

**ANNEX - EXTRACT OF TJC REPORT RELATING TO RESOLUTIONS
ADOPTED ON 4TH FEBRUARY 2015**

On the subject of memorialisation of slavery

Recommendations nos. 1 to 20 of TJC Report Vol. 1, pages 394 to 395

1. Public and private institutions rethink their cultural policies and incorporate the ancestral values of African and Malagasy peoples.
2. Increased funding for memorialisations of slavery and slave trade in public places and especially in places where slaves have lived, died and worked.
3. Increased funding for research in all aspects of slavery and slave trade conducted in a professional and impartial manner and covering all groups who were enslaved
4. Existing works to be continued and fully supported by public institutions financially and logistically
5. Works started by the Truth and Justice Commission to be continued by competent authorities and empowering young Mauritians through foreign scholarships and training programmes where expertise is lacking: **The Slave Trade Voyages database**, ethnographic studies of descendants of slaves.
6. Increased and facilitated travel to ancestral countries for descendants and interested Mauritians
7. Actions towards national unity and reconciliation to include joint collaborative events where descendants of slave owners and of slaves can interact and share histories, such as that carried out on the Ball plantation in the USA. Site of former slave plantations are ideal for this purpose.
8. Better memorialisation of the economic contribution of slaves to Mauritius
9. Increased contacts with countries from where slaves were brought from so as to understand ancestral cultures and traditions which could be revived.
10. It is crucial that facts concerning slavery and slave trade are known and acknowledged and that memorialisation in daily and permanent ways is established.
11. It will allow for more targeted historical research and memorialisation policies and for research to be more equitably undertaken to cover all sections of the Mauritian population
12. To assess the quantitative value of the labour by future researchers trained in economic history and historical statistics.
13. As so many sources that exist are located abroad, these need to be copied and brought to Mauritius and access to given free of charge.
14. In-depth multidisciplinary study of micro populations in selected areas to understand their aspirations and world view
15. A review of case of Ratsitanina by the State Law Office.
16. The 'Maurice Ile Durable' project or National Strategy for Sustainable Development should include protection of the culture of people in the physical landscape of Mauritius and of ensuring access to sites of great emotional and spiritual value to descendants of slaves and to Mauritians generally.
17. A 'Museum of Slavery' to be created in the capital city of Port Louis for greater visibility along the lines outlined in following Museum proposal. Although one 'Interpretation Centre' is projected in Le Morne, this should reflect the Maroonage aspect rather slavery which was a national phenomenon.
18. Online historical data to be freely available on slavery and slave trade to enable all Mauritians to access their history.

19. The dozens of reports on slavery and Maroonage produced at public expense containing an even greater number of recommendations to be implemented by the relevant institutions and other public institutions if the trained staff is not available. These include the Maroon Archaeological Investigation Report, the Management Plan of le Morne Cultural Landscape reports at the National Heritage Fund, the Historical and Anthropological Survey of La Gaulette/Coteau Raffin to name a few.
20. Recognition of the following sites and histories as National heritage

2 On the subject of a more inclusive and better understanding of Mauritian history and culture

Recommendations nos. 21 to 33 of TJC Report Vol. 1, pages 397 to 398

21. **Authorities to encourage reflection on 'National History'.**
22. Identification of so far neglected groups and further research:
 - For example, Malagasy, Mozambican slaves, Bengali, Gujerati, Christian and Muslim indentured, amongst others.
23. Introduction of Mauritian history at all levels in the School Curriculum and for all categories of Mauritians.
24. Publication of books and dissemination of information gathered, through TV and popular media.
25. A programme of education in civic, humanistic and moral values:
 - aimed at strengthening bonds between communities, should be introduced at all levels, Primary, Secondary and Tertiary. A series of manuals, with gradual and varying contents, should be prepared to this end by teams of educators.
 - A similar public programme of Citizenship should be available to adults at large.
26. In-depth cultural surveys of the whole island
 - To be undertaken by professional staff with appropriate qualifications and experience and not with poorly-trained and low-paid staff as is the case currently.
27. State funding for further scientific research into slavery and indenture and Mauritian history in general.
28. Programme of training of Mauritians in all fields of cultural resources management.
29. Creation of a Conservation Institute
 - to train Mauritians in preservation of paper and digital documents to avoid further deterioration and loss of these crucial Civil Status information.
 - Appointment of trained cultural practitioners in all fields, review of policy, staffing and functioning of all cultural institutions
 - Staffing screening: the appointment of political nominees, persons with known racist and communal views or with ethnic, religious biases to cease with immediate effect.
 - Management structure to be reviewed and revised to reflect international professional norms and standards.
 - Management Vision and policy to be in-line with national priorities and with other institutions.
30. Ensure proper technical and professional recruitment in cultural institutions and for such staff to have executive responsibilities
31. No appointments for cultural institutions to be made by ministers
 - to ensure autonomy of institutions and acts to be amended to reflect this autonomy.
32. Collaboration between institutions and individuals working in the same field.
 - sharing skills and knowledge and creating new opportunities
33. The President, Prime Minister and the Leader of Opposition to set the example to other politicians and pledge to stop using culture and religion as tools for gaining popularity and votes

3 On the subject of reconstituting the Mauritian family

Recommendation no 139 of TJC Report Vol. 1, page 416

139. 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.
 - 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

4. On the subject of valorising heritage for sustainable conservation and community benefits

Recommendation nos. 188 to 200 of TJC Report Vol. 1, pages 430 - 432

FOR A MORE SUSTAINABLE, EQUITABLE AND JUDICIOUS USE OF ENVIRONMENT

188. A moratorium on sales of lands to foreign companies and individuals until land hunger in Mauritius has been satisfied.
189. Complete independent and transparent review of all sales, leases and projects and their modes of assessment approved by Ministries of Housing, Environment and Agro-Industry and whether they are really sustainable or not.
190. **To establish vegetable gardens and small farms** attached to schools to promote respect for manual labour and/or producers of hand made products.
191. Visits by schools to be reintroduced to farms, factories, nature reserves in smaller groups than at present to enhance enjoyment of the site.
192. **To fund and encourage small-scale enterprise** to produce hand-made products, using natural sustainable products, as far as, is beneficial to health and better environment.
193. The current approach of provision of low-cost social housing should be reviewed.
- The cheapest alternative is not to be used and architecture is to reflect the climatic factors, as well as social and cultural traditions of Mauritians.
 - Style that promotes community cohesion and acreage around houses granted that promotes food self-sufficiency, incorporated in architectural styles and land planning.
194. **A Cultural Heritage Impact Assessment** be undertaken at the cost of promoter for any commercial project in Mauritius that involves change in green spaces or structures over 50 years old.
195. **Full consultations down to community level.**
- Ground-level input, meaning society at its broadest, provides the groundswell support and the credibility that will be necessary, when it comes to the implementation of a MID Policy, soon and in the years to come.
 - More national consultations, particularly at the local community level, are required by MID.
196. MID policy must take the ‘views and aspirations of the community’, cited in the Green Paper phase, as crucial to building a solid foundation for a MID Policy, together with the experts views.
197. The TJC’s work, based on thorough consultation on land issues, can and should inform the MID process.
- This would be a step towards the social fabric of Mauritius becoming founded on more equitable grounds. While TJC submissions will soon draw to a close, the MID policy formulation process is still on-going; therefore, the opportunity still exists to draw land issues into the pursuit of sustainability, without shying away from the

difficult ones.

Even if answers may not be ready at hand, programmes can be put in place to find solutions, and in so doing, translate the principles of sustainability into action plans.

198. The process of taking the TJC report into account should be formal and systematic.
Policy frameworks, devised without widespread consultation first, can be a dangerous exercise. Therefore, much care should be taken to ensure that the 5Es framework, and the setting of sub-themes under them, do lead to the exclusion of dimensions and perspectives that may be essential in the formulation of a sustainable trajectory for Mauritius.
199. Culture must occupy an essential place in the MID Policy and Action Plan.
Despite the fact that Mauritius boasts two World Heritage Sites, whose outstanding universal values are based on our colonial past, the MID cannot ignore culture and needs to work very closely with the Ministry of Culture and other stakeholders in ensuring the cultural aspects are not forgotten.
200. The people involved in the MID policy process, for which the highly competent Ministry of Environment and Sustainable Development (MoESD), is the lead Ministry, must be further empowered by the multiple studies conducted by the TJC.

5 For Le Morne Village history and heritage and Le Morne Cultural Landscape

Recommendations nos. 167 to 180, of TJC Report Vol. 1, pages 424 - 425

As a form of restorative justice, reparations to be given in the form of:

167. A formal and written apology from the Government for the prejudice the former inhabitants of former Le Morne village have suffered.
168. The inhabitants of Le Morne and neighbouring areas are given agricultural land jointly held by them to engage in agricultural practices to enable them to increase their daily revenue and be autonomous as they used to be.
169. Implementation of recommendations contained in numerous studies by a pool of trained professionals, irrespective of gender, race, religion or political creed.
170. The communalization, politicization and influence of developers and local elite on public institutions to cease, and not be tolerated at any cost in this region. It does not reflect the culture of the people living there.
171. A full historical and archaeological survey of Le Morne summit and slopes, as well as neighbouring areas and its links with neighbouring villages, to be undertaken by the LMHTF in collaboration with an interdisciplinary team of professionals and to make the results of this researches available to the Mauritian public through books, films, drama, songs dance and curriculum materials for schools.
172. The principle must be adopted that any research and activity, funded by public money, should go back to the public and not remain in the drawers of officials of those institutions.
173. The inhabitants of Le Morne and neighbouring villages to be brought in on the activities of Le Morne Heritage Fund in managerial, technical and professional posts, and appropriate training given to them to fulfil their duties professionally.
174. That the area known as Trou Chenille be officially recognised as a site of former settlement by inhabitants, many of who are descendants of slaves having lived there for generations (and not as squatters) and that their removal be recognised as 'forced removal'.
175. Commission recommends they be compensated, accordingly, for the loss of home, revenue and inability to continue their occupations and traditions.
176. The Commission further recommends that their history be written before it is forgotten and the oral testimonies of those who lived there be recorded and made available in a public Oral Archive without any time restrictions.
177. The inhabitants be given full access to their former village and a space where they can remember their former lives, be created there. The model of District

Six Museum in Cape Town to be used.

178. LMHTF BOARD

- The composition of the LMHTF Board must be amended to reflect both professional and community representatives.
- They need to be chosen among persons of moral and professional integrity, and not associated with communal or commercial operators operating in the area.
- There should be a reduction in the number of administrators on this Board.
- Given the fact that in Mauritius the pool of professional experts is small, there needs to be better interaction between different institutions, where these competencies exist, to ensure public funds are not being used unnecessarily in activities that duplicate those of other institutions.

179. MINISTRY OF ARTS AND CULTURE

- Similarly, at the Ministry of Arts and Culture under which, specialists in slavery, indenture and in heritage management, Archaeology, History and Anthropology must be appointed to better monitor these institutions.
- Connivance of Civil Servants, Board Members and staff with private developers must be expected and, therefore, controlled and closely monitored by the Ministry and transparent procedures adopted concerning approval of permits.
- The Ministry and Le Morne Heritage Fund to ensure that other heritage found in Le Morne is not neglected, i.e. Marathi culture and a harmonious and sharing relationship between the two cultures is promoted.

- 180. The links between the Le Morne Brabant, the forests of the Black River Gorges and Baie du Cap, be fully studied and the maroon trails and sites fully protected from developers, coming up with commercial projects**

6 On the subject of promoting social and economic equality

Recommendation no 93 to 97, of TJC Report Vol. 1, page 411

- 93. The creation of a Land Bank** with plots of land for farming and other entrepreneurial activities so that anyone who is a descendant of slave and indentured who has never owned land before and who wishes to engage in an activity that promotes autonomy be allocated a plot.
- 94. The creation of a Land Research and Monitoring Centre** to monitor all land transactions, fraudulent activities.
- 95. No more state land to be allocated to those who already have land** and non continuation of hunting and water leases to private persons and companies.
- 96. Purchase of private land** and more land to be allocated for public parks, hunting.
- 97. Strong support and encouragement to be given to co-operative activities,** including co-operative factories, as envisaged in the Balogh Report.

7 On the subject of Land

Recommendation nos. 201 to 203, page 411 of TJC Report

201. Setting up of a Land Monitoring and Research Unit

- A land monitoring and research unit should be set up to conduct enquiries, settle disputes or refer matters to Court. This important Authority will be called upon to monitor all land transactions, to receive complaints from genuine persons who have lost, or have been dispossessed of their property, and to assist the applicant to retrieve all necessary documents, including title deeds, plans and civil status, as well as investigate all Notarial deeds.

202. Continuation of a Notarial Acts Database Project

- i. The work initiated by the Notarial Acts Database (outline in Volume 2) be continued by the proposed Land Research and Monitoring Unit as a matter of urgency.
- ii. That the server to host the database be the Linux Operating system (Open source) which is reliable, highly performing and resilient. The server has been

- configured to allow only authenticated users to connect to and use the system.
- iii. Training: Users (research assistants) to be trained at each stage of prototype deployment. However those having been trained by the Commission can be used to train others and to continue this database.

203. Setting up of a LAND DIVISION OF THE SUPREME COURT

Land Division of the Supreme Court should be set up in order to expedite matters. Moreover, as regards the surveying issues, no amendment boundaries are to be accepted unless they are based on a proper survey supported by plans of acceptable standards and the satisfaction to the Land Monitoring and Research Unit.

8. On the subject of *cités*

Recommendations nos. 152 to 161 of TJC Report Vol. 1, pages 419 to 421

154. A thorough study of the *cités* based on the TJC study of Mivoie.

- that the methodology used for the Mivoie study be used for the study of other *cités*.

155. Preservation of cultural heritage of Mivoie inhabitants

- The sites identified in the cultural map of Cité Mivoie to be listed as constituting the natural, tangible and intangible local heritage.
- The stories of these sites, the origins of these place names and of the local traditional knowledge should be inventoried to be passed on to the future generations.
- These sites should be listed as local heritage sites as they are an integral part of the heritage of the local residents who have lived in this region for generations.

156. Family patterns and gender relations

- There is need to carry an in-depth study on the impact of slavery on the contemporary family and social problems, especially gender relations and family dysfunction.
- Sex education should be mandatory but should also promote the norm that sex should take place in intimate relationships of mutual respect and gender equality.

157. Land settlement

- Democratising access to property ownership through the construction of low-cost residential developments/Morcellement for the working classes. It also implies implementing measures to protect and defend the land rights of the vulnerable groups, such as women and working-class families. The land allocated should contain sufficient space for agricultural activities with the accompanying training.

158. Social organisation

- The State should ensure that every child in the housing estate enjoys the right to a standard of living adequate for his/her physical, mental, spiritual, moral and social development.
- It is the State's obligation to take appropriate measures to assist parents in the *Cités* and other responsible parties to implement this right and, in case of need, provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing, in accordance with the set needs of Mauritian citizens.

159. Housing conditions

- The Commission recommends a full environmental and medical survey in Cité La Mivoie and other housing estates to ensure that incidences of ill-health and mortality in the *Cités* are not asbestos-related.
- As a solution to the problem of space in the Cité, the Government should come up with a long-term affordable housing programme for working classes. These houses should be within the financial means based on the household disposable income of individuals.
- To facilitate access to long-term affordable housing, grants and subsidised loans with monthly mortgage payments and low fixed interest rates can be proposed to working class based on the household disposable income so as to avoid foreclosure.

- However these will only work if accompanied by training and integrated in the long term into educational curriculum in schools
- There is need to develop financial and money management programmes, life-skills and leadership programmes to change the residents' mind-set and develop a culture of money management and saving and new set of attitudes.
- Based on the approach 'Culture as Treatment', instead of designing self-empowerment programmes based on Western models, traditional self-empowerment programmes should be designed for the residents that are culturally sensitive and that take into consideration their social and historical background.

160. Land dispossession

In line with the various United Nations treaties, Government should promote 'effective and democratic land, property and natural resources governance, management and practices' including decisions on access to land, natural resources and property; land and property rights, land use, and land and property development.

It is the duty of the Government to support citizens who do not have access to land and adequate shelter. Since market forces will not naturally alleviate the situation, land reforms should be proposed to reduce the structural inequalities and medium and long-term measures for housing and land rights need to be put in place to support social stability.

161. Child Protection

- When the case is reported at the Police Station, especially at night, Officers of the Child Development Unit might take approximately 16 hours to be at the Police Station.
- Some Police Officers already start questioning the victim without prior psychological assessment and support.
- Children, victims of abuse (sexual/physical/gross neglect/ill-treatment) and who are placed at shelters (NGOs) are at times placed at the RYC at a very young age, given their behavioural problems - there is a need for proper assessment and psychological intervention and close follow-up at such cases so that they get the necessary caring and supportive environment to help them grow and deal with their past history.
- At times, assistance is given after many hours and, in cases where sexual abuse took place much earlier, the victim unnecessarily waits at the Police Station. The P.C.P treatment which should be carried out within 72 hours may get delayed.
- Children-abused-parents/other family members who ask for these children - need for more guidance with parenting and coping skills.
- Posting of a trained officer at the ministry's shelter dealing with the problem of overcrowded shelter.