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Editorial Note

South Asian Journal of Management Research (SAJMR), is a scholarly journal that publishes

scientific research on the theory and practice of management. All management, computer

science, environmental science related issues relating to strategy, entrepreneurship,

innovation, technology, and organizations are covered by the journal, along with all business-

related functional areas like accounting, finance, information systems, marketing, and

operations. The research presented in these articles contributes to our understanding of

critical issues and offers valuable insights for policymakers, practitioners, and researchers.

Authors are invited to publish novel, original, empirical, and high quality research work

pertaining to the recent developments & practices in all areas and discipline.

Cross-functional, multidisciplinary research that reflects the diversity of the management

science professions is also encouraged, the articles are generally based on the core disciplines

of computer science, economics, environmental science, mathematics, psychology, sociology,

and statistics. The journal's focus includes managerial issues in a variety of organizational

contexts, including for profit and nonprofit businesses, organizations from the public and

private sectors, and formal and informal networks of people. Theoretical, experimental (in the

field or the lab), and empirical contributions are all welcome. The journal will continue to

disseminate knowledge and publish high-quality research so that we may all benefit from it.

Dr. Pooja M. Patil

Editor

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Enhancing the Fight against Human Trafficking in Mauritius: Insights from the 2023 Round-Table Discussion on the National Action Plan

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Abstract:

This report provides an extended analysis of a pivotal round-table discussion organised under the aegis of the University of Technology, Mauritius, led by Professor Hemant Chittoo, Mrs. Bhavna Mahadew, and Mr.Viraj Fulena. The event focused on the National Action Plan to Combat Trafficking in Persons 2022-2026 (NAPCTP) in Mauritius, with an emphasis on prosecution, prevention, protection, and partnership. Stakeholders from various sectors, including government agencies, civil society organizations, law enforcement, and academia, participated in the round-table, sharing their perspectives, challenges, and recommendations to enhance the effectiveness of combating human trafficking.

Introduction

Human trafficking remains a critical global concern, with devastating impacts on victims and severe repercussions for societies. Defined by the United Nations as the recruitment, transportation, transfer, harbouring, or receipt of people through force, fraud, or deception for the purpose of exploitation, it is a crime that thrives in the shadows. In response to this grave issue, the Government of Mauritius has initiated the National Action Plan to Combat Trafficking in Persons 2022-2026 (NAPCTP), a four-year roadmap aimed at guiding the nation's response to trafficking in persons. The NAPCTP prioritizes prosecution, prevention, protection, and partnership and operates under a rights-based approach to address the multifaceted nature of this social ill.

Stakeholders at the Round Table

The round-table discussion featured a diverse range of stakeholders who played pivotal roles in the anti-trafficking ecosystem. The impressive list included:

- Attorney General's Office
- Gender Links
- MACOSS (Mauritius Council of Social Service)
- Mauritius Police Force (Police Training School)
- Mauritius Prison Service
- Ministry of Foreign Affairs, Regional Integration, and International Trade (Human Rights Division)
- National Human Rights Commission (Human Rights Division)
- Office of the Director of Public Prosecution
- Open University of Mauritius
- University of Mauritius
- University of Technology, Mauritius

Discussion

The round-table discussions were both extensive and insightful, touching upon a range of key issues:

Prosecution of Offenses Related to Trafficking in Persons

The cornerstone of combating human trafficking in Mauritius is the Combating of Trafficking in Persons Act of 2009. This legislation provides the legal basis for prosecuting trafficking offences. However, participants in the round-table highlighted several limitations and challenges. Notably, the absence of a clear legal

definition of 'exploitation' was cited as a significant hurdle, which has hampered prosecution efforts and deterred convictions. Stakeholders argued for necessary legislative amendments to address this gap.

The round-table discussions further emphasised the concept of judicial activism, whereby the judiciary plays an active role in interpreting laws, especially those related to the human rights of trafficking victims. This proactive approach could help compensate for deficiencies in the legal framework. Legal practitioners were encouraged to be more prepared and thorough in constructing well-researched cases, potentially prompting a more engaged judiciary.

Innovative mechanisms such as public interest litigation, class actions, and strategic litigation were also considered as valuable additions to the fight against trafficking. It was suggested that these mechanisms could make prosecution more effective and successful. Specialised training for stakeholders involved in the conduct of inquiries and prosecution, including prosecutors, magistrates, and judges, was proposed as an innovative measure. Given the unique challenges of prosecuting human trafficking cases, specialized training can help equip those involved in the legal process.

Awareness about the Legal Framework on Trafficking in Persons

Representatives from civil society organisations shed light on a critical issue—the lack of awareness about the laws on human trafficking in Mauritius. They highlighted the challenges they face in understanding and dealing with trafficking cases due to insufficient legal education. This issue extends to their ability to distinguish possible offenses when working with victims or perpetrators of human trafficking. The round-table discussions emphasised the importance of collaboration between NGOs and legal practitioners to provide guidance and support in handling trafficking cases.

Effective advocacy campaigns and inter-agency collaborations were suggested as means to raise awareness and improve understanding of human trafficking. Collaborative efforts between NGOs, academia, law enforcement agencies, and the media could enhance their collective activism.

Data, Statistics, and Information on Trafficking in Persons

The discussion emphasised the importance of evidence-based policy recommendations for an effective prosecution of human trafficking offenses. To achieve this, stakeholders pointed to the need for accurate and comprehensive data, statistics, and information about human trafficking, from both victims and perpetrators. However, the major challenge is the lack of readily available, disaggregated data. Current data collection methods were deemed insufficient for meaningful research in the field.

Representatives from academia emphasised that the lack of comprehensive data poses a significant challenge for conducting effective research on human trafficking. Such data should be made available publicly while respecting data protection policies and the privacy rights of victims. The need for a comprehensive data framework was discussed, one that could facilitate a more informed and targeted approach to addressing human trafficking in Mauritius.

The Role of the Police in Combating Trafficking in Persons

The Mauritius Police Force plays a pivotal role in the prosecution of human trafficking offences. Participants discussed the importance of harmonious collaboration between the Police and the Office of the Director of Public Prosecution (ODPP). While training sessions are conducted to equip police officers to investigate human trafficking cases, the need for more effective, tailor-made training and more frequent sessions was underscored.

Participants raised the issue of resource constraints, especially in cases that involve cross-border investigations. More resources, including financial, technological, and human resources, were deemed essential for timely and detailed investigations, which are critical for successful prosecution. In the context of cross-border trafficking, concerns were also raised about the ineffectiveness of border controls at airports and seaports in Mauritius.

The participants called for an improved system of profiling at these points of entry, which could enable police officers to intervene more effectively in suspected cases of human trafficking. Furthermore, the need for police officers to undergo specialised training was emphasized to better equip them to handle the

complexities and challenges specific to human trafficking cases. In this regard, it was suggested that the Police Training School should consider revising its training needs analysis and effectiveness, potentially with the assistance of training specialists.

The Role of Civil Society Organizations in Combating Trafficking in Persons

The round-table highlighted the pivotal role that civil society organisations can play in combating human trafficking. While they currently do their best with available resources, the need for more strategic and effective action was recognised. Specialised NGOs working on human trafficking, well-supported by other stakeholders, were proposed as an essential element in the fight against trafficking.

Civil society organisations were also encouraged to make effective use of international mechanisms, such as the African Commission on Human and Peoples' Rights and UN treaty bodies, to advocate for change. This includes submitting individual complaints and drafting shadow reports to accurately capture the essence of human trafficking in Mauritius.

Collaboration between civil society organisations, academia, law enforcement agencies, and the media was considered critical to enhancing their effectiveness in addressing human trafficking.

The Role of Academia and Research

The round-table discussions emphasised the crucial role of academia in advocacy and research on human trafficking in Mauritius. Academics can provide research and advocacy support that can inform legal amendments, educate the population, and conduct advocacy campaigns with policymakers.

Research and consultancy in the field of human trafficking from a broad perspective were deemed necessary to enhance the legislative framework. Participants recognised that academic research can provide valuable insights and data-driven recommendations to address the challenges faced in prosecuting human trafficking offenses effectively.

Psychological Support to Victims

The discussions highlighted the significant role that victims play in the effective prosecution of human trafficking offences. Victims often serve as key witnesses in such cases. However, they face challenges such as trial delays, inadequate shelter provisions, and insufficient medical and psychological support. The conditions in which victims are currently being kept were deemed "unacceptable."

While the law provides for shelters for victims of human trafficking, the implementation on the ground falls short of providing adequate support. There is a need for a proper framework for victim shelters, one that upholds the rights and dignity of victims. The participants emphasized the urgency of addressing this issue to ensure that victims can testify effectively in court.

Conclusion

The round-table discussion represented a significant milestone in the implementation of the NAPCTP in Mauritius. It provided a platform for in-depth discussions among relevant stakeholders, shedding light on challenges and proposing innovative solutions for a more effective prosecution of trafficking offenses.

This report serves as a foundational document, providing a preliminary situational analysis of prosecution issues related to human trafficking in Mauritius. Each point raised and discussed during the round-table can now be further researched and pursued to enhance the legal framework for combating human trafficking in the country. The collaborative efforts of stakeholders from various sectors have set a course for a more coordinated, informed, and effective fight against human trafficking in Mauritius.