**MINISTRY OF FOREIGN AFFAIRS, REGIONAL INTEGRATION AND INTERNATIONAL TRADE (HUMAN RIGHTS DIVISION)**

**The Urgency of Now: Systemic Racism and opportunities in 2021**

**1. The current human rights situation of people of African descent globally (January – June 2021)**

1.1 The Republic of Mauritius is a cultural melting pot of people of various origins, coming specifically from Africa, Asia and Europe. Mauritius, being a democratic state, guarantees the rights of its citizens by virtue of the Constitution and provides for an unequivocal right for every citizen to be treated equally.

 Chapter II of the Constitution guarantees the enjoyment of fundamental rights and freedom which include the right to life, the right to personal liberty, protection from slavery and forced labour, protection from inhumane treatment, protection from deprivation of property, protection for privacy of home and other property, freedom of conscience, freedom of expression, freedom of assembly and association, freedom of movement and protection from discrimination. It also guarantees to all citizens the right to equal protection and benefit of the law without discrimination, thus upholding and strengthening an environment conducive to equal opportunities and equality for all Mauritians.

1.2 Additionally, special measures are implemented for all vulnerable groups irrespective of their race and ethnicity.

**2. Information on any positive measures that have been undertaken by Member States, national human rights institutions and equality bodies, civil societies, and UN agencies, funds and programmes.**

2.1 The State of Mauritius established the Truth and Justice Commission under the Truth and Justice Commission Act in February-March 2009 in an attempt to examine the history of slavery and indentured labour and their consequences. The Commission had, as its mandate, to assess consequences of slavery, indentured labour during the colonial period up to the present, for that purpose conduct an analysis on slavery, and indentured labour. The Commission was also tasked to make recommendations on measures to be taken following its assessment and its findings with a view to achieving social justice, national unity and reconciliation.

2.2 The Commission submitted its report after its tenure. Same was published in 2011.The Report contained the following **main** recommendations based on principles of equality, fairness and justice:

1. memorializing slavery and slave trade in visible and strategic locations;
2. a better understanding and more inclusive, Mauritian history and culture;
3. a better and increased protection of Mauritian heritage;
4. a less racist and elitist society;
5. a more democratic public life, and;
6. empower Mauritians of African and Malagasy origin.

2.3 The Commission also submitted recommendations to increase economic and social justice, particularly related to land issues and equitable and judicious use of the environment. The Government of Mauritius has been looking into the structure that would be most appropriate to deal with cases of land dispossession and hear disputes regarding land. In this respect, a Land Research and Monitoring Unit has been set up under the aegis of the Ministry of Housing and Lands in July 2019. The Unit has taken possession of 355 files in July 2019, out of which 46 cases have already been entered in court. Further investigation and actions are required for the remaining 309 cases. Furthermore, a special fund has been set up with the provision of an amount of MUR 50 ($1.26 m) in the Budget 2020-2021.

2.4 Pursuant to the recommendations of the Truth and Justice Commission, the Government of Mauritius has also set up a Land Division under the Supreme Court, which specializes in the resolution of land disputes, and hear as well as determine matters regarding ownership of land, property rights. The Land Division became operational as from January 2021 and 61 cases involving land disputes were scheduled before the Division, out of which 16 have been disposed as at end of March 2021.

2.5 The State of Mauritius acknowledges the need to commemorate the dark era of colonial period and the contribution of the slaves and indentured labourers through the creation of memorials, monuments, museums, arts, artifacts and other relevant ways. Museums have an important role to play in promoting social justice as well as identity. Pursuant to the recommendation of the Truth and Justice Commission, the International Slavery Museum (ISM) as announced in the Budget Speech 2016/2017 to investigate the history of slavery and its consequences in Mauritius has been set up.

2.5.1 In October 2020, the Prime Minister of the Republic of Mauritius officially launched Phase I of the ISM Project located at the Ex-Military Hospital in the capital city of Port Louis to memorialise, in a highly visible manner, the presence of the hundreds of thousands of Africans, Malagasies and Asians who were enslaved, shipped and disembarked in Port Louis. The building that is listed as ‘national heritage’ under the National Heritage Fund Act 2003, is highly significant in the history of slavery. The Military Hospital, one of the oldest buildings of the island, was constructed between 1739 and 1740 under the Governorship of Mahé de Labourdonnais, by brickmakers, masons, lime workers, carpenters and artisans, enslaved and free, from France, Pondichery, Mozambique and Madagascar. It is a site where French sailors, African and Malagasy slaves, Indian slaves, artisans and sailors were nursed.

2.5.2 The ISM is a museum of hope and expectation for the new generation and provides the opportunity to the population to study the evils of transatlantic slavery and other contemporary systems of human rights abuse and to reject racism as an iniquitous, pernicious and bankrupt ideology.

The functions of the Museum is, inter-alia, to:

1. study slavery and slave trade in the Indian Ocean;
2. gather, collect and preserve documents and oral history on slavery;
3. create a catalogue of artifacts related to slavery and preserve them;
4. host a permanent exhibition and organize regular roving exhibitions; and
5. promote curricular development, scientific research, as well as the production of educational and pedagogical materials.

2.5.3 The ISM highlights the contribution of the enslaved persons to the construction of Port Louis, to the colonial economy and society.

2.5.4 The ISM is a ‘Site of Conscience’ devoted to a deeper understanding of the history of our past and the impact of the international slave trade and slavery on Mauritius. Truth, Justice and Reconciliation is the unifying idea of the Museum to raise awareness on human rights through education by nurturing a new and innovative pedagogical approach that is centered on the needs of the youths.

2.5.5 It also contributes towards promoting respect for African peoples, recognise their contribution to Mauritius and empower Creoles of African descent in line with the United Nations Decade of People of African Descent (2015-2024). The creation of the Museum itself is part of concrete measures to promote the full inclusion of people of African descent and to combat all forms of racism, racial discrimination, xenophobia and related intolerance.

2.5.6 The presence of the slavery museum and the Aapravasi Ghat on the same cultural trail will help to create the conditions for the recognition of a shared heritage and the promotion of intercultural dialogue.

2.5.7 The ISM is also a regional player while encouraging the construction of satellite slavery museums in regions that were part of this colonial slave-trading network. It thus contribute towards the promotion of cultural exchanges, a culture of peace and union among peoples of several continents.

2.5.8 Status of the ISM

The ISM has put up a temporary Exhibition entitled “Breaking the Silence” to showcase the proposed concept for proposed Intercontinental Slavery Museum. The exhibition was opened to the public over a period of 3 months and was attended by some 3,000 visitors (of various age groups, cultural backgrounds and gender).

The Public Consultation Process comprised collecting the feedback of visitors to the museum, focus groups interviews with people from various regions/cultural backgrounds and age groups as well as Ethnographic interviews on the proposed concept for the design and set-up of the museum. The views and comments of some 300 visitors were received.

Phase II of the Project that comprises the preparation/implementation of a Conservation Plan for the whole complex, the Design and Set-Up of the ISM and the Research and Documentation Centre has already started.

2.5.9 The museum rectifies the exact historical narratives that have attempted to conceal the memory of the victims of the slave trade and the crimes of the perpetrators. It is a repository of the spirit of resistance and resilience that has characterized the enslaved and their descendants, since the settlement of the island.

2.6 Moreover, in line with the objectives of the United Nations Decade of People of African Descents, the Nelson Mandela Centre for African Culture (NMCAC) regularly organizes talks, debates and conferences. As for the dissemination of information, the Nelson Mandela Centre for African Culture Trust Fund is broadcasting on the MBC Channel and the *Senn Kreol* a heritage documentary entitled ‘*Memwar Nu Zanset*’ and programmes on the Africa Day and the Day of the African Child.

2.7 Concerning the creation of a National Genealogy Centre to assist Mauritian families, many of whom are descendants of slaves and indentured labourers, in their quest for identity, to reconstruct their family tree. The aim is also to provide Mauritians with all the data required, free of charge, to reconstruct this family tree in recognition of the numerous difficulties faced by ordinary Mauritians to collect relevant data. Although the National Genealogy Centre has not materialized, the Nelson Mandela Centre for African Culture has been assisting members of the public of African descents to put up their genealogy tree. Moreover, the information is available online on the website of the Centre so that researchers and the public from any part of the world can access to this information.

**30 July 2021**