Mainstreaming in February and March 2021 which focused on the vulnerability of women and girl children in situation of humanitarian emergencies and disasters.

Participation of women in local government elections

The Ministry of Gender Equality, and Family Welfare in collaboration with the National Women’s Council (NWC) and the Equal Opportunities Commission acts as facilitators to empower women on the provisions of the Equal Opportunities Act and the Local Government Act.

The Local Government Act was amended in 2011 to ensure meaningful participation of women as candidates in local government elections. It provided that out of the three candidates fielded for elections, at least one of them should be of the opposite sex. This legislation was further amended in 2015 to ensure a fair and adequate representation of women for the elections of councilors to the Municipal City Council and Municipal Town Council. Every group presenting more than 2 candidates at an election of a Municipal City Council or Municipal Town Council as well as at Village Council level, shall ensure that not more than two thirds of the group’s candidates should be of the same sex. Similarly, the provision applies for election of councilors to village council as prescribed by Section 12(6) of the Local Government Act.

Following the amendment of the Local Government Act, the percentage of women representation at Local Government level, was increased by 47.2% at the Village Council Elections 2020 compared to the said election in 2012.

The statistics in relation to the Village Council Elections, 2020 are as follows:

1. out of 538,727 registered electors, there were 273,425 women registered representing 50.7% who were eligible to vote for the Village Council Elections, 2020;
2. out of 5,275 candidates contesting the election, there were 1,684 women candidates representing 31.9%; and
3. out of 1,170 candidates elected, there were 274 women candidates representing 23%.

As regards Rodrigues Island, amendments were brought to the Rodrigues Regional Assembly Act, through the Rodrigues Regional Assembly (Amendment) Act 2016. Concurrently, an amendment was brought to the Constitution to make provision for a minimum number of candidates for election to the Rodrigues Regional Assembly to be of a particular sex, with a view to ensuring adequate representation of each sex in the Rodrigues Regional Assembly.

**6.2 Cleaning and embellishment of the environment**

Under the supervision of the MLGDRM, the Local Authorities have also been engaged in cleaning and desilting of drains, rivers and other water courses, especially prior to and during the rainy season, in order to avoid obstruction thereof and mitigate the problem of flooding in critical flood prone sites.

The Centralised Cleaning Coordination Committee (3C) which was set up under the aegis of the MLGDRM is responsible for coordinating all cleaning and embellishment activities in different regions of Mauritius such as public beaches, lagoons, as well as tourist sites including islets, city centres, main public roads, rivers, canals, watercourses and drains, motorways, etc.

The 3C Committee is chaired by the Senior Chief Executive of the MLGDRM under the aegis of the Prime Minister’s Office. The 3C Committee at Council level is composed of different stakeholders namely Ministry of Environment, Solid Waste Managemnet and Climate Change. Road Development Authority, Forestry Service, ENL Property Ltd. and the Mauritius Prison Service (EHSP Melrose).

The World Clean-Up Day

The World Clean-up Day is held internationally each year on the third Saturday of September as a major international waste collection day as well as to raise awareness of the mismanaged waste crisis by mobilising various stakeholders of society to participate in clean-up actions.

The 3C Committee organized the World Clean-up Day for first time in Mauritius through clean-up and embellishment activities across the island over a one-week period as from 12 September to culminate on 19 September 2020.

These activities were organised in collaboration with all Local Authorities, the Ministry of Environment, Solid Waste Management and Climate Change, Forestry Services, Beach authority, Road Development Authority and Business Mauritius, and included: -

(i) clean-up and embellishment campaign at the level of towns, villages, roundabouts and motorways;

(ii) collection of bulky waste and e-waste to remove eyesores due illegal dumping along roadsides as well as to prevent obstruction of rivers, canals and natural watercourses, especially during rainy season; and

(iii) embellishment and planting of ornamental plants in least one area/ward/locality or village.

The public was sensitised on the importance environment and on the vision of Government to achieve a cleaner and greener Mauritius through leaflets, radio programmes, video clip and other advertising media.

**7 Achievements and challenges of the MLGDRM**

**7.1 Achievements**

1. Citizen’s Support Portal

The introduction of the Citizen’s Support Portal (CSP) at the level of the Local Authorities has prompted the setting up of a proper Complaints Handling mechanism thereat. This allows the Councils to use the Citizen Support Unit (CSU) as the main centralized and single database for complaints management. A dedicated unit at the Ministry has the responsibility to attend to complaints and queries received through the CSP against local authorities.

The categories of complaints attended to are as follows:

1. Building and Land Use Permits & Planning
2. Cleaning of bare lands & derelict buildings
3. Removal of domestic refuse & bulky waste
4. Cleaning of drains & rivers & road sides
5. Drains & road Infrastructure
6. Street lighting
7. Other issues

**7.2 Challenges**

1. The COVID-19 pandemic

Following the COVID-19 pandemic, the Government of Mauritius came forward with an Economic Recovery Programme which comprises a package of measures aimed at boosting GDP growth, protecting jobs and creating new ones, reducing dependence on imports and improving the well-being of the population.

Although Mauritius has been through periods of lockdowns and partial confinement due to the COVID-19 pandemic, Local Authorities have successfully implemented several major projects at a cost of 400 million Rupees. Funding of One Billion Rupees under the Economic Recovery Programme for additional projects was provided in December 2020.

1. Vaccination campaign amidst the COVID-19 Pandemic

The MLGDRM and local authorities played a pivotal role in the vaccination campaign during the lockdown imposed between 10 March to 30 April 2021. Local authorities provided logistics in terms of accommodation and other facilities whereas the Ministry coordinated the vaccination of public sector employees whose services were paramount for the running of the affairs of the country.

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