

REPUBLIC OF MAURITIUS | SECOND PROFILE 2021

MIGRATION
GOVERNANCE
INDICATORS



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MIGRATION
GOVERNANCE
INDICATORS

TABLE OF CONTENTS

OBJECTIVE // 6

INTRODUCTION // 7

CONCEPTUAL FRAMEWORK // 9

KEY FINDINGS // 10

SUMMARY OF UPDATES SINCE 2018 // 12

COVID-19 ANALYSIS // 25

KEY SOURCES // 28

ANNEXES // 32

OBJECTIVE

The MGI aims to support well-managed migration policy by helping countries assess the comprehensiveness of their migration governance structures and identify priorities on the way forward.

MGI follow-up assessments identify the migration policy developments that have occurred since the countries' first MGI assessments, thus helping governments track their progress on national priorities as well as commitments taken at the regional and international levels.

The MGI can be used to spark a discussion with governments and other relevant stakeholders in the country on existing migration policy structures. It can help assess whether these structures, which have often been in place for several years, still address the main challenges and opportunities of today's reality.

INTRODUCTION

This is an era of unprecedented mobility, and the need to facilitate orderly, safe, regular and responsible migration and mobility is becoming increasingly relevant.¹ The need to face the challenges and to maximize the opportunities that this mobility brings has been recognized with the inclusion of migration in the 2030 Agenda for Sustainable Development, which highlights the positive contribution of migrants to inclusive growth and development. Migration is integrated in a number of Sustainable Development Goal (SDG) targets, such as ending modern slavery and addressing the vulnerability of migrant workers. However, the central reference to migration in the SDGs is target 10.7 on facilitating “orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies”.²

The incorporation of target 10.7 into the 2030 Agenda created the need to define “planned and well-managed migration policies”. This is why, in 2015, the International Organization for Migration (IOM) developed the Migration Governance Framework (MiGOF). This Framework offers a concise view of an ideal approach that allows a State to determine what it might need to govern migration well and in a way that suits its circumstances.³ The Framework was welcomed by IOM Member States in the same year.

In an effort to operationalize the MiGOF, IOM worked with Economist Impact to develop the Migration Governance Indicators (MGI), a standard set of approximately 90 indicators to assist countries in assessing their migration policies and advance the conversation on what well-governed migration might look like in practice.

The MGI helps countries identify good practices as well as areas with potential for further development and can offer insights on the policy levers that countries can use to develop their migration governance structures. However, the MGI recognizes that all countries have different realities, challenges and opportunities that relate to migration. Therefore, the MGI does not rank countries on the design or implementation of their migration policies. Finally, the MGI does not measure migration policy outcomes or institutional effectiveness. Instead, it takes stock of the migration-related policies in place and operates as a benchmarking framework that provides insights on policy measures that countries might want to consider as they progress towards good migration governance.

MGI follow-up assessments aim at showing the progress that countries have achieved in their migration governance policies since their first MGI assessment. Concretely, this report presents a summary of the main changes and achievements that have taken place in the migration governance structures of the Republic of Mauritius (hereinafter referred to as Mauritius), since the first assessment in 2018, as well as the areas with potential for further development, as assessed by the MGI.⁴

¹ IOM Standing Committee on Programmes and Finance, Seventeenth Session (S/17/4 of 29 September 2015), Article 2.

² IOM Council, 106th Session, Migration Governance Framework (C/106/40 of 4 November 2015), page 1, footnote 1. Available at <https://governingbodies.iom.int/system/files/en/council/106/C-106-40-Migration-Governance-Framework.pdf>.

³ Ibid.

⁴ The MGI initiative is a policy-benchmarking programme led by IOM and implemented with the support of Economist Impact. Funding is provided by IOM Member States.

CONCEPTUAL FRAMEWORK

MiGOF

The IOM MiGOF sets out the essential elements to support planned and well-managed migration. It seeks to present, in a consolidated, coherent and comprehensive way, a set of three principles and three objectives which, if respected and fulfilled, would ensure that migration is humane, orderly, and benefits migrants and society.

At the basis of

PRINCIPLES

1. **Adherence** to international standards and fulfilment of migrants' rights.
2. **Formulates** policy using evidence and "whole-of-government" approach.
3. **Engages** with partners to address migration and related issues.

OBJECTIVES

1. **Advance** the socioeconomic well-being of migrants and society.
2. **Effectively** address the mobility dimensions of crises.
3. **Ensure** that migration takes place in a safe, orderly and dignified manner.

MGI

WHAT IT IS



A set of indicators that offers insights on policy levers that countries can use to strengthen their migration governance structures



A tool that identifies good practices and areas that could be further developed



A consultative process that advances dialogues on migration governance by clarifying what "well-governed migration" might look like in the context of SDG Target 10.7

Which supports the measurement of

WHAT IT IS NOT



Not a ranking of countries



Not assessing impacts of policies



Not prescriptive



TARGET 10.7

"Facilitate orderly, safe, regular and responsible migration and mobility of people, including through implementation of planned and **well-managed migration policies.**"



KEY

FINDINGS

The MGI is composed of around 90 indicators grouped under the 6 different dimensions of migration governance that draw upon the MiGOF categories:



MIGRANTS'
RIGHTS
PAGE 15

Indicators in this domain look at the extent to which migrants have access to certain social services such as health, education and social security. It also looks at family reunification, access to work, and access to residency and citizenship. The international conventions signed and ratified are also included.



WHOLE-OF-GOVERNMENT
APPROACH
PAGE 18

Indicators in this area assess countries' institutional, legal and regulatory frameworks related to migration policies. This area also looks at the existence of national migration strategies that are in line with development objectives and overseas development efforts, as well as institutional transparency and coherence in relation to migration management.



PARTNERSHIPS
PAGE 20

This category focuses on countries' efforts to cooperate on migration-related issues with other States and with relevant non-governmental actors, including civil society organizations and the private sector.



WELL-BEING
OF MIGRANTS
PAGE 22

Indicators in this area assess countries' policies on the recognition of migrants' educational and professional qualifications, provisions regulating student migration and the existence of bilateral labour agreements between countries. Aspects of diaspora engagement in the country of origin and migrant remittances are also under this domain.



MOBILITY DIMENSION
OF CRISES
PAGE 23

This category looks at the type and level of preparedness of countries when they are faced with mobility dimensions of crises. The questions look at the processes in place for nationals and non-nationals both during and after disasters, including if humanitarian assistance is equally available to migrants as it is to citizens.



SAFE, ORDERLY
AND REGULAR
MIGRATION
PAGE 24

This area looks at countries' approach to migration management in terms of border control and enforcement policies, admission criteria for migrants, preparedness and resilience in the case of significant and unexpected migration flows, as well as the fight against trafficking in persons.

SUMMARY OF UPDATES SINCE 2018

Migrants' rights

Since the first MGI assessment in 2018, the number of social security agreements between Mauritius and other countries has not changed. In accordance with the principle of inclusion and non-discrimination, the country adopted a rights-based approach to facilitate the portability of social security benefits and earned entitlements for migrant workers within its territory. Migrant workers can opt to have their contributory benefits repaid with accrued interest before leaving the country.

Since 2018, the Government has reformed some immigration policies to facilitate immigration procedures for foreign nationals wishing to reside and/or work and live in Mauritius. The Economic Development Board (EDB) launched the National Electronic Licensing System (NELS) in 2018 to facilitate the occupation permit application process, reduce wait time and modernize the issuance of registration certificates, as well as expedite the payment of fees. This interactive and user-friendly platform allows online submission and processing of occupation permits for foreign nationals.

In 2019, the Government amended the Immigration Act (1970) and repealed Sections 8(1)(a) and 8(1)(c), which prohibited non-citizens likely to be a charge on public funds from entering Mauritius.

The Government revised eligibility criteria to obtain an occupation permit as an investor, someone self-employed or a professional. Following the Finance (Miscellaneous Provisions) Act (2020), the maximum duration of investors and self-employed permits was extended from 3 to 10 years. In addition, the initial investment required to obtain an occupation permit as an investor was reduced from USD 100,000 to USD 50,000.

As from December 2021, foreign investors for innovative start-ups can access the Mauritian market by submitting an innovative project to the EDB or registering with an incubation centre⁵ accredited by the Mauritius Research and Innovation Council.

As of December 2021, the minimum required monthly salary for an occupation permit as a professional to work in fund accounting and compliance services was reduced to MUR 30,000 (approximately USD 700), but two additional conditions apply. First, the employer must be a licensee of the Financial Services Commission, and second, the professional must have at least three years of relevant work experience.

Since 8 March 2019, non-citizen spouses of Mauritian nationals who intend to work in Mauritius must apply for a permit to access the local labour market. Non-citizens married to Mauritian nationals prior to 8 March 2019 are exempt from the permit requirements as per the Employment (Non-citizens) Exemptions Regulations (1970).

The Finance (Miscellaneous Provisions) Act (2019) allows non-citizens who have completed at least an undergraduate degree in artificial intelligence, biotechnology, fintech, financial services, information technology or robotics in a local tertiary education institution, recognized by the Higher Education Commission, to apply for a Young Professional Occupation Permit (YPOP). While the YPOP is not renewable, a person may apply for an occupation permit before the YPOP expires.

Whole-of-government approach

There has been no major change in the whole-of-government approach since 2018. The Mauritian Diaspora Scheme (2015) managed by the Economic Development Board (EDB) encouraged members of the diaspora

⁵ An incubation centre is an institution providing business and technical services to entrepreneurs to assist them in developing their business, especially in the initial stages.

to return and contribute to the economy. The EDB has a committee that evaluates the applications received during each month, but the country does not have a dedicated institution to coordinate diaspora engagement.

The Migration Steering Committee, chaired by the Prime Minister's Office, ensures vertical and horizontal coherence on migration-related policy issues, including diaspora engagement.

Partnerships

Mauritius maintains strong links with international organizations and participates in several regional consultative processes. The country is part of the Migration Dialogue from the Common Market for Eastern and Southern Africa Member States (MIDCOM), the Migration Dialogue for Southern Africa (MIDSA) and, since 2020, the Migration Dialogue for the Indian Ocean Commission Countries (MiDIOCC). In addition, the country implements the Common Market for Eastern and Southern Africa (COMESA) Protocol on the Gradual Relaxation and Eventual Elimination of Visa Requirements, except for countries falling under the eleventh schedule of visa regulation.⁶ In addition, as a member State of the Southern African Development Community (SADC), Mauritius is aligning its qualifications framework with the SADC Qualifications Framework as of December 2021.

Well-being of migrants

The country has adopted additional measures to facilitate the ethical recruitment of migrant workers since the last assessment in 2018. In 2019, the Ministry of Justice, Human Rights and Institutional Reforms, in collaboration with several stakeholders – including the Ministry of Labour, Human Resource Development and Training (MLHRDT) and the British High Commission in Mauritius – published the *Know Your Rights* guide (2019). The guide was published in several languages, including English, Bangla, French, Hindi, Mandarin and Tamil, and widely distributed to migrant workers at their employment sites.

To combat abusive labour recruitment practices, the Guidelines for Work Permit Application (2016), issued by the MLHRDT, provides a list of designated agencies for the employment of skilled Chinese workers in Mauritius. Similarly, the list of recruitment agencies in Mauritius can be downloaded from the job portal of the Ministry.

Data on migrants and their impact on the Mauritian labour market is still limited. However, Statistics Mauritius conducts an annual survey on employment and earnings. The survey only focuses on large organizations,⁷ and the data is disaggregated by migratory status and gender.

Mobility dimension of crises

Compared to 2018, the country has improved its disaster communication strategies and systems. As of December 2021, it is possible to receive emergency alerts through a mobile application. However, the application does not consider the specific needs of migrants.

The country does not have a comprehensive policy to address the mobility dimension of crises. While the National Disasters Scheme (2015) does not explicitly mention migrants, the National Migration and Development Policy (2018) recognizes that inter-island migrants, especially from Rodrigues Island, settling in high-risk areas, are vulnerable and economically disadvantaged. Consequently, the Ministry of Social Integration, Social Security and National Solidarity established the Rodrigues Information and Support Desk in 2017 to provide referrals to travellers from Rodrigues.

⁶ For non-citizens from COMESA member States Libya and the Sudan, a visa is required prior to travel to Mauritius.

⁷ The annual survey on employment and earnings focuses on large organizations with 10 or more employees.

Safe, orderly and regular migration

Mauritius does not have an online system to process visa applications. Foreign nationals must apply at an office of Air Mauritius or a Mauritian diplomatic mission abroad. In the absence of these facilities, applicants can send the completed application form and supporting documents by email to the Passport and Immigration Office (PIO).

In 2020, the Government introduced the Premium Visa, which is valid for a period of one year and renewable, to encourage foreign nationals to stay as tourists, retirees or professionals with their family members, and conduct their business or work activities remotely from Mauritius. Applicants can submit online applications through the National Electronic Licensing System to PIO.

Comprehensive information on various immigration programmes – including visa procedures and work permit, residence permit and occupation permit application guidelines – is easily accessible on the websites of PIO, the Prime Minister’s Office, the Economic Development Board, and the Ministry of Labour, Human Resource Development and Training. These websites also facilitate access to relevant immigration laws, including the Passport Act (1969), the Immigration Act (1970), the Economic Development Board Act (2017) and the Workers’ Rights Act (2019), among others.



1

ADHERENCE TO INTERNATIONAL STANDARDS AND FULFILMENT OF MIGRANTS' RIGHTS

1.1. Migration governance: Examples of well-developed areas

Migrants with a valid residence permit may access free Government-funded health-care services on the same level as nationals, including treatment for chronic conditions, such as diabetes. While the Immigration Act (1970) prohibits entry of persons afflicted with any infectious or contagious disease, it was amended in 2019 to repeal Sections 8(1)(a) and 8(1)(c)⁸ to be more inclusive.

All workers, including migrants, are protected against discrimination by the Workers' Rights Act (2019), which stipulates that "an agreement shall not be terminated by an employer by reason of a worker's race, colour, caste, national extraction, social origin, place of his origin, age, pregnancy, religion, political opinion, sex, sexual orientation, gender, HIV status, impairment, marital status or family responsibilities". In addition, the Equal Opportunities Act (2008) provides protection against direct and indirect discrimination based on a person's status, which includes, inter alia, ethnic origin, place of origin, colour, sex and race. Furthermore, the Constitution of Mauritius (1968) upholds the principles of equality and non-discrimination for all.

The Protection from Domestic Violence (Amendment) Act (2016) and the Combating of Trafficking in Persons Act (2009) provide the legal basis for the protection of migrants who are victims of domestic violence and human trafficking. In May 2019, the Government established a shelter for adult migrants who are victims of human trafficking, with proper amenities, as well as facilities and support services.

The Ministry of Gender Equality and Family Welfare further provides child victims of trafficking with immediate and long-term protective and support services through its six Child Development Unit outstations across the island. The Drop-in-Centre at Port Louis and the Residential Centre at Grande Rivière North West also provide protective and support services to child victims of trafficking.

Migrants with a valid work or occupation permit have access to social security entitlements and earned benefits under the same conditions as nationals. Migrant workers employed at an export-oriented manufacturing company and with a valid work permit are covered from their third year of residence in Mauritius, while other migrant workers are covered from their first day of employment. At the end of their contract, migrant workers can claim a refund of their contributions, together with accrued interest. In case of death, the surviving spouse or the next of kin is eligible for the refund. When the surviving parent is a Mauritian citizen, such person may continue to contribute to the pension.

Non-citizens have access to the basic State retirement pension if they have resided in Mauritius for at least 15 years since the age of 40, with 3 of those 15 years being immediately prior to the claim. Individuals who have contributed to the pension scheme are entitled to contributory benefits while residing abroad, with the pension being credited to a local bank account.

The country has also signed bilateral agreements pertaining to social security benefits. The bilateral labour agreement on circular migration with France (2008) entitles national migrant workers to equal treatment with French nationals in law, working conditions, social protection, health, hygiene and safety at work. In addition, the Convention on Social Security between the United Kingdom and Mauritius, signed in 1981, facilitates the portability of social security benefits for citizens of both countries.

⁸ Under Sections 8(1)(a) and 8(1)(c), non-citizens who appear to the Immigration Officer to be suffering from any physical or mental infirmity and who are likely to be a charge on public funds are prohibited from entering Mauritius.

Migrants belonging to the categories of investors, professionals and self-employed are issued an occupation permit, which allows them to change employers with the approval of the Economic Development Board (EDB) and the Prime Minister's Office. In areas with labour scarcities,⁹ employers can apply for work permits to hire non-citizen skilled migrant workers. These skilled migrant workers may also change employers under the condition that the current employer raises no objection, and upon the approval of the Ministry of Labour, Human Resource Development and Training.

Compared to 2018, the occupation permit for investors is now more accessible. The initial investment required to obtain an occupation permit as an investor was reduced from USD 100,000 to USD 50,000. Following the Finance (Miscellaneous Provisions) Act (2020), the maximum duration of investor and self-employed permits was extended from 3 to 10 years. The 10-year occupation permit for the investor and self-employed categories is renewable upon meeting the turnover criteria. As from the third year, investors must show an annual turnover of 4 million Mauritian rupees (MUR) (approximately USD 94,000). Non-citizens can also obtain an occupation permit as an investor in innovative start-ups. To qualify, they must submit an innovative project to the EDB or be registered with an incubator accredited by the Mauritius Research and Innovation Council.

Since 2020, non-citizens who hold a residence permit under the Immigration Act and acquire a residential property under the Integrated Resort Scheme, the Real Estate Scheme, the Property Development Scheme or the Smart City Scheme,¹⁰ the value of which exceeds USD 375,000, have been exempt from the requirement to obtain an occupation or work permit to invest and work in Mauritius.

Following the Finance (Miscellaneous Provisions) Act (2021), non-citizens may apply for a Family Occupation Permit by contributing at least USD 250,000 to the COVID-19 Projects Development Fund. The applicant, their spouse, dependent child, parents, other dependants or other persons working exclusively for the family unit on the application may become residents for a period of 10 years. The permit allows the applicant or their spouse to engage in any activity for profit or be gainfully employed in Mauritius. Moreover, any other persons working for the family unit, as approved by the Immigration Officer, may be employed with the applicant for the purpose of attending to the needs of the family.

1.2. Areas with potential for further development

Additional restrictions are now in place for obtaining an occupation permit in fund accounting and compliance services. Besides the requirement of a minimum salary of MUR 30,000 (around USD 700), the applicant must have three years of relevant work experience, and the employer must be licensed by the Financial Services Commission.

Only foreign students who have earned at least an undergraduate degree in selected fields from a local institution of higher education, recognized by the Higher Education Commission, may apply for a Young Professional Occupation Permit (YPOP). The YPOP is valid for a maximum period of three years depending on the duration of the employment contract. When the service of the foreign employee is still required after three years, the employer may apply for an occupation permit as a professional on behalf of the employee. The YPOP is issued mainly in the fields of artificial intelligence, biotechnology, fintech, robotics, financial services and information technology.

Non-citizens may engage in a professional activity under the services sector as self-employed and register with the Registrar of Companies, or operate as a one-person company. They must make an initial investment of at least USD 35,000 to do so. For renewals, applicants must have a minimum annual business income of

⁹ The recruitment of non-citizens is allowed only when vacancies cannot be filled following a call for applications in the local market. In practice, these generally include occupations such as bricklayers or welders in secondary sectors, including construction and manufacturing.

¹⁰ More information is available at www.edbmauritius.org/info-centre/live-mauritius.

MUR 800,000 (around USD 18,700) from the third year of operation, up from MUR 600,000 (USD 14,000) in 2018.

Following the Non-citizens (Employment Restriction) Exemptions (Amendment No. 2) Regulations (2019), non-citizen spouses of Mauritian nationals who intend to work in Mauritius must apply for a permit to access the local labour market, as of 8 March 2019. Non-citizens that have been married to Mauritian nationals prior to this date are exempt from the permit requirements, as per the Employment (Non-citizens) Exemptions Regulations (1970).



2

FORMULATES POLICY USING EVIDENCE AND WHOLE-OF-GOVERNMENT APPROACH

2.1. Migration governance: Examples of well-developed areas

Mauritius' national migration strategy is defined in the National Migration and Development Policy (2018), which is aligned with Sustainable Development Goal 10.7 to “facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration practices”. The Policy aims to maximize the impact of migration on the country’s economic development by harnessing the financial, intellectual, political, cultural and social capital of the diaspora. It provides the institutional framework to coordinate efforts for greater diaspora engagement among the Prime Minister’s Office (PMO), line ministries, government agencies and partners, including international organizations. The Government developed an action plan in 2018 to help achieve the Policy’s objectives. The Action Plan designates specific ministries, government agencies and private sector organizations to implement the different policy objectives.

The Migration Steering Committee (MSC), chaired by the PMO, coordinates the implementation of the Migration and Development Policy and Action Plan. Taking a whole-of-government approach, the MSC ensures horizontal and vertical policy coherence across all sectors and levels of government institutions. The main stakeholders of the MSC include the PMO and line ministries, the Passport and Immigration Office (PIO), Statistics Mauritius, the Bank of Mauritius, the Economic Development Board (EDB), the Mauritius Council of Social Service and IOM.

The country has clear and transparent laws to govern migration. The Immigration Act (1970) and the Non-citizens (Employment Restriction) Act (1970) regulate immigration and prescribe employment rules for non-citizens. The Government has updated these laws to reflect evolving migration governance policies. For instance, the Finance (Miscellaneous Provisions) Act (2021) amended the Immigration Act (1970) to replace the definition of a “dependent child”. The new definition repeals the age limit of the child, stepchild or legally adopted child of eligible migrants. Immigration-related laws and regulations are available on the websites of the PMO, the EDB, PIO, and the Ministry of Labour, Human Resource Development and Training (MLHRDT).

The Housing and Population Census includes questions related to migration. The last census questionnaire in 2011 included migration-related questions on citizenship, usual address, place of residence, reason for living in Mauritius, reason for living abroad, and usual address five years ago.

2.2. Areas with potential for further development

PIO, the EDB, and the MLHRDT collect, process and store significant migration-related data. However, these administrative data are not systematically shared and analysed to inform migration policies.

Since 2015, the EDB has managed the Mauritian Diaspora Scheme (MDS), launched to attract members of the Mauritian diaspora to return and contribute to the economy. As of December 2021, the Ministry of Foreign Affairs, Regional Integration and International Trade plans to establish a Diaspora Cell to further engage with the members of the diaspora.¹¹

The MDS recognizes the importance of the second- and third-generation Mauritian diaspora. Members of the diaspora who do not hold a Mauritian passport may be granted a 10-year renewable visa if they qualify

¹¹ The Diaspora Cell, which was expected to be operational in 2021, has been delayed due to the outbreak of the COVID-19 pandemic and ensuing related administrative issues.

under the MDS. To determine diaspora visa eligibility, the MDS established a point system which weighs more in favour of those with advanced degrees and more years of professional experience.

In addition, the Government is building its capacity to strengthen ties with the Mauritian diaspora, in partnership with international organizations. For example, the Pilot Mapping and Profiling of the Mauritian Diaspora in Australia, Canada and the United Kingdom (2020) project was conducted with the support of IOM and led by the Ministry of Foreign Affairs, Regional Integration and International Trade. The Ministry also chaired an interministerial committee comprising representatives from the relevant ministries and departments in January and February 2021, to review and endorse most of the recommendations of the Pilot Mapping and Profiling report. The report's main recommendations relate to institutional and leadership development, and to establishing programmes to harness the social, economic and human capital of the diaspora. The Cabinet endorsed the report in February 2021.¹²

¹² The nine recommendations as endorsed by the Ministry of Foreign Affairs, Regional Integration and International Trade include:

- (a) Expand the membership of the Technical Working Group (TWG), which was established under the chairmanship of the Ministry of Foreign Affairs, Regional Integration and International Trade, to include other key stakeholders from across the public institution landscape, international partners, the private sector and the diaspora, in order to develop an inter-institutional mechanism that can sustain a stronger system of diaspora engagement.
- (b) Re-energize engagement designs such as the Mauritian Diaspora Scheme, which is being run by the Economic Development Board, as well as other academic diaspora engagements.
- (c) Establish a Diaspora Cell and an Inter-institutional Steering Group on Diaspora Engagement, which would be responsible for engaging with the diaspora.
- (d) Train relevant stakeholders in diaspora engagement.
- (e) Develop a National Diaspora Strategy that will provide the guiding framework for engagement with the diaspora.
- (f) Hold a Mauritian Diaspora Summit, which would be the core convening of the global Mauritian community.
- (g) Establish a Mauritian Diaspora Fellowship Programme to embed research linkages and partnerships between academia in Mauritius and the academic diaspora.
- (h) Establish a Mauritius Diaspora Tourism Initiative, which would see the diaspora serve as ambassadors to market the country.
- (i) Create a Mauritius Diaspora Business Competition to encourage diaspora entrepreneurs to seize socioeconomic opportunities in Mauritius together with local businesses.

3

ENGAGES WITH PARTNERS TO ADDRESS
MIGRATION AND RELATED ISSUES

3.1. Migration governance: Examples of well-developed areas

Mauritius participates in various regional consultative processes (RCPs) on migration, including the Migration Dialogue from the Common Market for Eastern and Southern Africa (COMESA) Member States (MIDCOM), which aims to foster networking and cooperation among member States, thereby strengthening the capacity of governments to address migration issues of common interest. A key objective of MIDCOM is to harmonize immigration policies and legislations in member countries. In this context, Mauritius implements the COMESA Protocol on the Gradual Relaxation and Eventual Elimination of Visa Requirements. The country is one of three COMESA member States, along with Rwanda and Seychelles, to have waived visa requirements for all COMESA citizens.¹³

The country is also part of the Mahé Consensus (2019), which emphasizes the need to establish an informal and non-binding process for Indian Ocean Commission (IOC) member States to engage in regular dialogue on migration and related issues.

As a member of the Southern African Development Community (SADC), Mauritius is part of the Migration Dialogue for Southern Africa (MIDSA). Mauritius implements the SADC Labour Migration Action Plan (2020–2025),¹⁴ which aims to promote skills transfer and match labour supply and demand for regional development and integration.

In addition, the country participates in the Migration Dialogue for the Indian Ocean Commission Countries (MiDIOCC). MiDIOCC is a platform for member States to further dialogue on the promotion of safe, orderly and regular migration, in accordance with the Global Compact for Safe, Orderly and Regular Migration, the African Union Agenda 2063 and the United Nations 2030 Agenda for Sustainable Development.

In September 2018, Mauritius hosted the Thirty-third IOC Council of Ministers Meeting, which focused on four thematic areas of intervention – namely, political and diplomatic cooperation, economic and trade cooperation, environmental sustainability, and regional cultural cooperation, including the free movement of people and goods in IOC areas.

Since the last assessment in 2018, Mauritius has also started aligning its National Qualifications Framework with the SADC Qualifications Framework (SADC QF). The SADC QF aims to enhance the mobility of students and workers in the SADC region by setting quality assurance standards and facilitating the recognition of qualifications. As of December 2021, Mauritius submitted its alignment report for adjudication.

The country has concluded bilateral agreements to strengthen cooperation for safe, orderly and regular migration. In 2017, the Government entered into an agreement with Seychelles for the recruitment of teachers and other education specialists from Mauritius to Seychelles, and for their professional development.¹⁵ In 2019, Mauritius signed a memorandum of understanding (MOU) with Nepal to facilitate the ethical recruitment of Nepali citizens for employment in the manufacturing and hospitality sectors.

¹³ For non-citizens from COMESA member States Libya and the Sudan, a visa is required prior to travel to Mauritius.

¹⁴ More information is available at www.sadc.int/news-events/news/sadc-adopts-new-labour-migration-action-plan-promote-skills-transfer-and-match-labour-supply-and-demand-regional-integration/.

¹⁵ As a result, 11 teachers from Mauritius were recruited to work in Seychelles.

3.2. Areas with potential for further development

The diaspora, civil society organizations and the private sector are key stakeholders in the Migration and Development Policy and Action Plan, but collaboration on migration issues is ad hoc. However, the Migration Steering Committee involved civil society organizations (including the Mauritius Council of Social Service) and the private sector (including Business Mauritius and the Mauritius Export Association) in elaborating the Migration and Development Policy and its Action Plan through workshops to gather their technical inputs.

Additional efforts are under way to foster international cooperation on migration. In February 2020, Mauritius exchanged draft memorandums of understanding with Bangladesh, India and Madagascar to regulate the recruitment of workers from these countries.



4

ADVANCES THE SOCIOECONOMIC WELL-BEING OF MIGRANTS AND SOCIETY

4.1. Migration governance: Examples of well-developed areas

The Mauritian Government established institutional mechanisms for the ethical recruitment and equitable treatment of migrant workers. The Government established the Special Migrant Workers' Unit, under the Ministry of Labour, Human Resource Development and Training (MLHRDT), in 2001 to provide services to migrant workers, such as vetting of employment contracts and conducting investigations on working conditions. In addition, the Ministry's Occupational Health and Safety Unit regularly inspects migrant workers' workplaces and accommodations to ensure compliance with regulations. In March 2019, the Ministry of Justice, Human Rights and Institutional Reforms launched the *Know Your Rights* guide for migrant workers in collaboration with other stakeholders, including the MLHRDT, and with the support of the British High Commission in Mauritius. The guide was translated into languages commonly spoken by migrant workers – including Bangla, English, French, Hindi, Mandarin and Tamil – and was widely distributed to migrant workers at their employment sites. The brochure is being updated as of December 2021 to reflect recent changes in laws and regulations affecting migrant workers.

To combat abusive labour recruitment practices, the MLHRDT published a list of authorized foreign workers recruitment agencies in Mauritius. While the Ministry has no jurisdiction over the recruitment agencies abroad who send migrant workers to Mauritius, it established and vetted an online list of recruitment agencies in China.

4.2. Areas with potential for further development

There is no national assessment for monitoring the labour market demand and supply for migrant workers. However, the MLHRDT conducts an annual labour market survey to determine labour shortages in the local market. The report is published on the website of the Ministry and includes statistics on the number of vacancies, disaggregated by type of job and economic sector. Statistics Mauritius also conducts its annual Survey of Employment and Earnings in Large Establishments and collects sex-disaggregated data on foreign employees. However, these efforts do not consider the impact of migration on the domestic labour market, and they do not meet the need for gender-responsive data on migrant workers.



5

EFFECTIVELY ADDRESSES THE MOBILITY DIMENSIONS OF CRISES

5.1. Migration governance: Examples of well-developed areas

The National Disaster Risk Reduction and Management Centre (NDRRMC) coordinates disaster risk reduction efforts in Mauritius. It works closely with several stakeholders, including the Mauritius Police Force and the Mauritius Meteorological Services (MMS). The National Emergency Operations Command (NEOC) is activated during a disaster and uses the existing police command, control, coordination and communication system to transmit information on the evolution of crises. In times of crisis, the NDRRMC – in collaboration with the MMS, the Mauritius Broadcasting Corporation and private radio stations – warns the population of impending or evolving life-threatening hazards via radio and television at regular intervals. These advisories are often issued in several languages, which are also spoken by migrants in the country, including English, Bhojpuri, French, Hindi and Mauritian Creole.

In 2018, the Ministry of Technology, Communication and Innovation launched an emergency alert mobile application that is accessible to everyone, including migrants, enhancing the capacity to relay crisis information to handheld devices in a timely manner.

5.2. Areas with potential for further development

The Government recognizes that inter-island migrants, mostly from Rodrigues Island,¹⁶ are more vulnerable to natural disasters, as they settle in high-risk locations and are disproportionately exposed to natural disasters. Yet there are no specific policies to address this issue. However, the National Empowerment Foundation established the Rodrigues Information and Support Desk in December 2017 in Mauritius and in April 2018 in Rodrigues. The Support Desk provides referrals and assistance to Rodriguans moving to Mauritius, including information on the different Mauritius-based institutions that could provide them assistance in terms of health, housing, education, employment, training and social aid, among other areas.

Neither the National Disaster Risk Reduction and Management Policy (2020–2030) nor the Climate Change Act (2020) specifically addresses the issue of migratory movements caused by the adverse effects of climate change. However, the Government has taken some measures to address internal displacements triggered by environmental degradation. For instance, the 2019–2020 Budget made provisions to support the relocation of families affected by landslides. Since June 2019, the Government has provided a building site lease over a plot of State land in the east of the island to 11 families of Quatre Soeurs for their relocation.

The National Disaster Risk Reduction and Management Policy does not include specific provisions for preventing and addressing the displacement impact of disasters. However, the scheme considers short-term displacement triggered by rapid-onset events, such as cyclones or flash floods. It is common practice to use community centres around Mauritius as refuge centres during crises. In addition, the Government, in partnership with the United Nations Development Programme, created a refuge centre at Quatre Soeurs, on the eastern coast of the island. The Adaptation Fund provided financial assistance to establish the facility under the Climate Change Adaptation Programme in the coastal zone of Mauritius, which started in 2012.

¹⁶ Rodrigues is an autonomous island that is part of Mauritius.



6

ENSURES THAT MIGRATION TAKES PLACE IN A SAFE, ORDERLY AND REGULAR MANNER

6.1. Migration governance: Examples of well-developed areas

The Passport and Immigration Office (PIO), a branch of the Mauritius Police Force under the aegis of the Prime Minister's Office (PMO) and the Commissioner of Police, provides immigration services, including border control at ports of entry and exit and enforcing immigration laws.

Information pertaining to immigration procedures is available on the official websites of several governmental organizations. The web portal of the PMO outlines the visa and work permit options, along with eligibility criteria and application procedures. The Economic Development Board's (EDB) website includes comprehensive information on the guidelines and application procedures for occupation permits and residence permits. Applicants submit applications for the occupation permit electronically through the EDB's National Electronic Licensing System (NELS). In addition, the EDB published several guidelines pertaining to migration, including the following: Invest Hotel Scheme Guidelines (2019), The Property Development Scheme (PDS) Guidelines (2020), Smart City Scheme Guidelines (2020), Mauritian Diaspora Scheme Guidelines (2020), and Acquisition and Lease of Immovable Property by Non-Citizens for Business Purposes Guidelines (2020). Similarly, the Ministry of Labour, Human Resource Development and Training (MLHRDT) published the Guidelines for Work Permit Application (2016) on its website. Finally, PIO provides detailed information on the different visa options, as well as on residence permits.

The Work Permit portal of the MLHRDT allows for electronic submission of applications for the work permit and supporting documents. The decision on the application is made available online.

In the context of the COVID-19 pandemic, Mauritius introduced the Premium Visa in October 2020 to allow non-citizens and their dependants to travel and stay in Mauritius for up to one year and work remotely. Non-citizens can apply for the Premium Visa online through the NELS. The Premium Visa is renewable, and non-citizens can convert their Premium Visa upon meeting specific visa requirements while in Mauritius.

6.2. Areas with potential for further development

Apart from nationals from a few countries, non-citizens are issued visas on arrival. The country does not have an e-visa service for tourists and business travellers. Non-citizens who are not eligible for visas on arrival must submit an application through a Mauritian diplomatic mission or an Air Mauritius office abroad. In the absence of these facilities, they may send applications by email to PIO.

There are no specific policies to ensure that migrant detention is used only as a last resort. In practice, however, migrants are rarely detained. Instead, PIO is guided by the PMO or proceeds as per court orders while awaiting repatriation procedures.

MIGRATION GOVERNANCE INDICATORS



PREPAREDNESS AND RESPONSE PROTOCOLS ON THE RISKS OF THE NOVEL CORONAVIRUS (COVID-19)

This annex summarizes key national COVID-19 policy responses in Mauritius from a migration governance perspective. It is based on 12 questions that were added to the standard Migration Governance Indicators (MGI) assessment in the country in order to effectively assess national migration governance in the context of the COVID-19 pandemic.



COVID-19-related health services are accessible to all migrants under the same conditions as nationals. The national vaccination programme began on 26 January 2021, with the inoculation of front-line workers in the health-care, retail, hospitality and transportation sectors. Individuals with comorbidities were also given priority access to the vaccines. In March 2021, the Government of Mauritius expanded its COVID-19 vaccination programme to include travellers, diplomats and their families, and non-citizens with valid work or residence permits and premium travel visas.



The Government Wage Assistance Scheme (GWAS) provided wage subsidies to employers for employees earning a basic monthly wage of up to MUR 50,000, with a maximum benefit of MUR 12,500 per employee. The Government extended this subsidy to all economic sectors and targeted both nationals and migrant workers in 2020.

Under the COVID-19 (Miscellaneous Provisions) Act (2020),¹ the Self-Employed Assistance Scheme (SEAS) provided an allowance for citizens residing in Mauritius. Self-employed non-citizens were not eligible for financial assistance under this scheme.

The Workers' Rights Act entitled citizens who have lost their jobs during COVID-19 to receive a transitional unemployment benefit of MUR 5,100 per month for the period beginning on 1 July 2020 and ending on 31 December 2020. The temporary benefit was payable if the citizen had at least 30 days, but not more than 180 days, of continuous employment with the same employer on the date of termination of employment. Migrant workers were not eligible for financial assistance under this plan.



Visa overstays during the pandemic period did not trigger administrative liability. Under the COVID-19 (Miscellaneous Provisions) Act, if a visa or permit expires during the COVID-19 pandemic, the visa or permit shall not be deemed expired and shall remain valid for 30 days after the COVID-19 pandemic lapses or for such further period as may be prescribed.

¹ Government of Mauritius, COVID-19 (Miscellaneous Provisions) Act, No. 1 of 2020. Available at www.mra.mu/download/COVID19Act.pdf.



PREPAREDNESS AND RESPONSE PROTOCOLS ON THE RISKS OF THE NOVEL CORONAVIRUS (COVID-19)

In March 2021, the Government announced that non-citizens stranded in Mauritius whose visa, residence permit, work permit or occupation permit expired during the period ending on 31 March 2021 would be granted a visa extension and permission to stay until the lifting of COVID-19 restrictions. They were then required to contact the Passport and Immigration Office to regularize their situation.²



The COVID-19 (Miscellaneous Provisions) Act established the legal structure to enforce sanitary measures during the pandemic. The law provides for sanitary inspection of educational institutions where there may be a high concentration of people. Migrant workers in the manufacturing sector typically live in dormitories, and it is harder to enforce sanitary measures in these settings with a high population density.³



The Ministry of Labour, Human Resource Development and Training conducts regular inspections of worksites and dormitories of migrant workers. During these visits, the Ministry shared information related to sanitary and social distancing measures with employers.

The Government solicited the support of international partners to mitigate the impact of the sanitary emergency restrictions. Subsequently, IOM developed a guidance for employers and businesses on the protection of migrant workers (2020).⁴ Multilingual COVID-19 awareness posters were also distributed to provide migrants with health information.



During the COVID-19 outbreak, some non-governmental organizations (NGOs) supported the continuity of health services. For instance, the Rodrigues Regional Assembly – in collaboration with Solidarité Rodrigues, an NGO – provided logistical assistance to Rodriguan patients undergoing treatment in Mauritius for diverse illnesses. Members of the NGO visited the inpatients and arranged their transfer from the hospitals to guest houses upon discharge.⁵

² Passport and Immigration Office, COVID-19 – Extension of visas and grant of permission to stay: Residence permits/occupation permits holders. Available at <https://passport.govmu.org/passport/?p=881>.

³ L'Express, Dortoires: foyers pour virus. 18 July 2021. Available at www.lexpress.mu/article/396866/dortoires-foyers-pour-virus.

⁴ More information is available at www.iom.int/news/iom-releases-guidance-employers-and-businesses-protection-migrant-workers-during-covid-19-crisis.

⁵ World Health Organization and Government of Mauritius, Best practices and experience of Mauritius' preparedness and response to COVID-19 pandemic (2020). Available at <https://reliefweb.int/sites/reliefweb.int/files/resources/Mauritius%20Inter-Action%20Review%201%20COVID-19%20%20Report.pdf>.





PREPAREDNESS AND RESPONSE PROTOCOLS ON THE RISKS OF THE NOVEL CORONAVIRUS (COVID-19)



The National Communication Committee on COVID-19 provides regular updates on the progress of the pandemic, including daily infections and mortalities, if any.⁶ The data is also published online. However, the data is not disaggregated by migratory status.



During the COVID-19-related lockdown, all registered users, including migrants, had unrestricted access to online banking. Additionally, some banks have played a key role in fostering financial inclusion. They remained open during the lockdown to provide access to essential services, including remittances.



On 16 April 2020, the State Bank of Mauritius (SBM) extended financial assistance to Mauritians stranded abroad, including students and their parents and relatives. A loan of MUR 50,000 was made available to those in need to facilitate their repatriation.⁷ Additionally, the Ministry of Foreign Affairs, Regional Integration and International Trade, in collaboration with Air Mauritius and IOM, supported the repatriation of Mauritians stranded abroad, as well as non-citizens stranded in Mauritius. As of 6 June 2020, with the assistance of diplomatic missions and other stakeholders, 1,836 stranded Mauritians have been repatriated from various countries.

⁶ More information is available at <https://besafemoris.mu/>.

⁷ SBM Group, SBM finance for stranded Mauritians, parents and relatives. 16 April 2020. Available at www.sbmgroup.mu/newsroom/communiqu/sbm-finance-stranded-mauritians-parents-relatives.





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ANNEXES

International conventions yet to be ratified*

Convention name
United Nations Convention relating to the Status of Refugees (also known as the Refugee Convention), 1951
United Nations conventions on statelessness, 1954 and 1961
United Nations International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), 1990
International Labour Organization Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)
African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), 2009

* Mauritius adheres to the principle of non-refoulement. Non-citizens seeking asylum in Mauritius are not returned to a country where they may be harmed. They remain in Mauritius until they are granted asylum in another country.

MiGOF: Migration Governance Framework¹⁷

In an attempt to define the concept of “well-managed migration policies”, the International Organization for Migration (IOM) devised a Migration Governance Framework (MiGOF), which was welcomed by the IOM Council in November 2015. For the purposes of the Migration Governance Framework, IOM defines governance as “the traditions and institutions by which authority on migration, mobility and nationality in a country is exercised, including the capacity of the government to effectively formulate and implement sound policies in these areas”.

The Framework sets out the essential elements of “good migration governance” – 3 principles and 3 objectives which, if respected and fulfilled, would ensure that migration is humane, safe and orderly, and that it provides benefits for migrants and societies.¹⁸ IOM’s view is that a migration system promotes migration and human mobility that is humane and orderly and benefits migrants and society:

When it:

- (i) Adheres to international standards and fulfils migrants’ rights;
- (ii) Formulates policy using evidence and a “whole-of-government” approach;
- (iii) Engages with partners to address migration and related issues.

As it seeks to:

- (i) Advance the socioeconomic well-being of migrants and society;
- (ii) Effectively address the mobility dimensions of crises;
- (iii) Ensure that migration takes place in a safe, orderly and dignified manner.

The MiGOF does NOT create new standards or norms. In drafting the Framework, IOM relied on its expertise and analytical work, as well as on existing commitments, non-binding declarations and statements. It does NOT address global migration governance that is the international architecture for dealing with issues related to migration and human mobility. Instead, the focus is on the governance and management of migration from the point of view of the State as the primary actor. It does NOT propose one model for all States. The Framework presents a “high road” or ideal version of migration governance, to which States can aspire.

The MiGOF is based on the understanding that, as the primary actor in migration, mobility and nationality affairs, a State retains the sovereign right to determine who enters and stays in its territory and under what conditions, within the framework of international law. Other actors – citizens, migrants, international organizations, the private sector, unions, non-governmental organizations, community organizations, religious organizations and academia – contribute to migration governance through their interaction with States and each other.

¹⁷ IOM Council, Migration Governance Framework, 106th Session, C/106/40 (4 November 2015). Available at <https://governingbodies.iom.int/system/files/en/council/106/C-106-40-Migration-Governance-Framework.pdf>.

¹⁸ Migration Governance Framework infosheet (2016). Available at <https://publications.iom.int/books/migration-governance-framework>.

The MGI process



1

Launch of the MGI process

The first step of the process is to explain what the MGI entails to key government officials, in order to ensure full understanding of the project and complete buy-in.



2

Data collection

The second step of the process is to start the collection and analysis of data, based on about 90 indicators grounded in the 6 dimensions of the MiGOF. A migration governance profile based on the analysis of the findings is then drafted and shared with the government counterparts.



3

Interministerial consultation

The third step of the process is to convene an interministerial consultation where all relevant ministries and other stakeholders discuss the good practices and main areas that could be developed further as identified in the draft migration governance profile, as well as priorities on the way forward. It is also an opportunity for them to comment and provide suggestions on the draft profile.



4

Publication of the report on the Global Migration Data Portal

After the migration governance profiles are finalized and vetted by government counterparts, they are published on the Global Migration Data Portal¹⁹ and uploaded on the IOM Publications Platform.²⁰

¹⁹ You can find the profiles at <https://migrationdataportal.org/overviews/mgi#0>.

²⁰ Please see <https://publications.iom.int/>.



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