

INTERVENTION OF HON. LEUNG SHING, ATTORNEY GENERAL AND
MINISTER OF JUSTICE AND HUMAN RIGHTS
ON BUDGET 2003

Mr. Speaker Sir

At Grammar school when we were not so young I learned about the history and geography of our country in one of those colonial books edited in Great Britain and published by Longmans.

It referred to Mauritius as the Land of Rainbows and Shooting Stars.

If the same author were to visit Mauritius again he would without the shadow of any doubt have been pleasantly surprised today and finds in addition an island of peace, tranquility, serenity, prosperity and harmony;

- (i) where democracy vibrates
- (ii) where the rule of law is practised
- (iii) and where good governance prevails.

This is not the ego trip of a Minister of Justice, it is the unanimous verdict of all foreign visitors and more especially the Attorney General and Ministers of Justice from the African Continent.

It was not the result of any hallucinatory trip either because they were here last week to attend the Ministerial Conference of the African Union.

They came, they saw and they were conquered. They were truly overwhelmed by what they saw.

They went back home with the dream of peace, serenity and harmony conditions which are so elusive to them and for which they are striving so hard to attain in their own countries torn by hostilities and armed conflicts.

Here, at home in two months time there will be a change over of the guards or **more appropriately leadership at the head of the Government**. A peaceful handing over by democratic means and not through armed conflicts, **to honour an agreement made by two men of Honour at Medpoint**. In the UK after one term and 2 years into the 2nd term after the agreement, the Islington pact between two leaders, the Prime Minister and the Chancellor, the agreement is still but a mirage in the desert to the incumbent Chancellor of Exchequer.

In Mauritius, Mr. Speaker, Sir,

We **honour** our words. We keep our **promises**. People must **honour** their words. Honour! thy should be the credo of every politician and all people alike.

Mauritius is indeed a blessed country. We must thank our lucky stars. We must however work harder, because nothing should be taken for granted. We must ensure that it remains peaceful, democratic and above all harmonious and prosperous.

Mr. Speaker Sir,

May I with your permission speak on the Budget. First let me congratulate the Deputy Prime Minister and Minister of Finance for the budget presented this year. It is one which is the best in the morose circumstances prevailing around the world and Mauritius has as usual been inescapable and inevitably hit by extraneous event and could not have escaped the effect of all these events which have impacted negatively on our economy.

And yet Mr. Speaker Sir, we have invested and we are still investing heavily in the Educational Sector, in the Information and Communication Technologies to build Cybercities. We are investing in Rodrigues to make it more prosperous, in Environmental project to make Mauritius more congenial, in the Public utilities to make Mauritius more salubrious.

But the Business community is not, and the Business community on the other hand is complaining that Government is investing too heavily and toomassively. But a few years ago, we heard the same people moaning that Government is not investing sufficiently.

The criticism is unjustified, the investment made right now by Government are amply justified and will benefit the country not in the short term but in the medium and long term. On the other hand, can we imagine for a minute what would have happened to our country if the Government had not invested as it has especially at such a crucial juncture when private sector investment have dried out and have all but disappeared. I prefer not to think about it and abstain from surmising what would have resulted.

Admittedly the ideal and sensible situation would have been to have a just equilibrium between public and private sector investment with the private sector leading the pack and the Government complementing and supporting. Unfortunately for our country our private sector, as my colleague the Minister of Planning and Economic Development has in the past repeatedly said, private sector is too conservative and not daring enough. They will not innovate. They will invest in the traditional sectors that have proved to be profitable and not in new sectors. They just lack that pioneering spirit and clout. They will not take the plunge until they have seen the fruits and the pickings right in front of them.

Mr Speaker Sir,

Alas, time and tide waits for no man and tomorrow may be too late for them. Opportunities abound. My suggestion therefore to these gentlemen is to try to emulate the Indian Investors or go into joint ventures with foreign firms with knowhow and expertise the more so as funds and facilities have been made available to those who wish to take the risk. The result may not come in thick and fast it may take some time but they would have hitched themselves a seat on the bandwagon to the next economic boom. If the money does not come in immediately they would have benefitted from sizeable and incommensurable technological transfers which may prove to be a treasure trove in later years.

The last time it was the textile boom and there was prosperity and a massive technology transfer in textile which has benefitted the country and quite a few daring young entrepreneurs and I need not name them. This time round it will be a boom in the Information and Communication Technology. So take advantage of the opportunities in this sector. It will not bust because the Government will not allow it to go bust. It is too committed and it is not in the best interests of this Government.

Mr. Speaker Sir,

We have undertaken reforms in the Educational sector,

We are currently proceeding with the reforms in the Health sector, we are innovating in the Local Government.

We are upgrading our water supply, installing waste water disposal where none exists and we are improving our environment.

Mr. Speaker Sir,

There is one sector which is lagging behind. It is a sector where there is need for reforms. That's the Judicial and Legal Sector.

Mr. Speaker Sir,

There have been some timid reforms which some critics claim are cosmetic ones. E.g. recording has gone digital, additional staff has been recruited, new posts created, salaries increased substantially, legal aid reviewed. But the main reforms, the important reforms, the material ones, the substance are nowhere in sight. Mr. Speaker Sir I am speaking of of the Mackay and the Sachs recommendations. They are still being impatiently awaited by the profession and the public alike.

Mr. Speaker Sir,

We still have two more years to run and may I invite all those concerned to show more diligence and pay attention to the needs of the people, to the public and the country because the law and the judiciary are the most vital institutions in any democratic society but I do have to concede with humility that no major reform can be undertaken by any Government on its own. It can only be brought about with the active cooperation of and assistance from the Judicairy and the legal profession alike.

Mr. Speaker Sir,

I am however pleased to report to the house that some progress has been achieved with the Bar Council to open up the legal profession. It augurs well for the future of the profession inasmuch as it will benefit eventually from the International exposure and the International experience of our European, US, Asian and African brothers. The Law Society has also approached me to introduce a Law Society Bill in order to regulate their profession. I shall after consulting Cabinet, my colleagues MP and the profession come up with a paper and eventually a Bill. With regards to the Notaries, the news are not very bright. The Chamber of Notaries will have to be more vigilant and vigorous vis à vis their members or else the image of the whole profession which is unblemished so far may suffer as a result.

The chamber must assume a responsibility which is primarily theirs.

All these initiatives are indicative of the commendable and unmistakable desires from all sectors and the country at large for changes. Changes for the better but most importantly, changes in the name of transparency and accountability.

Today transparency and accountability are now the By Word. Everywhere anywhere in the world even the private sector has read the writing on the walls they have come up with their paper on good governance and will soon publish their code. We must congratulate the Private sector for that initiative. The world is no longer an oyster, the world has gone global. We are being watched and we are under constant constant scrutiny. If you expect others to be transparent you must practice transparency and accountability. **Judge and you shall be judged Mr. Speaker Sir.**

On a more optimistic note Mauritius has as announced by the Right Honourable Prime Minister launched a bid to host the seat of the African Court of Justice. Hopefully, if all goes well our small island state will like the Hague and Luxembourg, figure among those countries having the honour of hosting the seat of one of the most prestigious International Judicial Institutions. We shall keep our fingers crossed in the meantime. Mr. Speaker Sir, we have on the international level, ratified the Palermo Treaty on transnational organised crime, the Statute of Rome creating the International Criminal Court.

We have established an International Humanitarian Law Committee to review all the humanitarian laws ratified by Mauritius in order to ensure its incorporation into our Domestic Law. E.g the Geneva Convention, The Convention against Torture. With regard to the national legislation my office has endeavoured to keep parliament busy by an adequate and regular supply of Bills.

With regards to Human Rights, il n'y a rien qui puisse nous faire rougir. If anything we can justly be proud of our record. The national Human Rights Commission has regularly submitted its report for all to read and scrutinise. But the most remarkable feature this year is in relation to the Amnesty International annual Report which in previous years devoted whole chapters on Mauritius but this year has been limited to only one column. It goes to demonstrate in a most significant way our respect for Human and People rights and Human values. Our country deserves this credit for this achievement and the whole nation applauds.

Finally may I pause here to thank the State Law Officers and all the staff of the State Law Office in spite of a chronic shortage of staff for their hard work and dedication, without whose sound and judicious advice no Government can properly function and I know my colleagues and the Government as a whole can rely on their sound advice and their continued collaboration and cooperation. I have done, Mr. Speaker, Sir.

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