



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 with reference to the letter from the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes dated 17 January 2018, has the honour to attach herewith the inputs of the Government of Mauritius, in relation to the report being prepared on the protection of workers from hazardous substances.

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.

Geneva, 28 March 2018

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



Question 1;

- (a) Occupational Safety and Health Act 2005 and Regulations.
- (b) Dangerous Chemical Control Act 2004
- (c) Occupational Safety and Health (Control of Asbestos at Work) Regulations 2014
- (d) Radiation Protection Act 2003
- (e) Radiation Protection (Licensing and Registration) Regulation 2017
- (f) Radiation Protection (Safe Transport of Radioactive Materials) Regulation 2016
- (g) Radiation Protection (Personal Monitoring Services) Regulation 2012

Question 1(a) – No

Question 1(b) Asbestos and dust

Question 1(c):

- (a) Asbestos -0.1 fibres per cubic centimeter of air averaged over a continuous period of 4 hours.
- (b) Dust
 - (i) 10 milligrammes per cubic metre, as a time weighted average over an 8-hour period, of total inhalable dust; or
 - (ii) 4 milligrammes per cubic metre, as a time weighted average over an 8-hour period, of respirable dust.

Additionally with regards to information on “*existing national laws and regulations that protect workers from hazardous substances and establish the right to workers to a safe and healthy working conditions*” The Fisheries & Marine Resources Act 2007 provides the following:

- (a) Under Section (44), and sub section (3a), the Permanent Secretary shall refuse to register a fishing boat where the fishing boat poses a risk to safety of navigation or of pollution;
- (b) Under Section (44), and sub section (3b), the Permanent Secretary shall refuse to register a fishing boat where the safety, health and welfare of persons employed or engaged in any capacity on board the boat are at stake.
- (c) Under Section (74), sub section (1L), the Minister may make regulations for the purposes of this Act, and in particular for the purpose of prescribing measures to ensure safety and security of fishermen at sea; and
- (d) Under Section (74), sub section (1m), the minister may make regulations for the purposes of this Act, and in particular for the purpose of prescribing measures to ensure the safety and security of fishing boats.

Question 2:

- (a) The Occupational Safety and Health Division of the Ministry of Labour, Industrial Relations, Employment and Training having as mandate to-

- (i) Promote decent work
 - (ii) Protect the safety and health of any employee against any risk at his workplace , and
 - (iii) Vulgarise any information on safety and health.
- (b) The Occupational Health Unit of the Ministry of Health and Quality of Life having as mandate to protect the health of people, workers and the environment against dangerous chemicals.

Question 3;

The Occupational Safety and Health Act 2005 and Dangerous Chemicals Control Act 2004

Question 4

Section 15 of the Occupational Safety and Health Act 2005.

Question 5:

Workers can realize their right to justice through measures such as filing complaint under the Occupational Safety and Health Act 2005. Prosecution against employers can be envisaged under the said Act in case workers rights are not being observed.

Question 6

The Occupational Safety and Health Division carries out inspections and training sector-wise. The statistics of all activities conducted by the Division which are published on the website of the Ministry include all sectors.

Question 7

The Occupational Safety and Health Act 2005 is being revised to include latest proposals from social partners following consultation at the level of the Advisory Council for Occupational Safety and Health under Section 28 of the Occupational Safety and Health Act 2005.