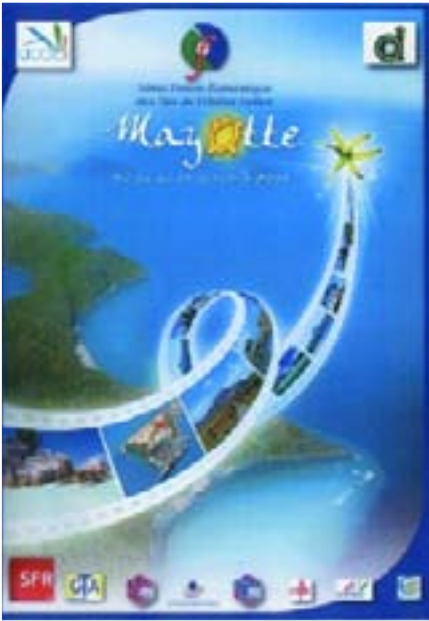
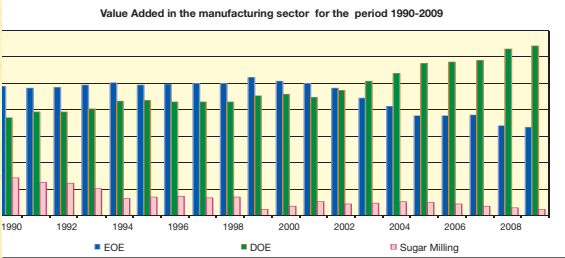
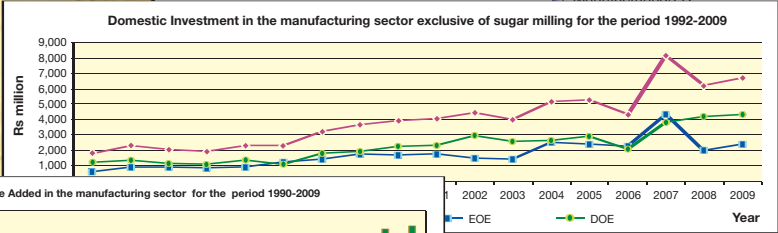
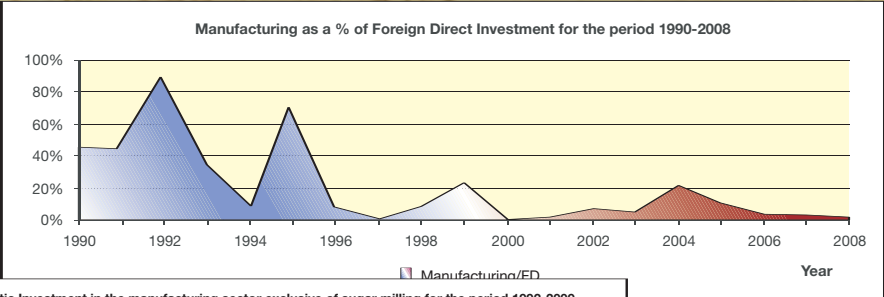


The Mauritian manufacturing industry: the account of a long and winding obstacle course

BULLETIN NO. 43 - Juillet 2009



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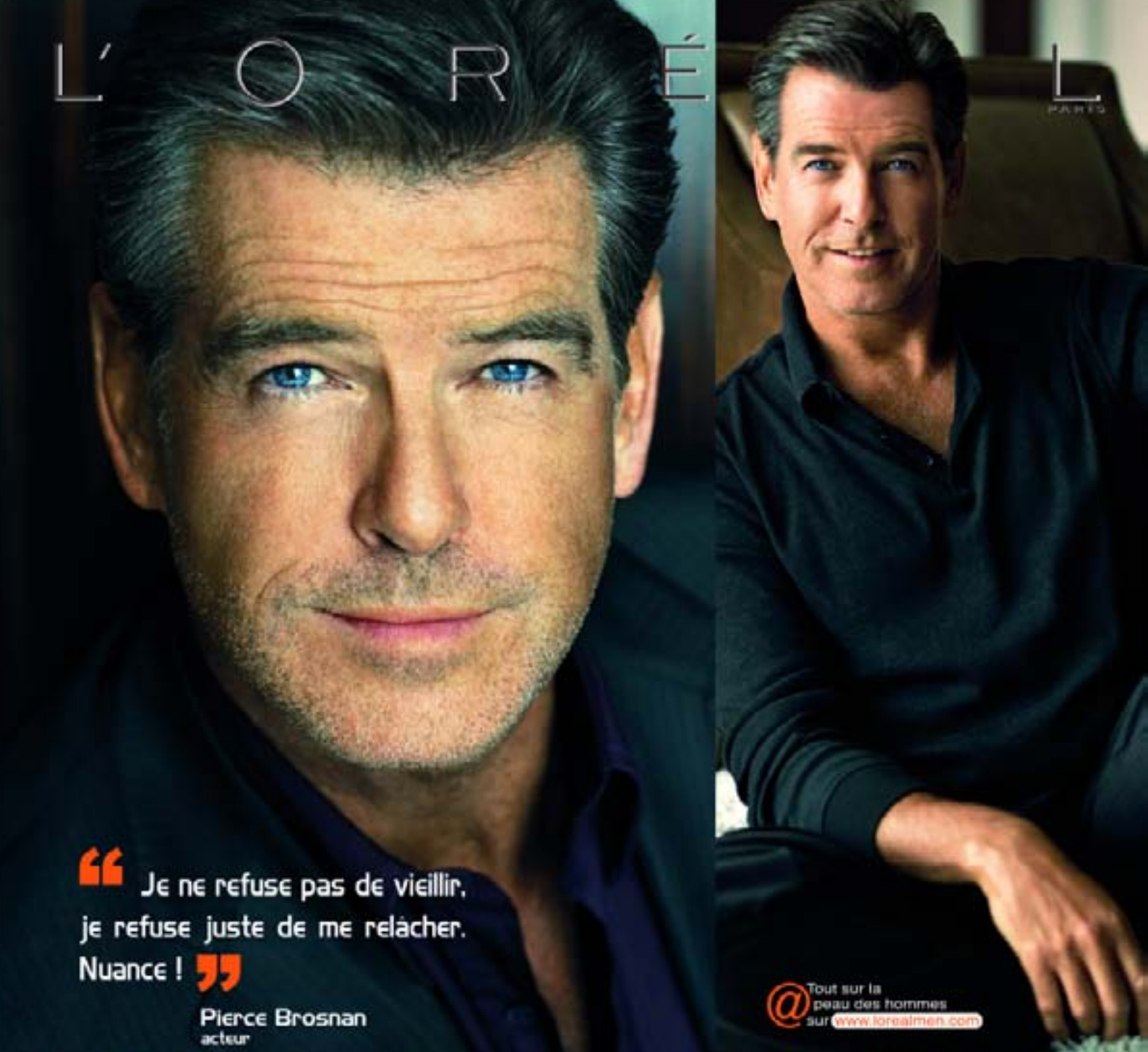
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La CCIM et les relations internationales



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L'AVENIR DE VOTRE PEAU EST ENTRE VOS MAINS. VOUS LE VALEZ BIEN

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Back to the future: looking beyond the current economic crisis

The scale and duration of the economic crisis has polarized attention so much that we find it extremely difficult to see things in perspective. All the economic experts are scrutinizing the latest economic and financial data with the hope of identifying the 'green shoots' of growth which would supposedly signal the end of the crisis and put the world back on the virtuous cycle of economic development and prosperity.

Virtuous cycle growth and prosperity?

The desperate attempts to get out of the most severe economic crisis since the Great Depression have made us oblivious of the fact that the pre-crisis global scene was marred by a number of very serious challenges. First, at about the same time last year the price of oil had reached its record level of USD 147/barrel and everyone was running for cover. Hedging was supposed to provide a safe abode for the more sophisticated. We all know their fate, both in Mauritius and in other countries: record losses or closures of business. But the more traumatizing aspect of this unfortunate experience is that in any case they would not have been covered: generalized recourse to hedging in the face of soaring prices would have anyway led to defaults of the hedging companies in such a battered, financial system. The bursting of the 'hedging bubble' would have increased the toxicity of the 'subprimes bubble'.

In retrospective, it seems quite clear that hedging is no solution to soaring prices of oil driven by fundamentals. In a no change scenario in the pattern of oil consumption and sustained growth, unequal access to affordable energy will continue to be the source instability and potential conflicts.

Second, before we were engulfed in the economic crisis last year, the planet was on the road of a major food crisis. Prices of basic commodities (rice, wheat, milk, edible oil,...) had risen steeply and commodities markets were behaving like stockmarkets. As a result exporting countries were having recourse to export bans while net food importing countries were, after decades, being threatened by disruption in supplies. The combined effects of better crops and subdued demand have given a false sense of normality to commodities markets. Proponents of the 'decoupling theory', who thought that the meltdown of the financial markets in the US and other developed countries would not contaminate the emerging countries, have been proved wrong. Now they are hoping that the recovery of the emerging countries, with the double-digit growth rates of China and India, will act as a lever to pull the world out of recession.



M. Mahmood Cheeroo

... before the economic crisis, climate change was probably the greatest challenge to the model of economic growth experienced over the last two centuries. If there was consensus on the adverse impact on the environment, the actual damage in the long term was the subject of continuous controversies.

They have forgotten that it was the combination of the accelerated production of biofuels in the emerging countries of the South and the huge demand generated by the high growth rates of China and India, albeit compounded by crop failures in some parts of the world, which led to the food crisis of last year. How can we expect to reap the benefits of renewed growth in the emerging countries and the rest of the world without triggering again a food crisis of global dimensions?

Third, if the emergence of new power houses economies has favoured a new more balanced global economic architecture, it has paradoxically also favoured an unprecedented level of geographical concentration of some key economic activities. As a result there has been an intensification of movement of goods between the nodal points. So much so that transport and logistic facilities were being concentrated on specific routes, marginalizing a large number of countries and whole regions and sending freight rates to the roof. The economic crisis has abated this movement and freight rates have collapsed. A strong recovery of the world economy on the same premise will only re-ignite this polarization/exclusion process.

Last, and more importantly, before the economic crisis, climate change was probably the greatest challenge to the model of economic growth experienced over the last two centuries. If there was consensus on the adverse impact on the environment, the actual damage in the long term was the subject of continuous controversies. However, several recent studies do indicate that climate change could shrink the global economy by 20%. And with a growing population (estimated to reach about 10 billion by) and a model of growth based on increasing per capita consumption, we are clearly on a collision course.

These are all global challenges and they call for global responses. Unfortunately the global governance needed to address these challenges is still lacking. The 'Doha Development Agenda' launched by the WTO in 2004, with a view to delivering a rules-based and balanced world trading order is still entangled in a North-South divide caught in a web of various groups of countries configured around specific interests.

The IMF and the World Bank are neither equipped nor mandated to address economic governance issues of such magnitude. As for the market regulators, in spite of the existence of standards of regulation, the economic crisis has caught them all swimming naked.

The situation is not brighter regarding climate change. In spite of the signing and ratification of the Kyoto Convention by a large number of countries, several key players, including the No. 1 polluter, are not part of this global initiative. There seems to be greater consensus for the adoption of the new United Nations Framework Convention on Climate Change (UNFCCC) currently under negotiations and due to be completed in December next in Copenhagen. Will they agree to do enough and quick enough to make a difference? This remains to be seen.

Quite surprisingly, there has been an unprecedented concerted global action following the economic crisis. The world economy having collapsed, a consensus emerged to apply a shock therapy through the numerous stimulus packages. It was legitimate as a priority to do everything to put the global economy back on its feet. But, even before the complete recovery of the patient, greater attention should be devoted to the emerging threats which in the long term can do even more harm than the current crisis. World leaders should capitalize on the global consensus, which has been built to face the economic crisis, to put into place new global economic governance mechanisms to address the formidable challenges of long term sustainable economic development.

Mahmood Cheeroo
Secretary-General



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Turkey: New prospects for Mauritian exporters



Trade negotiations have always been a priority for Mauritius with both Government and the private sector being actively engaged on various international, regional and bilateral trade negotiating fronts. Over the past years, our Chamber has seen its involvement in trade negotiations increase significantly with a lot of time and resources being devoted to international trade issues with our primary objective being to promote and safeguard the interests of the business community at large.



First round of negotiations between Mauritius and Turkey

Recent achievements for Mauritius include the trade negotiations which led to the securing the trade preferences on the European market with the Interim Economic Partnership Agreement and the granting of the third-country fabric derogation under the Africa Growth Opportunity Act. Similarly, trade agreements negotiated in COMESA and SADC have provided very attractive trading opportunities for our exporters as shown by the growing export figures to the region. Mauritius has also embarked on several initiatives to promote its bilateral trade relations. In July 2007, Mauritius concluded a preferential trade agreement with Pakistan and discussions have been initiated with other countries with the objective of identifying new export markets for our operators.

Bilateral trade negotiations for the setting up of a free trade area (FTA) between Mauritius and Turkey were launched in June this year. The setting up of an FTA between Mauritius and Turkey is being guided by both countries' trade agreements with the European Union. On one hand, Turkey is bound by the Customs Union Agreement with the EU and has therefore to align itself progressively to the preferential customs regimes of the EU towards the ACP countries, including Mauritius. On the other hand, Mauritius has recently initiated an Interim Economic Partnership Agreement (EPA) with the EU and aims to secure preferential market access with Turkey.

Turkey's Profile

The recent Turkey-Africa Cooperation Summit illustrates Turkey's keen interest in developing strong economic and trade relations with Africa. Turkey started its policy of opening up to Africa and building strategic partnerships with other part of the world in 2005. The first Turkey-Africa Cooperation Summit was held in 2008 and the Istanbul Declaration on Africa-Turkey Partnership was signed with a framework for expanding and consolidating the economic, commercial and cultural relations between Africa and Turkey. As part of its Africa strategy, Turkey aims at negotiating FTAs with countries and regions in Africa.

Turkey is classified as an upper middle-income country and is presently the seventeenth biggest economy in the world.



Turkey: New prospects for Mauritian exporters

Fact Sheet on Turkey

Land area	780,580 sq km
Population	76,805,524 (2009 est.)
GDP per capita	\$12,000 (2008 est.)
GDP real growth rate	1.5 % (2008 est.)
Inflation rate	10.2% (2008 est.)
Budget	Revenues: \$164.6 billion Expenditures: \$176.3 billion (2008 est.)
Life expectancy	72 years
Capital	Ankara
Largest cities	Ankara, Istanbul, Izmir, Bursa, Adana, Konya
Monetary unit	Turkish Lira (1 USD = 1.54 Turkish Lira)
Principal languages	Turkish (official), Kurdish, other minority languages
Unemployment	7.9% (2008 est.)
Communication	Telephones: main lines in use: 18.4 million; mobile cellular: 62 million. Internet users: 13.2 million.
Literacy rate:	87.4%
Main ports and terminals	Istanbul, Antalva, Nemrut, Izmir, Mersin, Samsun, Hopa Kocaeli (Izmit), Mersin Limani, Nemrut Limani
Exports	\$141.8 billion f.o.b. (2008 est.)
Principal export destination	Germany 11.2%, UK 8.1%, Italy 7%, France 5.6%, Russia 4.4%, Spain 4.3%
Main commodities exported	Apparel, Foodstuffs, Textiles, Metal Manufactures, Transport equipment
Imports	\$204.8 billion f.o.b. (2008 est.)
Principal import sources	Russia 13.8%, Germany 10.3%, China 7.8%, Italy 5.9%, USA 4.8%, France 4.6%
Main commodities imported	Machinery, Chemicals, Semi-Finished goods, Fuels, Transport Equipments
Main industries	Textile and clothing, Food processing, Automobile, Electronics, Mining, Steel, Paper
Agricultural products	Tobacco, Cotton, Grain, Olives, Sugar beet, Hazelnuts, Pulses, Citrus fruits; Livestock
Sea freight (Mauritius – Turkey)	USD 3,500 (Indicative for a 20" FCL) Routing: Port Louis – Djibouti – Istanbul (Approx. 30 days)

Source: World Bank, World Factbook

Turkey: New prospects for Mauritian exporters

Trade between Mauritius and Turkey

Over the last five years, there has been an upward trend in the total value of trade between Mauritius and Turkey with the balance of trade being in favour of Turkey since 2006.

Trade between Mauritius and Turkey (Rs. million)						
	2004	2005	2006	2007	2008	Main Products
Total Imports	143	192	282	567	911	Wheat flour, medicaments, wires, ovens/cookers, biscuits, napkins, tyres, soaps
Total Exports	166	210	55	101	84	Denim, surgical needles, sheets, plastic trousers, shirts

In 2008, Mauritian exports to Turkey amounted to Rs. 84 million with denim and other cotton fabrics accounting for 78% of our total exports. The drop in the total value of exports from Mauritius between 2004 and 2008 is due to a decrease in our exports of fabrics. Despite the significant decrease in our textile exports, Turkey still remains an attractive market for our denim and other cotton products. It is interesting to note that, in 2008, 50% of Turkey's exports were destined to the EU market with textile and clothing representing 25% of its total exports to the EU.

Setting up a Free Trade Area

The first round of negotiations between Mauritius and Turkey focused mainly on the principles that would guide a free trade agreement. Both parties agreed that the FTA would be based on the Interim EPA initialed between Mauritius and the European Community. An EPA-type agreement will ensure that similar rules of origin are applied so as to allow cumulation of origin between Turkish and Mauritian companies when exporting to the EU.

Both countries also agreed that the FTA would initially focus on trade in goods and would later be extended to trade in services as well as other trade related issues, such as investment and intellectual property rights. The need to strengthen the private sector relations between the two countries was also emphasized and it was agreed that a Joint Business Council would be set up. The next round of discussions will be held in Ankara in November 2009.

With its large internal market and the attractive opportunities for using Turkey as a door to Europe, Turkey represents excellent prospects for Mauritian exporters. The free trade agreement will undoubtedly provide the favourable conditions for strengthening the trade relations between the two countries.

Rooma Narrainen
Manager
Trade Division

Reinforcing Networking among Trade Support Institutions (TSIs)

A regional workshop gathering the national TSIs from Eastern and Southern Africa was held in Nairobi, Kenya from the 24 to 26 June 2009.

The objective of the workshop was to review the national and regional TSIs networking structures and to recommend appropriate measures and mechanisms to reinforce the networks for future cooperation.

The workshop was organized in the context of a “triangle programme” implemented between 2005 and 2008 and which involved the International Trade Centre, the CBI (Dutch Centre for the Promotion of imports from developing countries) and TSIs from Sub-Saharan Africa.

The programme’s objective was to improve exchange mechanisms of information and business opportunities in various sectors.

The workshop held in Nairobi was an opportunity to analyze the findings of the CBI evaluation report and to propose and validate an appropriate TSI capacity building methodology.



From left to right: Mrs Nicole Tirant-Ghérardi (Seychelles), Mr. Said Ali Athoumane (Comoros), Mrs. Nadia Hebboul (International Trade Centre), Ms. Faeza Ibrahimsah (Mauritius), Mrs. A. Rahelisozanabelo and Mrs Fanodia Isandraty (Madagascar)

Three of Africa’s regional economic communities – COMESA, ECOWAS and ECCAS – have forged a new strategic partnership with the Geneva- based International Trade Centre (ITC) to boost the ability of African firms to compete in global markets.

The new venture – the Programme for Building African Capacity for Trade (PACT II) – will be formally launched by the three communities at a series of events starting with the Common Market for Eastern and Southern Africa (COMESA) in Nairobi on June 22.

The continent’s share of world trade has fallen to around 3 percent from 4 percent in the 1970s. The dramatic contraction in global and regional trade as a result of the current international financial crisis makes regional cooperation and integration on trade even more important.

Funded by the Canadian International Development Agency, the CAD\$ 20 million PACT will offer a springboard for exporters by developing trade information networks, strengthening cooperation between trade support institutions, such as chambers of commerce, and providing management support and training, particularly to women entrepreneurs.

The PACT programme, which runs until 2012, aims to involve and support the private sector and develop its capacity to trade by enhancing public-private partnerships, fostering a better understanding of export markets, strengthening regional supply chains and encouraging moves to improve the quality of goods. It will give particular emphasis to sectors offering high growth potential in Africa.

Faeza Ibrahimsah
Manager
Communications and Promotion Division

The Mauritian manufacturing industry: the account of a long and winding obstacle course

The ability to respond rapidly to an environment which is undergoing perpetual change has become a necessity for any industry wishing to survive, grow and flourish. In that respect, the Mauritian manufacturing industry has had, in the past four decades or so, to strengthen its endurance in order to soldier on through the obstacles that emerged along its course. While many prophesied about its demise with the erosion of its preferential market access by 2005, the sector contributed to 20.1% of GDP in 2008 with its large establishments employing more than 90,000 persons by March of the same year. Yet, along with the inherent difficulties that it usually has to cope with and the perpetually new challenges imposed by the highly competitive world market in which it operates, the industry finds itself at a crossroads today in this special time of crisis. The present article examines the evolution and the contribution of the sector over the years.

The manufacturing sector: its evolution

The series of industrial strategies which moulded the Mauritian manufacturing sector dates back to the 1960s, with the creation of import-substitution enterprises in sectors as diverse as the agro-industry, clothing, chemical and metallurgy. However, the industrial strategy was only a half success as it did not bring the much hoped for reapings that the government expected, in terms of job creation and diversification. Consequently the successful adoption of an export-led approach in the 1970s along with the initial import-substitution strategy brought up the rapid growth and the major structural transformation deeply longed for by the economy. However, though the mixed strategy fully met its objectives, some weaknesses started to become apparent. Indeed, the business environment in which import-substitution enterprises were operating became difficult in the late 70s and the performance of the EPZ sector was not sufficient enough to resolve the disequilibrium problems the country was facing in its balance of payment.

The outward-looking approach relying on the country’s abundant and cheap labour force to attract foreign investors to the EPZ which was pursued in that respect proved to be a winning bet as output in the manufacturing industry grew at an annual average rate of 12 % in the mid-1980s, overtaking the sugar sector as the main source of exports, foreign exchange earnings, GDP contribution and employment.

Yet, despite this remarkable performance, the industry was ultimately faced with whirlwinds that have severely quaked the bases on which it has initially built its development path. The rise in labour cost which has eroded its competitiveness in the textile industry and the phasing out of its preferential market access, that were critical for the development of the garment industry were among others challenging developments for the sector. More recently the soaring international oil prices and the economic downturn that swooped down on the developed countries also caused much uncertainty in the industry.

Today the manufacturing sector, which encompasses activities grouped under sugar milling, exports oriented enterprises and other enterprises manufacturing goods mostly meant for the local market, is still considered as an important source of growth in the economy although its contribution is comparatively less than its high-track records in the 80s and the 90s. In 2007 the overall number of large enterprises operating in the industry decreased to 807 down from 915 in 2002, while an increase was registered in the number of small production units from 11,859 in 2002 to 12,798 in 2007.

The Mauritian manufacturing industry: the account of a long and winding obstacle course

A. Export Oriented Enterprises (EOE) Sector

The EPZ, which is now renamed the EOE sector, symbolised the gradual diversification of the economy when it took off in the 1980s with the majority of its enterprises engaged in textile production. However the set of positive conditions, which favoured the rapid growth of the textile industry up to 2000, have now disappeared leaving the once thriving sector in a rather delicate state. Consequently the manufacturing sector was deeply affected given the significant contribution of export oriented enterprises to the former.

The number of enterprises operating in the EOE which stood at 536 in 1993 and 506 in 2003, considerably decreased to 412 in 2008. The sector has now moved from a state initially overshadowed by foreign firms to one where the majority of exports come from domestically-owned companies. The clothing and textiles sector, being the one most affected, its importance in the industry has gone down appreciably in terms of number of enterprises, employment and export earnings, though it still retains the lion share.

B. Domestic Oriented Enterprises (DOE) sector

Compared to its EOE counterpart, the DOE sector was more often than not away from the limelights, even though its contribution to the Mauritian economy over the past four decades has been altogether significant. For instance, it considerably contributed to the structural transformation of the country and also, its experience gained from the import-substitution strategy later proved to be a contributory factor in the successful development of the EPZ.

The sector has remarkably diversified its range of products over the years, despite the country's low factor endowment in terms of primary raw materials. The sector's largest product groups in terms of gross output and value added in 2006 (latest figure) included the 'beverages and tobacco', 'food products', 'chemicals and chemical products' and 'non-metallic products'. The sector in 2007 was represented by 516 large establishments against 490 in 2002.

Contribution of the Sector to the economy

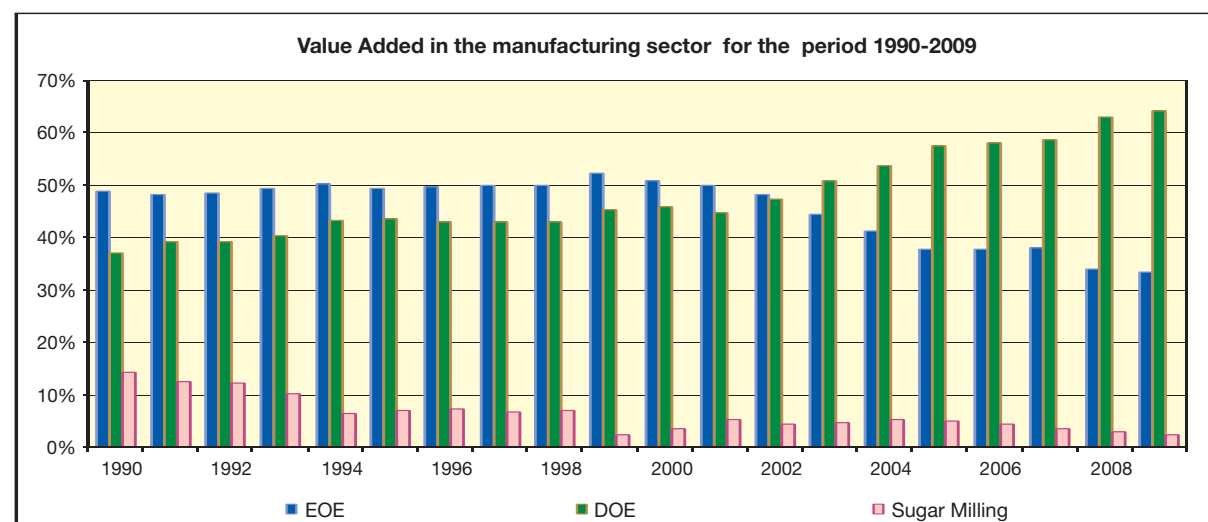


Figure 1 shows the percentage share evolution of the manufacturing's three subsectors for the period 1990-2009

The Mauritian manufacturing industry: the account of a long and winding obstacle course

The contributions of the EOE and DOE subsectors to the manufacturing industry in terms of value added, have over the period 1990-2009 been subject to a major reversal in 2003. While the EOE sector dominated the overall industry by the end of the 20th century and the very beginning of the 21st century, it gradually lost ground to the DOE sector which accounted for 63.1% of the value added of the Manufacturing sector in 2008.

GDP contribution

Considered as the backbone of any industrialised nation, the sector has usually been estimated to account for approximately 20%-30% of the value of all goods and services produced in any industrialised country.

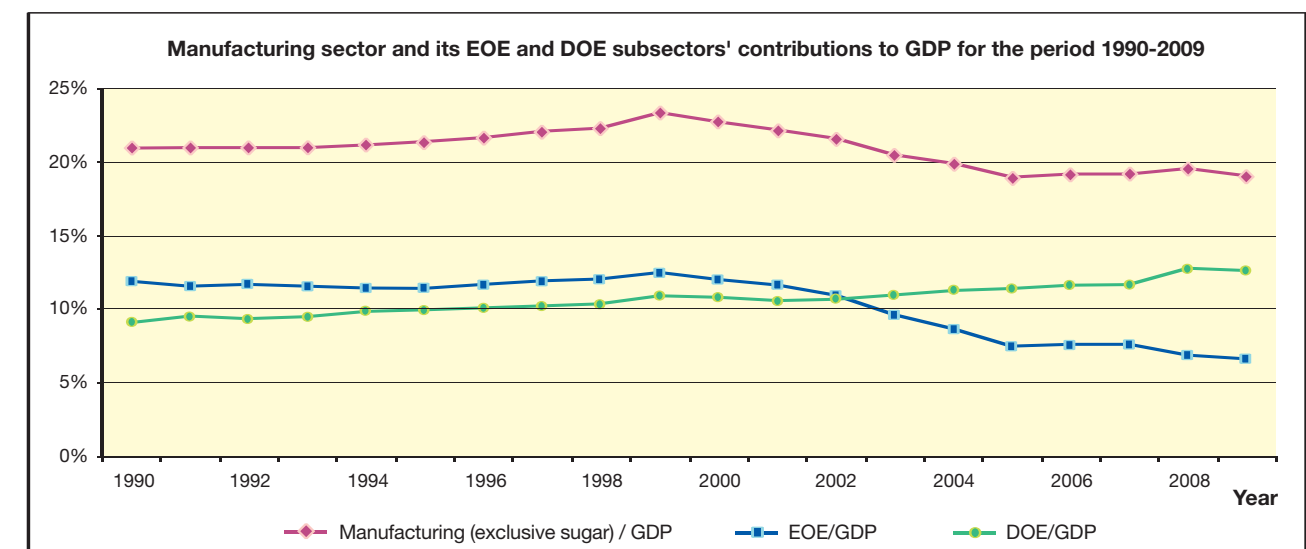


Figure 2 shows the share of the Manufacturing sector and its two subsectors as a percentage of GDP for the period 1990-2009

With regards to Mauritius, the overall contribution of the manufacturing sector (exclusive of sugar milling) to GDP has been falling since 1999, influenced largely by a declining EOE sector. From a peak of 23.3% in 1999 (its highest level ever since), its contribution to Mauritius' GDP has fallen steadily to 18.9% in 2005 before increasing again at a slow and rather consistent pace. In that respect, the share of manufactured products to GDP in the period that followed, i.e. 2006-2008, oscillated between 19.1%-19.5%. Forecast for 2009 further revealed that the sector's contribution will almost approximate the same percentage share of the three precedent years despite the economic downturn.

During the same period, the total production value in the EOE subsector declined, from a high 12.5% in 1999 to 6.8% in 2008 and an estimated 6.5% in 2009.

Contrastingly, the share of DOE production which accounted for 9.1% in 1990 increased steadily to 10.8% in 1999 and 12.7% in 2008. It is anticipated however that the share detained by the manufacturing production in the DOE sector will decrease to 12.5% in 2009 because of the general economic downturn.

The Mauritian manufacturing industry: the account of a long and winding obstacle course

Growth

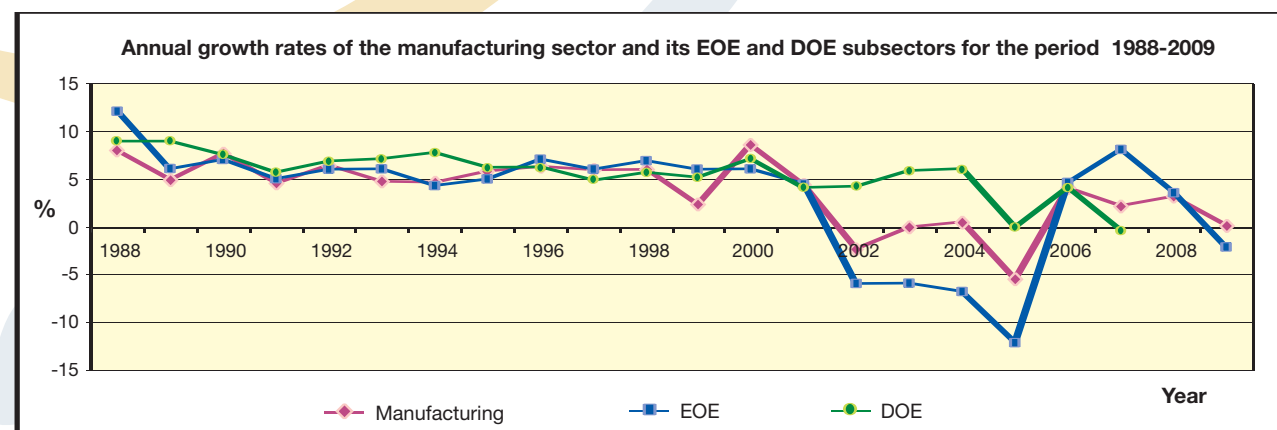


Figure 3 shows the annual growth rates of the industry and its subsectors for the period 1988-2009

Except for 1999, the manufacturing sector and particularly its EOE subsector was a major contributor to growth from 1988 to 2000. The comparatively low and erratic performances of the sector since 2000 were again due to the difficulties encountered by its export oriented enterprises. In that respect, the recession that the EOE went through from 2002 to 2005 was mainly associated with decreasing competitiveness because of globalisation and the emergence of low-cost producing countries which triggered off the emigration of asian-owned large companies and the closure of many locally-owned SMEs.

The overall manufacturing sector was subsequently subject to a negative growth of 2.4% in 2002 before experiencing some kind of recovery in 2003-2004 and contracting again in 2005. While the sector bounced back in the next year with a growth rate of + 4% , lower rates of 2.2% and 1.8% were respectively registered in 2007 and in 2008.

On the other hand, the performance in the DOE sector over 1988-2006 was comparatively good and steady, positively oscillating between 4.3%-9% except for 2005. In 2007 however, the DOE contracted by 0.4% mainly because of the difficulties faced by local manufacturers to withstand competition from imported goods.

Employment

One important reason behind countries' feverish need to preserve a healthy manufacturing base is that it provides meaningful employment for thousands of people. While the rapid development of the Mauritian manufacturing sector led to the rapid expansion of low-skilled jobs to meet the demand of a fast growing EPZ sector in the 70s and 80s, this trend did not last long. As such, even though the Mauritian manufacturing sector (exclusive of sugar milling) is still an important source of employment in the economy, its share of total employment has declined from 28.0% in 2000 to 23.0% in 2007.

The Mauritian manufacturing industry: the account of a long and winding obstacle course

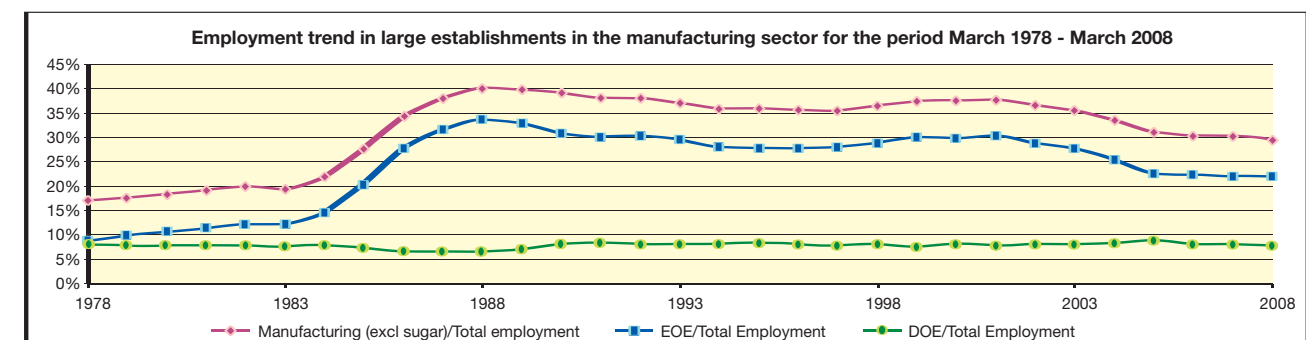


Figure 4 shows the employment trend in large establishments in the manufacturing sector for the period 1988-2009

As far as employment in the large establishments of the manufacturing sector (exclusive of sugar milling) is concerned, there has been a rapid growth in the mid-1980s followed by a moderation in employment growth throughout the 1990s. Thereafter, employment in the sector experienced a steady decline in the period 2001-2005 before seemingly stabilising itself in the years that followed.

However employment in EOE sector has traditionally been high with a peak of 85,000 in its boom years. Its employment pattern after that period has been declining as textile companies began losing ground to more efficient and low cost country producers. Consequently, the share of employment contributed by large manufacturing establishments dropped by 33% from 88,738 in March 1988 to settle around 67,000 in March 2008.

In contrast to its EOE counterpart, employment in the large establishments of domestic oriented enterprises proved to be almost constant over the past 30 years, except for a few dips.

Productivity: an everlasting concern...

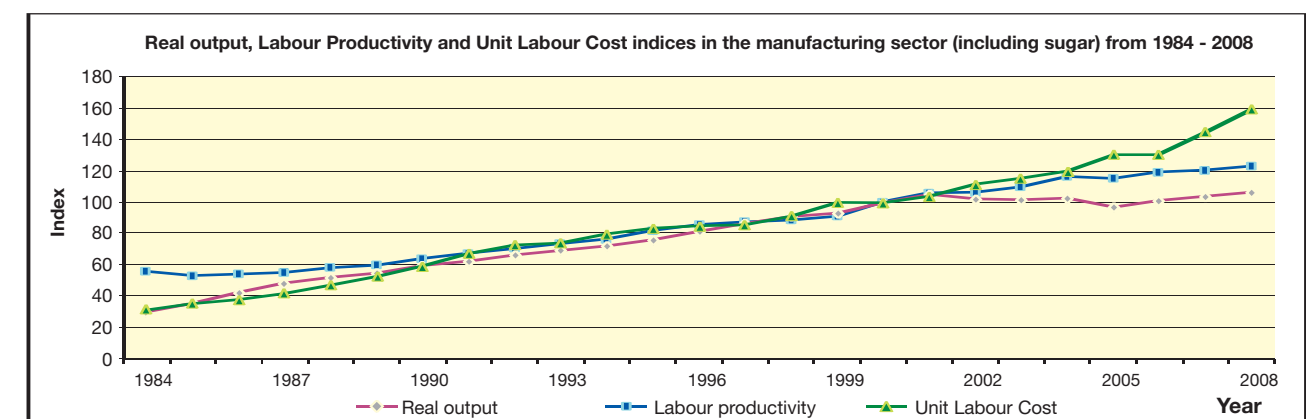


Figure 5 shows the real output labour productivity and unit labour cost indices in the manufacturing sector from 1984-2008

While productivity was already a major concern in the early years of the manufacturing sector, its importance has become paramount today given the fierce competitive market in which the overall industry operates. The evolution of production and unit labour cost indices in the manufacturing industry shows that while the cost of labour required to produce one unit of output(measured by ULC) matched the increase in manufacturing output for the period 1984-1998, it continued its ascension even when output experienced moderate growth by the end of the 1990s. Indeed the annual average unit labour cost for the period 1998-2008 grew at 5.7% compared to an average annual output growth of 1.6% in the corresponding period, implying that labour productivity growth were not sufficient enough to absorb the rise in labour compensation.

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In a similar vein, average productivity growth in the EOE sector which reached an impressive 5.4% annual average growth in the 1990s dipped to 2.8% in the period 1998-2008. Shortage of management, technical and skilled personnel, absenteeism and high labour turnover are the main constraints to improvements in productivity levels.

This yearly rise in labour cost unmatched by productivity in the EOE sector caused a notable decline in cost competitiveness over time. So much so to remain competitive many have become reliant, to a large extent, on a depreciating rupee and an increasing use of foreign labour to maintain their productivity levels. In that respect, the number of foreign workers which stood at 6,145 in the 90s, increased to 24,000 in 2008 with the majority employed in the textiles and clothing segment.

Investment

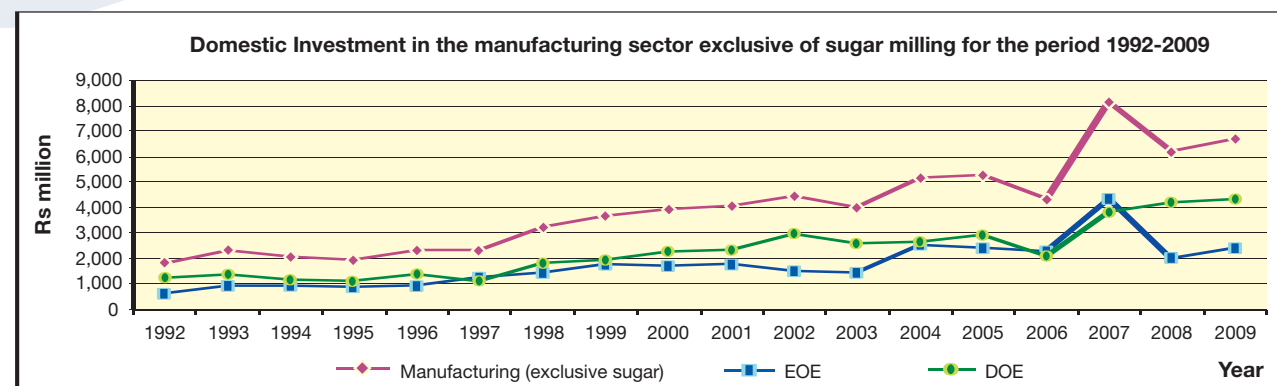


Figure 6 shows domestic investment in the manufacturing sector from 1992-2009

Although FDI has been determinant to the take off of the EPZ, its success would not have been possible without the substantial amount of investment provided by the local business community. However, while domestic investment allocated to the manufacturing sector has been slow-moving over the period 1992-2003, its contribution in 2007 and 2008 has been higher compared to the preceeding years. With regards to the sector's share of total domestic investment, it has been declining over the 1992-2008 to stand at 10.3% in 2008. In real terms, investment growth in the sector behaved in an erratic manner from high records of 60% to negative growths as low as 19.3%.

A breakdown of manufacturing domestic investment reveals that the major share was detained by the DOE sector (62.2% of total domestic manufacturing investment). In that respect, investment trend in the subsector was rather steady, slightly exceeding that of export oriented enterprises during the period.

The Mauritian manufacturing industry: the account of a long and winding obstacle course

Foreign Direct Investment

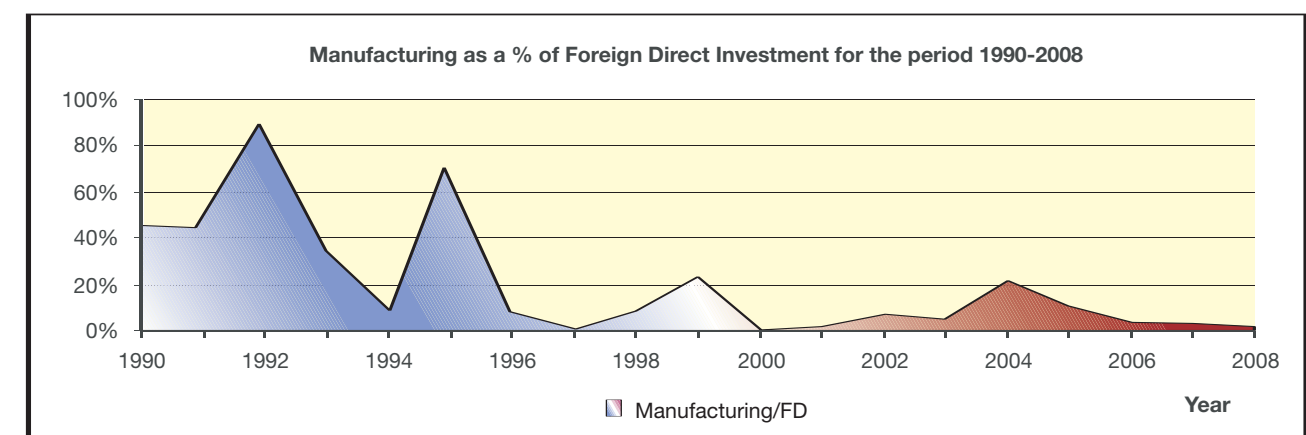


Figure 7 shows the manufacturing sector as a % of FDI for the period 1990 - 2008

FDI was crucial in the early stages of export development, contributing much to the take-off of the EPZ. Yet these foreign inflows which ultimately led to export growth, technological transfer and job creation, became more sluggish in 2000 compared to the total FDI brought in the country. This drop in FDI levels was associated to the delocalisation of foreign investors after the ending of the multi-fibre agreement and recent government policies that aimed at encouraging a diversification of the economy through the promotion of the Offshore, the Tourism sector and the Information and Communication Technology sector.

Laura Shock Torap
Analyst
Economic Analysis and Industry Division

La CCIM et les relations internationales

Un guichet de proximité pour accompagner votre ouverture sur le monde

L'ouverture sur le monde : Pour la Chambre de Commerce et d'Industrie de Maurice, c'est à la fois créer et consolider des liens avec des organisations du secteur privé à l'étranger, adhérer à des organisations internationales, organiser des missions d'affaires, participer aux Forums internationaux, collaborer avec d'autres CCI sur des projets spécifiques, l'objectif étant de faciliter et promouvoir les échanges entre les opérateurs mauriciens et étrangers.

Depuis sa création en 1850, la CCIM a toujours œuvré en faveur d'un environnement propice au bon déroulement des affaires.

Afin de mieux faire entendre sa voix sur le plan régional et international, la CCIM a, au fil des ans noué des liens avec une vingtaine d'institutions étrangères. Elle a aussi adhéré à plusieurs instances internationales. La coopération régionale et internationale pour la Chambre a commencé avec son histoire

Si depuis qu'elle a été créée en 1850, la Chambre a participé aux débats et a fait des propositions sur des questions d'ordre international, ce n'est qu'en 1864 que des contacts formels ont été établis entre la Chambre de Commerce de Maurice et des institutions homologues à l'étranger.

Adhésion à des organisations internationales

Déjà en 1874, son adhésion à l'Association des Chambres de Commerce du Royaume Uni est adoptée. Elle était représentée dans les assemblées annuelles où la promotion du commerce international, les services maritimes et le mouvement des personnes, entre autres, furent l'objet de discussions.

Ce principe de faire partie d'un ou de plusieurs réseaux au niveau international a été conservé par la CCIM. Elle est aujourd'hui Membre de plusieurs organisations régionales et internationales dont la World Chambers Federation, l'Association des CCI de la Southern African Development Community, le Common Market for Eastern and Southern Africa Business Forum, et l'Union des CCI de l'Océan indien. Ces instances sont des lieux privilégiés pour des questions d'intérêts régional et international. Par exemple, les différentes éditions du Forum Economique des Iles de l'Océan indien organisées sous l'égide de l'UCCIOL, ont été une excellente plateforme pour alerter les autorités concernées sur le problème de fret aérien et maritime, sur le problème de visa et de télécommunications entre autres.

De même, grâce à son adhésion à la World Chambers Federation, la CCIM peut délivrer des carnets ATA qui est une procédure douanière simple, rapide et sûre qui facilite à un tarif très avantageux, le dédouanement temporaire des marchandises. Le carnet ATA est valable dans plus de 60 pays.

Relations bilatérales et internationales

Une des attributions de la CCIM est de promouvoir les échanges entre Maurice et ses partenaires commerciaux. La Chambre de Commerce a de tout temps cultivé le principe de travailler conjointement avec des institutions homologues étrangères sur des projets spécifiques qui amélioreraient les affaires et faire des propositions ensuite aux autorités concernées.

De même, elle a toujours encouragé les rencontres entre opérateurs mauriciens et étrangers pour que les produits et services des uns et des autres soient mieux connus.

En fait, le premier contact formel avec une Chambre de Commerce a été établi en 1864 quand la Chambre de Commerce de Pondichéry fit une requête auprès de la Chambre de Commerce de Maurice pour consolider les rapports entre les deux institutions. Dans la même année, la Chambre de Commerce de Port-Elizabeth, en Afrique du Sud, demanda à la Chambre de Commerce de Maurice de lui faire parvenir une copie de ses règlements.

La CCIM et les relations internationales

En décembre 1864, une réunion a eu lieu entre les représentants de la Chambre de Commerce du Cap et celle de Maurice. Le débat portait sur les moyens d'accroître les rapports commerciaux entre le Cap et Maurice.

Même des sujets relatifs à l'agriculture étaient débattus. Le reboisement de Maurice, dont une campagne a été lancée par le gouvernement, fut discuté entre la Chambre de Commerce de Melbourne et celle de Maurice. Des graines d'acacia et d'eucalyptus furent envoyées à la Chambre de Commerce de Maurice dans ce contexte.

Des rapports de transactions furent également échangés en 1879 entre la Chambre de Commerce de Maurice et celle de Saigon.

Toujours dans un souci d'améliorer le commerce international, des projets conjoints furent élaborés entre la Chambre de Commerce de la Réunion et celle de Maurice. Ainsi, une proposition a été faite conjointement par les deux chambres aux autorités concernées concernant l'établissement d'une ligne télégraphique sous-marine qui relierait le Cap et Maurice à l'Europe.

Aujourd'hui, la CCIM a établi des relations structurées avec des organisations du secteur privé représentant une douzaine de pays.

Les discussions bilatérales portent selon les pays, sur les réductions de droits de douane, les produits, la facilitation d'octroi de visas, l'accès aérien direct et la formation entre autres. Des propositions sont faites conjointement aux différentes autorités pour être examinées.

Au fil du temps, ce rôle de promotion a pris une autre dimension.

La CCIM participe dans des missions conjointes gouvernement/secteur privé à l'étranger. Elle fait aussi partie du 'Negotiating Team' concernant les négociations commerciales internationales. Elle défend aussi les intérêts des Membres de la communauté des Affaires au sein des Forums.

De par son histoire formidable, la CCIM a su accroître sa notoriété sur le plan local aussi bien qu'international. Elle est devenue un point de contact incontournable pour les délégations d'hommes d'affaires qui visitent Maurice. Elle poursuivra sa mission d'appui aux entreprises tout en incarnant l'image d'une institution respectée.

Adhésion aux organisations internationales

Régional

- L'Union des Chambres de Commerce et d'Industrie de l'Océan Indien (UCCIOL)
 - The Association of SADC Chambers of Commerce and Industry (ASCCI)
 - African Union Chambers of Commerce and Industry
 - The COMESA Business Forum
 - Indian Ocean Rim Business Forum

International

- World Chambers Federation (International Chamber of Commerce)
 - GS1 (Organisation de Codification Internationale)

Accords de Partenariat entre la CCIM et d'autres organisations

Pays	Date	Organisation
Australie	Juin 1995	Australian Chamber of Commerce and Industry (ACCI)
Chine	Avril 1997	China Council for the Promotion of International Trade (CCPIT)- Beijing
	Novembre 1998	China International Economic and Trade Arbitration Commission- Shanghai
	Mai 2007	CCPIT Beijing Sub-Council
	Septembre 2008	CCPIT Qingdao CCPIT Guangdong Sub-Council
Djibouti	Août 2008	Chambre de Commerce de Djibouti
France	Septembre 1996	l'Assemblée des Chambres Françaises de Commerce et d'Industrie (ACFCI)
Inde	Novembre 1985	Federation of Indian Chambers of Commerce and Industry (FICCI)
	Juin 1995	Confederation of Indian Industry (CII)
	Janvier 2004	Tamil Nadu Chamber of Commerce and Industry
	Mai 2004	India International Trade Center
	Octobre 2005	Seafood Exporters Association of India
Madagascar	Novembre 2004	Fédération des Chambres de Commerce, d'Industrie, d'Artisanat et d'Agriculture de Madagascar
Malaisie	Août 1994	The National Chamber of Commerce and Industry of Malaysia
	Juin 2005	Malaysian Associated Indian Chambers of Commerce and Industry
Pakistan	Mars 2004	The Federation of Pakistan Chambers of Commerce and Industry (FPCCI)
Réunion	Juin 1995	Chambre of Commerce and d'Industrie de la Réunion
	Mars 2002	L'Association pour le Développement Industriel de la Réunion
Russie	Mai 2007	Chamber of Commerce and Industry of the Russian Federation
Seychelles	Novembre 2005	Seychelles Chamber of Commerce and Industry
Sri Lanka	Mai 2004	National Chamber of Commerce of Sri Lanka

Faeza Ibrahimsah
Manager
Communications and Promotion Division

Après Madagascar en 2005, la Réunion en 2006, Maurice en 2007 et les Comores en 2008, la CCI de Mayotte est fière et honorée d'accueillir le FEIOI qui est reconnu comme la manifestation économique la plus importante de l'Océan indien.

Le Forum Economique des Iles de l'Océan Indien est considérée comme la plus grande manifestation économique de l'Océan Indien. Elle permet de développer les échanges économiques entre les territoires, et contribue à la réflexion sur les problèmes qui peuvent se poser.

Ce forum qui attire chaque année de plus en plus de participants est considéré comme un lieu d'échanges économiques entre les opérateurs de la zone. Près de 300 opéra-teurs de Mayotte et des autres îles y seront attendus. Les rencontres B to B consistent à tisser des liens de partenariat entre chefs d'entreprises de différents pays. La manifestation est aussi l'occasion de réflexion sur les problèmes qui se posent au niveau de la région.

Quatre thèmes seront discutés:

- La prospective économique dans l'Océan indien ou le défi de l'intégration régionale
- La filière pêche: quels potentiels et quels écueils?
- Le tourisme: quelle attractivité régionale?
- La desserte aérienne dans l'Océan indien

Une réunion d'information, animée par le Président de l'UCCIOT, Monsieur Marday Venkatasamy, ainsi que Monsieur Serge Castel, Président de la CCI de Mayotte, a été organisée à la CCIM le 30 juillet 2009 à la CCIM.

Les Membres qui sont intéressés à y participer sont priés de contacter Mlle. Faeza Ibrahimsah à la Chambre de Commerce. Tel : 208-3301.



Présentation du 5ème FEIOI par M. M. Venkatasamy et M. S. Castel

Luvna Arnassalon
Analyste
Communications and Promotion Division

COMESA Business Forum

Promoting Economic Development



Hon. Mr. Morgan Tsvangirai, Prime Minister of Zimbabwe, visiting the COMESA Trade Fair

The 5th COMESA Business Forum was held in Victoria Falls, Zimbabwe, from the 4 to 5 June 2009. Around 400 delegates attended the Forum, which was officially opened by the Right Honourable Morgan Richard Tsvangirai, Prime Minister of the Republic of Zimbabwe. The MCCI was represented by the Manager of the Communications and Promotion Division, Ms Faeza Ibrahimsah.

In his opening address, Hon. Mr. R Tsvangirai called on the private sector to use its skills to fully harness the regional opportunities for the benefit of all in the region. The Prime Minister also urged the business community to increase domestics cross border investment and foreign direct investment within the framework of the COMESA Common Investment Area.

Following several workshops held, the following recommendations were made by the Business Community:-

1. Enhancing Regional Exports and Investment

- To benchmark performance in trade and investment to regional and international standards and practices.
- To identify centres of excellence in the region and invest in research and development so as to enhance innovation

2. Enhancing intra and extra regional Exports through global value chains

- To invest in activities which are in the upper value chain
- To facilitate dissemination of information
- To set up sectorial industrial clusters and to enhance setting-up of trade houses and trade points.

3. Opening up of markets for services

- To facilitate trade in services
- To build capacity in domestic services sector through negotiations. Access to technology and institutional reforms.

4. Promotion of Intellectual Property Rights

- To develop and promote innovation and to protect IPRs in collaboration with international organizations.

In his closing remarks, the President of the COMESA Business Council, Mr. Said Omar Moussa, declared that the private sector should play a leading role in uplifting the living standards of the people and should work in a business friendly environment to be able promote economic development.

Faeza Ibrahimsah
Manager
Communications and Promotion Division

Visits of Dignitaries

VISIT OF THE AMBASSADOR OF TUNISIA TO THE CHAMBER

H.E. Dr. Ahmed Mahjoub, Ambassador of Tunisia to the Republic of Mauritius with residence in Pretoria paid a courtesy call on Mr. Kiran Juwaheer and Mr. Mahmood Cheeroo, President and Secretary General of the MCCI, on the 14th July 2009.

In the course of the discussions, the Ambassador expressed the wish that relations between the private sector people of Mauritius and Tunisia be strengthened. He was of the view that an agreement of cooperation could be signed between the MCCI and 'l'Union Tunisienne de l'Industrie, du Commerce et de l'Artisanat'.



From left to right: Mrs. Mounira Mahjoub, Mr. Kiran Juwaheer, H.E. Dr. Ahmed Mahjoub and Mr. Mahmood Cheeroo



Mr. Mahmood Cheeroo, Secretary-General of the MCCI with Delegation from Lesotho

VISIT OF THE HIGH COMMISSIONER OF THE KINGDOM OF LESOTHO TO THE CHAMBER

H.E. Mrs. Lineo Lydia Ntoane, High Commissioner of the Kingdom of Lesotho to Mauritius and based in Pretoria, South Africa met with Mr. Mahmood Cheeroo, Secretary-General of the MCCI on the 10th June 2009 at the Chamber.

During the meeting, the Ambassador expressed the wish for the strengthening of trade and economic relations between Mauritius and the Kingdom of Lesotho. She also talked about cooperation between businessmen from both countries regarding several sectors.

Le Nouveau BTS Assistant de Gestion de PME-PMI, une formation française et européenne

Les formations sont comme les produits, elles suivent un cycle de vie ...

Il ne s'agit pas pour autant d'attendre qu'elles arrivent en phase de maturité ou de déclin pour réagir. C'est le cas du BTS Assistant de Gestion de PME-PMI, lancé en France et à notre Centre d'Etudes Supérieures en 1994. La refonte de cette formation a commencé il y a deux ans déjà et a été rendue définitive en mars 2009. Au CES de la CCIM, ce nouveau produit est lancé dès la rentrée en septembre 2009

Le BTS AG au sein de l'Union Européenne.

L'UE n'est pas seulement un espace où les produits circulent sans entraves, c'est aussi le désir de mettre en place un espace homogène où des diplômes harmonisés faciliteront la libre circulation des hommes. Le nouveau BTS AG PME-PMI repose à présent sur un socle commun : un référentiel européen. L'étudiant de ce BTS où qu'il se trouve en Europe étudie les mêmes matières, fait les mêmes types de stages et développe les mêmes compétences bureautiques. Cette harmonisation facilitera à terme l'embauche transnationale, les entreprises sachant exactement ce qu'on peut attendre d'un diplômé de cette filière.

_ document officiel de l'Education Nationale qui établit clairement tous les savoirs et compétences des différentes matières constitutives d'un diplôme (en anglais : syllabus)

Le BTS avant et après ..

Le réaménagement de ce BTS atteste d'une observation perspicace et pragmatique des insuffisances de l'ancien référentiel. Il s'agit en fait des cas d'inadaptation aux réalités industrielles. Avant la réforme, la formation s'articulait autour de 5 pôles :

- la gestion administrative
- le marketing surtout stratégique
- la gestion comptable et financière,
- la bureautique
- les relations internes et externes.

Lors des stages, l'étudiant se retrouvait face à des réalités différentes : l'entreprise fonctionne en fin de compte dans un univers nettement plus complexe où la transversalité est une règle plus qu'une exception. Il ne faisait donc pas le lien entre ce qu'il apprend (séparément) en cours et ce qu'il expérimente dans les faits.

Un exemple : on lui demande mettre en place un suivi de la relation clientèle

Il actualise la base de données clientèle en utilisant Excel : il sollicite ses connaissances en bureautique et en gestion administrative.

Il étudie le CA par type de clients et les catégorise par segments toujours sur Excel : il sollicite ici le marketing et la bureautique.

Il analyse la rentabilité de chaque catégorie de clients : il sollicite ses connaissances en comptabilité.



Le Nouveau BTS Assistant de Gestion de PME-PMI, une formation française et européenne

Pour finir, il réalise une base de données sur Access, permettant d'éditer des listes des différents types de clients pour les commerciaux dont il établit un planning de visites. Les compétences sont alors bureautiques et administratives.

Soucieux d'adopter une démarche intégrative, le nouveau BTS AG classera alors cette action dans un des 8 pôles qui le constitue : la gestion de la relation avec la clientèle.

La logique explicitée précédemment est alors étendue à tous les cas de figure envisageables en entreprise. Les 8 pôles sont alors les suivants :

- la gestion de la relation avec la clientèle
- la gestion de la relation avec les fournisseurs.
- la gestion et le développement des ressources humaines : aide au recrutement, gestion des congés et des absences, préparation des éléments de paie...
- l'organisation et la planification des activités : amélioration de la circulation de documents, gestion des emplois du temps, gestion de la messagerie électronique....
- la gestion des ressources : suivi des immobilisations corporelles, suivi de la trésorerie, mise en place d'un système de classement
- la pérennisation de l'entreprise : mise en place d'une démarche de certification (ex ISO), analyse des réclamations clientèle, participation au contrôle de gestion....
- la gestion des risques : gestion des applications bureautiques dans l'entreprise, protection des postes de travail, sécurité au travail, suivi des dossiers d'assurance, évaluation des risques environnementaux....
- la communication globale : création de documents, rédaction et diffusion de documents écrits, accueil, contribution à la communication institutionnelle et commerciale.....

L'approfondissement en bureautique..

Bien entendu, aucune formation contemporaine en gestion ne saurait se passer des outils bureautiques. Les outils de l'ancien BTS se cantonnaient à Word, Excel. Access, un logiciel de comptabilité française et un logiciel de traitement d'enquêtes. Le nouveau BTS est plus souple et va intégrer en plus des logiciels listés, un PGI (progiciel de gestion intégrée, en anglais ERP), Ms Project, la maîtrise d'une messagerie électronique en entreprise et des fonctions de recherche sur internet dans une logique de veille informationnelle.

L'assistant de gestion, un poste clef dans une petite structure..

Le nouveau BTS ne rompt pas avec sa mission d'origine. L'assistant de gestion exerce sa mission auprès du chef d'entreprise d'une petite ou moyenne entreprise ou d'un cadre dirigeant. Il en est le collaborateur direct. Cette mission se caractérise par une forte polyvalence à dominante administrative. Elle se décline en diverses activités qui sont explicitement attribuées par le chef d'entreprise. La réforme a clarifié le "contenu produit" de la formation : l'étudiant sait à quoi il est formé, il développe ainsi mieux son employabilité. Ses deux ans de formation identifient avec précision quel est le maillon qui sera le sien dans la chaîne de valeur des entreprises.

Bertrand Tursan d'Espaignet
Chargé de cours
Centre d'Etudes Supérieures de la CCIM

La Formation

Un Investissement Sûr



Notre Offre :

- BTS Informatique
- BTS Gestion
- BTS Marketing
- DU Comptabilité Finance
- Licence de Gestion
- Master Management International
- Master Administration des Entreprises






**Centre d'Etudes Supérieures
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**RECRUTEMENT
EN COURS**
 Date de clôture des inscriptions
31 août 2009

Portail Régional: Le Point Focal National des Seychelles lancé officiellement

Le 19 juin 2009 le portail national d'information commerciale des Seychelles a été lancé officiellement à Victoria par le Président de la CCI des Seychelles, Monsieur V. Ramadoss.

Mme. Nichole Tirant-Ghérardi, Secrétaire Générale de la CCI des Seychelles s'est dit satisfaite du travail accompli par la SCCI conjointement avec le Ministère des TIC des Seychelles.



Mme. N. Tirant-Ghérardi et Mlle. F. Ibrahimsah lors de la signature du Protocole d'Accord

Mlle Faeza Ibrahimsah, le Manager de la Communication et de la Promotion à la CCI de Maurice, qui représentait le Point Focal Régional, a exprimé le souhait que les opérateurs de la région COI profitent pleinement de cette plateforme électronique pour accroître les affaires. Elle a aussi déclaré que la CCI de la Réunion a signifié son intention de se joindre au réseau régional.

Rappelons que le lancement du portail du Réseau Régional en information commerciale de la COI a eu lieu lors de la cérémonie d'ouverture du FEIOI aux Comores en 2008. Le portail est composé de sites nationaux des pays Membres de la COI. C'est la CCIM qui a été désignée officiellement par la COI pour gérer le Point Focal Régional.

Le portail régional a comme pour principaux objectifs de promouvoir l'information utile sur le potentiel commercial de la sous-région. Aussi, il offre une plateforme de diffusion et d'échanges d'opportunités d'affaires et accroître la visibilité des petites et moyennes entreprises de la sous-région à travers la base de données accessible en ligne.

Le 'Business Information Network' est un outil utile pour les gens d'affaires dans la région Océan indien et des autres pays pour l'utilisation des possibilités commerciales dans les pays de la COI.

Le site est accessible à l'adresse suivante : <http://www.coi.relais-infocom.net>

Luvna Arnassalon
Analyste
Communications and Promotion Division

Positioning Mauritius as an International Arbitration Centre

Globalisation oblige, Mauritius is now more and more involved in international business (tourism and hospitality, corporate and financial services, global business, export of goods and services, ICT activities....).

In this context, there are a number of political and judicial reasons to support the development of arbitration in Mauritius.

Positioning Mauritius as an International Arbitration Center would constitute an extra element of synergy which should benefit our country as a recognized international business and financial hub.

Many factors play in favour of the development of Mauritius as an attractive venue for Arbitration.

First, we are a peaceful and politically stable country enjoying a long tradition of democratic principles and good governance.

Second, we are geographically at the crossroads of Africa, Europe and Asia, Mauritius can be a hub in terms of commercial transactions.

Third, the legal system of Mauritius is a hybrid of English-inspired common law and French-inspired civil law; this mix, actually corresponds to the trend in private international law.

Fourth, we have a pool of skilled legal counsels, accountants and experts in international trade and finance.

Fifth, Mauritius has the advantage of advanced bilinguism.

And sixth, Mauritius has facilities and international standards infrastructures to welcome such activities.

The current Government's stance on the development of arbitration is a positive, forward-moving one. Several years ago, things have been moving rather slowly, to say the least. However, recently remarkable progress have been made.

Since the setting up its Permanent Court of Arbitration in 1998, the MCCI has made numerous representations to Government to further the development of commercial arbitration in Mauritius, focusing its efforts in two specific directions: to convince the Government to ratify the 1958 New York Convention, and second, to amend the local legal provisions on arbitration to bring them in line with international standards. MCCI also made representations to the McKay Presidential Commission in 1997.

The report of the Presidential Commission took account of these representations and recommended that the English Arbitration Act be used as a basis for modernization of our current legislation on arbitration. The report also recommended ratification of the 1958 New York Convention, as a matter of urgency, stating this could be done extremely simply and absence of ratification inhibited the opportunity for Mauritius to fully participate in international arbitration.

This was in 1997. Yet it took seven years for this simple ratification to take place for the Convention became fully effective only in 2004.

Moreover, government decided in 2008 to amend the Law Practitioners Act and in line with an overall "politique d'ouverture économique" to facilitate the coming of foreign law firms in Mauritius. These law firms will most probably bring along their know-how and expertise in arbitration and other ADR techniques. Capacity- building and the development of an arbitration culture are indeed crucial if we are to fully exploit the potential and benefits of commercial arbitration.

The International Arbitration Act 2008 (the "Act") was proclaimed to come into operation on 1 January 2009. Its objective is to promote the use of Mauritius as a jurisdiction of choice in the field of international arbitration, to lay down the rules applicable to such arbitrations and to provide for related matters.

The Act applies solely to international arbitrations. Several sections of the Model Law on International Commercial Arbitration adopted by the United Nations Commission International Trade Law (UNCITRAL) on 21 June 1985, as amended on 7 July 2006 are reproduced in the Act.

The UNCITRAL Model Law on Arbitration is one of the cornerstones of dispute resolution theory and practice which has evolved to become the core legal body of the United Nations system in the field of international trade law. The conventions, model laws, legislative and legal guides, and contractual rules it has introduced has contributed significantly to the strengthening of the world trading system. In the absence of sufficient legal expertise and case law for the development of a distinct arbitration law jurisprudence in Mauritius, the enactment of the UNCITRAL Model Law on Arbitration into domestic law will undoubtedly contribute considerably to the rapid development of commercial arbitration in Mauritius. It will also add a more international dimension to our legal system, and make our business environment more accessible and secure.

These are all good tidings but commercial arbitration in Mauritius is somehow still in its teething stage. Providing for the proper legal and institutional framework is a first major step which has been initiated. Other steps along the way to an efficient, sophisticated and reliable out-of-court settlement system would involve:

1. Sensitisation of economic operators on the benefits of having recourse to arbitration.
2. Training of law practitioners in arbitration and other alternative dispute resolution methods. The training our law practitioners get has traditionally been by nature adversarial and litigious. By contrast, arbitration and other ADRs are more geared towards finding win-win solutions.
3. Setting up of mechanisms of cooperation with existing arbitration centers in other countries.
4. Promotion of an arbitration culture in the judiciary. We have seen that the law provides for reference by state courts of cases to arbitration in certain situations. However, this mechanism is not often put in practice. If it were, this would certainly relieve the judiciary from some cases which could be better solved by arbitration, and leave it more time to deal more efficiently with cases where court settlement is more appropriate.
5. Introduction of mechanisms whereby arbitral tribunals can have the rapid support of state courts for example in the grant of interim measures and in the enforcement of testimony and evidence rules.

If all these actions are thoroughly conducted we are strongly convinced that Mauritius may become a reputable international Arbitration Centre in this part of the Region.

Barlen Pillay
Manager
Legal and Business Facilitation Division

Your rights, responsibilities and obligations to Data Protection

Data Protection is a fundamental component of today's society and the development of good data protection practices contributes to fostering public trust. The demands of public security, efficient administration, economic development and the rapid growth of new communications devices which integrate information and communications technologies must not jeopardize our privacy rights.

Data Protection strikes the right balance between the concerns of Government and businesses whilst respecting the fundamental rights of people.

The Data Protection Act, enacted in 2004, provides protection of the privacy of individuals in view of the developments in techniques used to capture, transmit, manipulate, record or store data relating to individuals. The Act has been promulgated on 16th February 2009 and is fully enforced by the Data Protection Office. The appointed Data Protection Commissioner, Mrs. D. Madhub, is responsible for upholding the rights of individuals as in the Data Protection Act and for enforcing the obligations imposed upon data controllers.

Data controllers are people or organisations holding information about individuals and they must comply with the eight data protection principles in order to safeguard the privacy rights.

- i. Personal data shall be processed fairly and lawfully.
- ii. Personal data shall be obtained only for any specified and lawful purpose, and shall not be further processed in any manner incompatible with that purpose.
- iii. Personal data shall be adequate, relevant and not excessive in relation to the purpose for which they are processed.
- iv. Personal data shall be accurate and, where necessary, kept up to date.
- v. Personal data processed for any purpose shall not be kept longer than is necessary for that purpose or those purposes.
- vi. Personal data shall be processed in accordance with the rights of the data subjects under this Act.
- vii. Appropriate security and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
- viii. Personal data shall not be transferred to a third country, unless that country ensures an adequate level of protection for the rights of data subjects in relation to the processing of personal data.

The commissioner has a wide range of enforcement powers to ensure that the principles are observed. These powers include legal notices compelling data controllers to provide information needed for enquiries and to implement the provision of the Data Protection Act in a particular prescribed manner. The commissioner may also investigate complaints made by the general public and take proactively action. A person on conviction may be liable to a fine not exceeding Rs. 200,000 and to imprisonment for a term not exceeding 5 years.

The proclamation of the Data Protection Act 2004 will undoubtedly attract investors and boosting up the Business Process Outsourcing/IT Enabled Services activities by enhancing the image of Mauritius as a safe destination.

The data controller registration form is available on: <http://www.gov.mu/portal/sites/dataprotection/notereg.htm>

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