Ref: NY/UN/138

17 May 2005

Dear Sir/Madam,


I have the honour to transmit herewith the National Annual Report of the Republic of Mauritius under Article 7 of the Convention on the Prohibition on the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on their Destruction.

Please accept, Sir, the assurances of its highest consideration.


N. K. Ramdin
for Head of Mission

MBC Article 7 Officer
United Nations Department for Disarmament Affairs (Geneva Branch)
al Naciones Unidas
211 Geneva 10

Fax 41-22-917-0034

Copy to: Head of Mission, Mauritius Mission to the UN, Geneva

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National implementation measures

"Each State party shall report to the Secretary-General ... on:

(a) The national implementation measures referred to in Article 9"

Remarks: In accordance with Article 9, each State Party shall take all appropriate legal, administrative and other measures, including the imposition of penal sanctions, to prevent and suppress any activity prohibited to a State party under this Convention undertaken by persons or on territory under its jurisdiction or control".

State (Party): Republic of Mauritius

Measures: Ban - Policy - Legislation
Mauritius enacted the Anti personnel Mine (Prohibition) Act 2001 (Act No. 1 of 2001)

Supplementary information (e.g. effective date of implementation & text of legislation attached).

Reporting for time period from 15 Jan 04 to 31 Mar 05
Stockpiled anti-personnel mines

"Each State party shall report to the Secretary-General...on:

(a) 'The total of all stockpiled anti-personnel mines owned or possessed by it, or under its jurisdiction or control, to include a breakdown of the type, quantity and, if possible, lot numbers of each type of anti-personnel mine stockpiled.'

State (Party): Republic of Mauritius reporting for time period from 15 Jan 04 to 31 Mar 05

<table>
<thead>
<tr>
<th>Type</th>
<th>Quantity</th>
<th>Lot# (if possible)</th>
<th>Supplementary information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td></td>
<td></td>
<td>Not applicable</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Form C

**Location of mined areas**

"Each State party shall report to the Secretary-General . . . ."

(c) To the extent possible, the location of all mined areas that contain, or are suspected to contain, anti-personnel mines under its jurisdiction or control, to include as much detail as possible regarding the type and quantity of each type of anti-personnel mine in each mined area and when they were emplaced".

**State (Party):** Republic of Mauritius

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**1. Areas that contain mines**

<table>
<thead>
<tr>
<th>Location</th>
<th>Type</th>
<th>Quantity</th>
<th>Date of emplacement</th>
<th>Supplementary information</th>
</tr>
</thead>
<tbody>
<tr>
<td>NIL</td>
<td></td>
<td></td>
<td></td>
<td>Not applicable (No mined areas)</td>
</tr>
</tbody>
</table>

**2. Areas suspected to contain mines**

<table>
<thead>
<tr>
<th>Location</th>
<th>Type</th>
<th>Quantity</th>
<th>Date of emplacement</th>
<th>Supplementary information</th>
</tr>
</thead>
<tbody>
<tr>
<td>NIL</td>
<td></td>
<td></td>
<td></td>
<td>Not applicable (No mined areas)</td>
</tr>
</tbody>
</table>

* If necessary, a separate table for each mined area may be provided.
APMs retained or transferred

"Each State party shall report to the Secretary-General ...on:

(a) The types, quantities and, if possible, lot numbers of all anti-personnel mines retained or transferred for the development of and training in mine detection, mine clearance or mine destruction techniques, or transferred for the purpose of destruction, as well as the institutions authorized by a State Party to retain or transfer anti-personnel mines, in accordance with Article 3".

State (Party): Republic of Mauritius reporting for time period from 15 Jan 04 to 31 Mar 05.

1. Retained for development of and training in (Article 3, para. 1)

<table>
<thead>
<tr>
<th>Institution authorized by State Party</th>
<th>Type</th>
<th>Quantity</th>
<th>Lot# (if possible)</th>
<th>Supplementary information</th>
</tr>
</thead>
<tbody>
<tr>
<td>NIL</td>
<td></td>
<td></td>
<td></td>
<td>Not applicable</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. Transferred for development of and training in (Article 3, para. 1)

<table>
<thead>
<tr>
<th>Institution authorized by State Party</th>
<th>Type</th>
<th>Quantity</th>
<th>Lot# (if possible)</th>
<th>Supplementary information: e.g. transferred from, transferred to</th>
</tr>
</thead>
<tbody>
<tr>
<td>NIL</td>
<td></td>
<td></td>
<td></td>
<td>Not applicable</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3. Transferred for development of and training in (Article 3, para. 1)

<table>
<thead>
<tr>
<th>Institution authorized by State Party</th>
<th>Type</th>
<th>Quantity</th>
<th>Lot# (if possible)</th>
<th>Supplementary information: e.g. transferred from, transferred to</th>
</tr>
</thead>
<tbody>
<tr>
<td>NIL</td>
<td></td>
<td></td>
<td></td>
<td>Not applicable - NIL</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Form E

**Status of programs for conversion or de-commissioning of PM production facilities**

"Each State party shall report to the Secretary-General...on:

(a) The status of programs for the conversion or de-commissioning of anti-personnel mine production facilities".

#### Article 7.1

**State (Party):** Republic of Mauritius

<table>
<thead>
<tr>
<th>Indicate if to &quot;convert&quot; or &quot;decommission&quot;</th>
<th>Status (indicate if, &quot;in process&quot; or &quot;completed&quot;)</th>
<th>Supplementary information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td>Not applicable</td>
<td></td>
</tr>
</tbody>
</table>
Status of programs for destruction of APMs

"Each State party shall report to the Secretary-General . . . on:

(1) The status of programs for the destruction of anti-personnel mines in accordance with Articles 4 & 5, including details of the methods which will be used in destruction, the location of all destruction sites and the applicable safety and environmental standards to be observed".

State (Party): Republic of Mauritius

reporting for time period from 15 Jan 04 to 31 Mar 05

1. Status of programs for destruction of stockpiled APMs (Article 4)

<table>
<thead>
<tr>
<th>Description of the status of programs including:</th>
<th>Details of:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location of destruction sites: Nil</td>
<td>Methods:</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Applicable safety standards:</td>
</tr>
<tr>
<td></td>
<td>Applicable environmental standards:</td>
</tr>
</tbody>
</table>

2. Status of programs for destruction of APMs in mined areas (Article 5)

<table>
<thead>
<tr>
<th>Description of the status of programs including:</th>
<th>Details of:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location of destruction sites: Nil</td>
<td>Methods:</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
APMs destroyed after entry into Force.

Article 7.1 Each State party shall report to the Secretary-General...on:

(g) The types and quantities of all anti-personnel mines destroyed after the entry into force of this convention for that State Party, to include a breakdown of the quantity of each type of anti-personnel mine destroyed, in accordance with Articles 4 and 5, respectively, along with, if possible, the lot numbers of each type anti-personnel mine in the case of destruction in accordance with Article 4.

State (Party): Republic of Mauritius

reporting for time period from 15 Jan 04 to 31 Mar 05

1. Destruction of stockpiled APMs (Article 4)

<table>
<thead>
<tr>
<th>Type</th>
<th>Quantity</th>
<th>Lot# (if possible)</th>
<th>Supplementary information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. Destruction of APMs in mined areas (Article 5)

<table>
<thead>
<tr>
<th>Type</th>
<th>Quantity</th>
<th>Lot# (if possible)</th>
<th>Supplementary information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td></td>
<td></td>
<td>Not applicable - Nil</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Technical characteristics of each type produced/owned or possessed

"Each State party shall report to the Secretary-General...on:

(b) The technical characteristics of each type of anti-personnel mine produced, to the extent known, and those currently owned or possessed by a State Party, giving, where reasonably possible, such categories of information as may facilitate identification and clearance of anti-personnel mines; at a minimum, this information shall include dimensions, fusing, explosive content, metallic content, colour photographs and other information which may facilitate mine clearance.

State (Party): Republic of Mauritius

reporting for time period from 15 Jan 04 to 31 Mar 05

1. Technical characteristics of each APM-type produced.

<table>
<thead>
<tr>
<th>Type</th>
<th>Dimensions</th>
<th>Fusing</th>
<th>Explosive Content</th>
<th>Metallic Content</th>
<th>Colour photo attached</th>
<th>Supplementary information to facilitate mine clearance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. Technical characteristics of each APM-type currently owned or possessed.

<table>
<thead>
<tr>
<th>Type</th>
<th>Dimensions</th>
<th>Fusing</th>
<th>Explosive Content</th>
<th>Metallic Content</th>
<th>Colour photo attached</th>
<th>Supplementary information to facilitate mine clearance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Measures to provide warning to the population

"Each State party shall report to the Secretary-General ... on:

(i) The measures taken to provide an immediate and effective warning to the population in relation to all areas identified under paragraph 2 of Article 5."

Remarks: In accordance with Article 5, para 2: "Each State party shall make every effort to identify all areas under its jurisdiction or control in which anti-personnel mines are known or suspected to be emplaced and shall ensure as soon as possible that all anti-personnel mines in mined areas under its jurisdiction or control are perimeter-marked, monitored and protected by fencing or other means, to ensure the effective exclusion of civilians, until all anti-personnel mines contained therein have been destroyed. The marking shall at least be to the standards set out in the Protocol in Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Excessively Injurious or to Have Indiscriminate Effects."

State (Party): Republic of Mauritius

(Narrative): Reporting for time period from 15 Jan 04 to 31 Mar 05
LEGAL SUPPLEMENT

to the Government Gazette of Mauritius No. 40 of 28 April 2001

THE ANTI-PERSONNEL MINES (PROHIBITION) ACT 2001

Act No. 1 of 2001

I assent

CASSAM UTEEM
President of the Republic

10th April 2001

ARRANGEMENT OF SECTIONS

Section
1. Short title
2. Interpretation
3. Application of this Act
4. Prohibitions relating to anti-personnel mines
5. Legality of acts done under the Convention
6. Offences
7. Regulations

An Act

To give effect to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction

ENACTED by the Parliament of Mauritius, as follows —

1. Short title

This Act may be cited as the Anti-Personnel Mines (Prohibition) Act 2001.
2. **Interpretation**

In this Act —

"anti-handling device" means a device which is intended to protect a mine and which is part of, linked to, attached to, or placed under, the mine and which activates when an attempt is made to tamper with, or otherwise intentionally disturb, the mine;

"anti-personnel mine" —

(a) means a mine which is designed to be exploded by the presence, proximity or contact of a person and which will incapacitate, injure or kill a person; and

(b) does not include a mine which is designed to be detonated by the presence, proximity or contact of a vehicle, as opposed to a person, and which is equipped with an anti-handling device;

"Convention" means the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction;

"destruction" means destruction of anti-personnel mines in such manner as may be prescribed by the Minister;

"mine" means a munition designed —

(a) to be placed under, on or near the ground or other surface area; and

(b) to be exploded by the presence, proximity or contact of a person or a vehicle;

"mined area" means an area which is dangerous due to the presence or suspected presence of mines;
Acts 2001

"Minister" means the Minister to whom responsibility for the subject of defence is assigned;

"transfer" means the physical movement of anti-personnel mines into or from national territory and includes the transfer of title to, and control over, the mines, but does not include the transfer of territory containing emplaced anti-personnel mines.

3. Application of this Act

This Act shall bind the State.

4. Prohibitions relating to anti-personnel mines

(1) Notwithstanding the Explosives Act but subject to subsection (2) —

   (a) no person shall use, develop, produce, otherwise acquire, stockpile, retain, transfer to any one, directly or indirectly, any anti-personnel mine;

   (b) no person shall assist, encourage or induce, in any way, any other person to engage in any of the acts prohibited under paragraph (a)

(2) Notwithstanding subsection (1) —

   (a) the retention or transfer of anti-personnel mines for the development and training in mine detention, mine clearance, or mine destruction techniques shall not, where the quantity of such mines does not exceed the minimum number absolutely necessary for those purposes, constitute an offence.
(b) the transfer of anti-personnel mines for the purpose of destruction shall not constitute an offence.

5. Legality of acts done under the Convention

Notwithstanding any other enactment and without prejudice to the obligations of Mauritius or of any other person under any Article of the Convention —

(a) any act done by a member of a fact-finding mission in conformity with and for the purposes of Article 8 of the Convention or, with the authorisation of the Minister, by any other person for the purpose of assisting such member in accomplishing such a mission; and

(b) the importation into and export from Mauritius of any equipment, material or technological information for the purposes of implementing the Convention,

shall be lawful.

6. Offences

(1) Any person who contravenes section 4 in Mauritius or, in the case of a citizen, in Mauritius or elsewhere, shall commit an offence and shall on conviction, be liable to penal servitude.

(2) The Court before which a person is convicted of an offence under subsection (1) shall, in addition to any penalty imposed by the Court, order any anti-personnel mine in respect of which the offence was committed to be forfeited.
7. Regulations

(1) The Minister may, for the purposes of this Act, make such regulations as he thinks fit.

(2) Without prejudice to the generality of his power under subsection (1), the Minister may make regulations—

(a) for the purposes of identifying any mined area in Mauritius and regulating access thereto; and

(b) prescribing the manner in which anti-personnel mines shall be destroyed.

Passed by the National Assembly on the twenty-seventh day of March two thousand and one.

ANDRÉ POMPON

Clerk of the National Assembly