

Sitting of Tuesday 05.09.06

MOTION - The Chief Commissioner

The Chief Commissioner (Mr Johnson ROUSSETY): I beg to move the motion standing in my name.

“The Assembly is of opinion that a Select Committee to be composed of such members as may be nominated by the Chairperson, with power to receive proposals from the general public, be appointed to examine the possibility of allowing, under conditions to be determined, first, beneficiaries of residential houses granted by the Central Government and secondly, owners of residential houses, to become the private owners of the land presently occupied by them, and to make such recommendation as it deems appropriate”.

M. le Président, je vous remercie premièrement pour avoir examiné cette motion et d’avoir accepté de l’inscrire dans les paramètres des Standing Orders sur le Order Paper.

Cette motion, M. le Président, s’insère dans le cadre du programme électoral qui guide la présente équipe qui dirige l’assemblée régionale de Rodrigues.

Le 15 mai 2005, M. le Président, à Fond La Digue, le Mouvement Rodriguais a lancé son programme, sa stratégie d’indépendance économique pour Rodrigues. Et dans cette stratégie d’indépendance économique pour Rodrigues, le premier objectif c’est de faire, les Rodriguais doivent devenir les propriétaires de leurs terres, M. le Président.

C’est un projet ambitieux et sensible, et déjà, M. le Président, il y a oppositions à ce projet. Mais il faut comprendre ce qu’on veut faire, M. le Président, ce qui a été accueilli par l’ensemble de la classe politique rodriguaise, par l’ensemble de la population rodriguaise

comme étant une innovation majeure, sinon, l'innovation majeure de ce début de millénaire, ce début de siècle dans notre île.

M. le Président, j'ai été agréablement surpris l'autre jour dans une réunion de l'IFAD ; un expert, un *Agricultural Economist* venant pour faire un *assessment* du programme de l'IFAD, a dit qu'il ne comprend pas le système de gestion des terres, *of lease holding, of property holding*, que nous avons à Rodrigues. Et lui-même, M. le Président, lui-même il a suggéré que dans le futur, les terres agricoles, résidentielles, la personne qui est sur ce terrain doit avoir une marge de manœuvre pour pouvoir gérer sa terre, gérer son terrain, et il n'a pas hésité à prononcer le mot « privatisation » pour que le secteur agricole puisse, selon lui, se développer.

Mais nous ne voulons pas parler de privatisation. Nous voulons parler de rendre les Rodriguais propriétaires de leurs terrains résidentiels.

Avec votre permission, je voudrais lui citer ce qui avait écrit – *I am going to table it* – dans cette vision d'indépendance économique, ce qui avait été écrit sur notre projet, notre stratégie de rendre – je répète – sur certaines conditions bien strictes, bien définies – certaines personnes éligibles, pouvoir devenir propriétaires, à titre privé, en toute jouissance, comme on dit, en toute propriété, de leur terrain.

On avait dit, M. le Président, que c'est une innovation majeure que nous Avons analysée pendant longtemps avant de venir de l'avant avec cette proposition. Nous proposons que chaque Rodriguais ou famille rodriguaise, puisse, d'après des critères définis et bien établis, au préalable, accueillir à titre privé le terrain à bail sur lequel se trouve sa résidence. Le locataire que nous sommes tous, pour la plupart, deviendra ainsi des propriétaires.

Les baux résidentiels connus le gouvernement aux habitants de Rodrigues, constituent un système dépassé et qui limitent les perspectives de développement individuel et familial. La propriété

privée est au cœur du système d'économie mixte et sans cela beaucoup de contraintes existent.

Le Rodriguais qui a un bail et qui passe bien souvent sa vie à construire une maison sur un terrain loué, est dans le flou en ce qui concerne l'avenir de son investissement personnel. Les autorités ont récemment refusé le paiement – les autorités d'alors – refusé le paiement des baux par des veuves et des proches des détenteurs de baux qui sont décédés.

Les Rodriguais, les générations futures ne doivent pas être condamnés à être des locataires éternels. Le Mouvement Rodriguais donnera la possibilité à ceux qui le veulent, de devenir les propriétaires, à part entière, du terrain résidentiel qu'ils occupent.

Les conditions, à l'époque, l'année dernière, avaient été établis dans notre document. Des conditions sont nécessaires à ce changement majeur pour garantir l'intérêt de Rodrigues. Parmi nous proposerons que, par exemple, et ce sera au comité qui sera nommé ici, d'examiner, premièrement, la faisabilité de cette mesure et ensuite de venir de l'avant avec des propositions, il faudra une loi, il faudra des amendements légales, constitutionnelles pour pouvoir implémenter ce projet. Mais ce projet, M. le Président, cadre avec l'esprit de la décentralisation politique, donner les responsabilités au Rodriguais, données à l'Assemblée Régionale, maintenant on veut aller vers le *micro level*, donner aux gens la possibilités de gérer leurs vies, de gérer leurs propres affaires.

Par exemple, parmi les critères que nous avons pensés, c'est que par exemple, l'acquéreur doit être le détenteur d'un bail depuis un certain nombre d'années, par exemple dix ans ou quinze ans, et doit résider en permanence à Rodrigues. Un acquéreur potentiel ne peut acquérir d'autres terrains de l'état, par exemple, un acquéreur n'aura plus le droit – si quelqu'un vend la terre qui lui a été allouée, par exemple, peut-être il n'aura plus le droit, selon le comité qui sera nommé, à un autre terrain à bail à l'avenir.

Il n'y aura pas de discriminations. Bien sûr, M. le Président, il faudra une législation adéquate, il y a des amendements à faire. Rodrigues 'est pas le premier pays où cela se fait, cela se fait déjà à Maurice mais à Maurice le problème est différent – je vais vous expliquer après. Une législation adéquate devra être passée pour avoir les essais stratégies et formaliser les essais d'opération, des structures de monitoring et d'exécution appropriées seront mises en place par une éventuelle équipe du MR à la tête de Rodrigues.

Les critiques fustigeront, ont déjà fustigé notre vision. Il faudra souligner que nous avons le courage toutefois de le proposer et que dans le fond, ces mesures qui visent à faire des Rodriguais des propriétaires, resteront gravé dans l'histoire et cela jettera le prémisses du nouvel ère. De plus les calculs micro-économiques des ménages rodriguais changeront et tout un chacun, en sachant clairement ce qui lui appartient, en occupant plus activement, investira et pourra en tirer les avantages qu'il veut – extension des maison – ça nous aurons à demander un *pledge of right* sans avoir à redemander un renouvellement de bail, partage aux héritiers, les membres ici qui ont, comme M. Robertson, beaucoup d'enfants, qui veulent subdiviser leur terrain pourront le faire parce que actuellement on peut pas subdiviser un bail. Ou bien quand le détenteur du bail décède, même la femme ne peut pas payer le bail ; c'est un gros problème, M. le Président.

Faciliter de garantie bancaire pour un prêt, pour une entreprise, l'éducation des enfants, location etc. Les autres types de terrains autres que résidentiels, ne seront pas concernés par la mesure que nous proposons. Le comité amenda que pour les baux résidentiels. Les autres, commerciaux etc, ça va venir peut-être dans, le gouvernement qui vienne après, mais pour l'instant nous estimons qu'il faut commencer par les projets résidentiels.

M. le Président, il y a certains aspects légaux qu'on doit prendre en compte concernant l'exécution, la possibilité. Mais tout ça, moi je fais un peu un travail préliminaire pour le comité, nous avons considéré cette motion. This motion is being considered under

Section 26(1) of the Rodrigues Regional Assembly, the section concerning the setting up of select committees, 59 I think. So the Rodrigues Regional Assembly can devise policies. This is a policy. Our policy is to make people responsible of their own property. So, can devise policies with relation to state lands under Section 26(1) of the Rodrigues Regional Assembly Act and the Fourth Schedule Paragraph 48, state lands have been allocated to the Regional Assembly.

However, Mr Chairperson, Sir, we have to bear in mind the State Lands Act, Section 5 which is called *"Sales by public option, sub section 1 states that all sales of state land shall be by public option. No state land, Section 2, shall be sold unless it is of public interest to do so and in exchange of another portion of land"*. The Regional Assembly Act, if we compare, Section 26, *"Responsibility of the Rodrigues Regional Assembly"*, it is said S 26(1); *"For the better performance of its functions, the Regional Assembly may do all such acts and take all such steps, including, subject to the State Lands Act, the acquisition or disposal; of any property or rights, as may be necessary for or which may be conducive to or incidental to the exercise of its powers and duties"*.

Even though the Regional Assembly has all the powers of the local authority under Section 26(3) of the RRA Act, yet, the power to dispose of state land under Section 26(2) of the Rodrigues Regional Assembly Act, is different from that under Section 17(5)(4) of the Local Government Act 2003 or Section 159(1) of the Local Government Act 1989.

In Mauritius, only the consent of minister Local Government is required, whereas in Rodrigues, strict compliance with the State Lands Act is required. So, there is need for amendments at the level of the National Assembly which we have to motivate if ever the committee recommends that this concept is a good concept and the policy is adopted.

Mr Chairperson, Sir, I will have to give my opinion about the actual situation. State land is an area of responsibility vested in the

Executive Council, the Executive Council is responsible for the implementation of policy. This is a new policy that we are trying to implement. The Executive Council can dispose of state lands, only where this is possible under the State Lands Act. The Committee will have to interview specialist in Land Law to see how, if ever they decide that this is feasible, how to draft legislation for Rodrigues.

Section 5 of the State Lands Act enables state lands to be sold only if it is a matter of public interest and in exchange of another portion of land. So there are a number of technical aspects which have to be considered, for example we will have to justify why the land will have to be transferred to the owners of residential leases, we have to justify on the question of public interest, why this is a question of public interest etc and whether the land need to be sold as compared to the lease.

So, there are a number of technical approaches which we may look at. But I would like to say, Mr Chairperson, Sir, that some people have said, after we have expressed our idea, "*ça c'est pas possible ça*"!

Why is it not possible, Mr Chairperson, Sir? If it is not possible, how is it that there is private land in Rodrigues? How is it that in some part of Rodrigues there is private land? How did these persons become owners of private land? They just came and said "*this is my land, this is private*"? No, Mr Chairperson, Sir.

There has been in the past, for example, by proclamation, by concessions, the then colony, governor, could grant, by degree, a concession to religious, charitable or educational purposes. This is the example of the Bégué concession in Grand Baie; it was granted, it became property and today it can be morceled, it can be sold, it can be transferred, so, this is what we want to do. If things making land becoming private was feasible some two or three centuries ago, now, in the new millennium, some people are saying that land cannot be made private, Mr Chairperson, Sir.

This is a lack of vision, a lack of faith and confidence in the Rodriguan population. They are saying that if we give land to Rodriguans, they will not use that land, they will sell the land. This is taking people for being irresponsible, Mr Chairperson, Sir, just like when TV 5, the t.v was to become 24-hour t.v; some people said that Rodriguans will not go to work after watching t.v because they will watch t.v all night and go to work, Mr Chairperson. This is irresponsibility, irresponsible ideas.

I don't want to sit in the shoes of every head of family of Rodrigues. They have to choose. You want to watch t.v until the morning, you watch t.v, it's your problem. You don't go to work, you have no money, it is the economic system of the country.

If tomorrow, the Assembly decides, the Government of Mauritius accepts that the policy be implemented; it is already being implemented in Mauritius. Those people receiving social houses, they are given their deeds of property, not only for the house but for the land also. And I don't think whether Mauritius is following our idea or what is happening. Shortly after the 15th of May 2005, when this idea was expressed, they started using the same language in Mauritius.

It is not a question of selling Rodrigues, Mr Chairperson, Sir, it is a question of giving dignity to Rodriguans. When a person comes to Rodrigues and says to a Rodriguan *"you have a beautiful house"*, the Rodriguan can say *"yes, it is my property. It has been sold to me by the Regional Assembly. The conditions are to be determined. It is my property, I can do business with it, I can rent it, I can use it for my future generations"*, Mr Chairperson, Sir, and this is included in our political manifesto for the general elections of 2005.

So, the MR government is now proceeding with the actualization of the programme. We need to study, to look at all the aspects, which will be the purview of that Committee. That Committee will interview people, will meet experts, will see in which

countries this has been implemented and how this has to be done if ever they decide to recommend that it is feasible.

Actually, Mr Chairperson, Sir, around 85% of land in Rodrigues is state-owned and every time there is problem Mr Chairperson, Sir. On my desk everyday, there are letters at the Chief Commissioner's Office, Commissioner responsible for Land, everyday there is a special file for people writing for land problems. Mr X wants to transfer his lease to Mr Y, Mr X has a lease, he is deceased, he wants to transfer the lease on the name of his children. This is private matters, this should not come to my desk, it should go to the notary. The notary then issues whatever instructions or whatever deeds that may be necessary. Government cannot keep on managing this, it will be unmanageable after some time.

For investment, we have many demands, Mr Chairperson, Sir, many demands; people say "why do we have to pay the leases, just let us become the owners and then we will be able to transmit it to the children". Imagine the proud Mr Chairperson, Sir, imagine the proud, today, Mr Mercure for example, is able to, on his dying bed – I don't know if he is going to be on it soon – on his dying bed, calls a notary or draws a deed, a letter saying, o.k. my land will be subdivided among my children. This is the proud we are giving to people in Rodrigues. Imagine Mr Chairperson, Sir, I have a daughter, I am the owner of a lease – we cannot say owner – I am the holder of a lease, imagine my daughter get married with a man and that person has a lease. When I die, can my daughter hold that lease? She is married, according to the criteria. Or, my daughter has managed to get a good job, she has bought a piece of land. Imagine that, more than that, my daughter does not stay in Rodrigues, she goes and stays in Mauritius, South Africa or somewhere in Seychelles, there is nobody in Rodrigues. And the criteria are that the person must be in Rodrigues, and the Committee, the Government which comes will say "she is not in Rodrigues, we cannot give her a lease. To whom her property will go then, which is on the lease?

So, I am working for my future generations personally, I am saving and then my children, those who will come after, are not sure that they will benefit from my work. So, this is uncertainty and uncertainty is one of the major things impeaching economic development, when there is much uncertainty.

This will facilitate investment also Mr Chairperson, Sir, to start a private enterprise on a residential state land, many leases have to be converted from residential to commercial. So, there is a number of procedures, there is the issue of collateral security etc.

The setting up of this Committee is also, there is a background of our idea of economic independence. We need to liberalise in order to boost up the economy. We need to put people, as the Commissioner for Agriculture has said, put people first. And people will be first when they are equipped, not only with the economic tools, but also, in their heads, that they know that this is for them and they can implement their projects accordingly.

Mr Chairperson, Sir, the political ideology saying that this strategy is not good, is outdated. This is not true, and it is just people who have not been able to think about such things, now that we have presented it, they have no arguments, their only argument is that it should not be implemented, it will not be in favour of Rodriguans.

And of course Mr Chairperson, Sir, it is out of question for any person to come here, a stranger to come here and get private land from Government. That person has to be from Rodrigues, there will be specific criteria before allocation of these if ever it is implemented. The Committee again, *je suis en train d'empiéter sur le travail du comité qui sera...*

What is the need to set up this parliamentary Committee:-

- (i) it is to enquire into the rationale of converting lease hold into free hold,

- (ii) it is to identify the groups, category of holders of leases, who will be preferred, e.g people living in cities, houses granted by Government under the Cyclone Relief Fund, Housing Projects, Bella, Hollanda, Philinda, middle class etc;
- (iii) to identify the conditions over conversion, criteria, price etc;
- (iv) to receive proposals from the general public;
- (v) to call for officers, data, etc; and
- (vi) to consider what is the policy of the Central Government.

Mr Chairperson, Sir, I am tabling a copy of this for the recourse of the Assembly, a copy of this strategy, a copy of the document which is the background of the present motion. I wish the works of this Committee starts soon, and that there are fruitful deliberations for the finalization of the first report, which we would like to see before the end of this calendar year.

Thank you Mr. Chairperson, Sir.

(Applause)