
A Private Initiative in Development Cooperation between India and Mauritius



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Development cooperation can be successfully executed by the direct interaction between private individuals or activists on one hand and foreign institutions, governmental or otherwise on the other. Such an approach would complement State efforts. This can also be brought about by people to people cooperation. The latter carries advantages in the form of shortened delays and avoidance of stereotyped bureaucratic handling. Such an effort may bestow the advantages of strengthening of personal bonds, innovation and ingenuity.

Development cooperation would often need involvement of legal professionals. Promotion of international trade, economic collaboration, infusion of foreign capital, bilateral investment treaties efficacy of dispute resolution mechanism, robust functioning of institutions of governance, require trained and experienced law practitioners. Their expertise will facilitate smooth transaction in transnational business and negotiation activities by ensuring due compliance of applicable legal regimes. Law students and young professionals further require suitable internships and training to equip them with proper exposure to the work culture and ethos. They also benefit from continuing legal education.

A practical illustration of such an approach was recently witnessed as a useful case study of recent development cooperation in Indo-Mauritius convergence reached as a result of understanding

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attained between a private enterprise in India and Mauritius based Institute of Judicial and Legal Studies (IJLS).

On one side, it involved IJLS, a governmental agency, set up and functioning under the Supreme Court of Mauritius to promote research and legal education. Its efforts are directed mainly at the judiciary and law practitioner in Mauritius. On the other side is the Delhi based Lex Consilium Foundation (LCF), a company incorporated under Section 8 of the Companies Act, 2013. Its major areas of interests extend to imparting career guidance for law students, authorship of law books, legal knowledge upgrade and articulation on security issues in different dimensions. Set up in 2017, LCF has brought about production of authored a section wise commentary on the Juvenile Justice (Care and Protection) Act, 2015. It has disseminated skill based legal education, law enforcement to law students and other category of professionals. Apart from rendering personalized guidance to law students at graduate and post-graduate levels, it has also arranged internships in India and abroad to law students and organized innovative legal excursions.

In the above backdrop, extensive consultations between the LCF and IJLS brought out development cooperation evidenced by a finalization of an MoU and formal interaction with a view to capacity building into two distinct areas of legal profession. The first one was to facilitate a series of lectures by an experienced and reputed Indian Judge to the Mauritian audience. The underlining objective of the judiciary in Mauritius was to familiarize themselves with the process evolved by the higher judiciary in India to churn out

reliable, consistent and jurisprudentially sound case law. This activity was crafted with an aim to upgrade capacity of legal knowledge application for three different spheres of law clientele in Mauritius. These are the Judges, law practitioners and the students. Discretion was left with the visiting judge to choose three different topics having regard to the type of audience. However, it was indicated that the lecture should preferably relate to constitutional scheme, public interest litigation, human rights challenges and international trade matters, which should demonstrate relevance to the beneficiaries in Mauritius. Each lecture would be of about one-hour duration with suitable time for question answer session.

On its part IJLS offered free air travel, hospitality and courtesy, which may be expected/ extended to a former Judge of Supreme Court of India for a weeklong trip. The visit envisaged three lectures on alternate days. Such an arrangement was designed having regard to the fact that a serving judge of the higher judiciary of India would not be able to undertake a visit of the nature indicated disregarding his judicial commitments. Therefore, the challenge involved was to identify and engage a suitable former Judge with proven expertise as a jurist and speaker of proven eminence who would give consent for the task involved.

For the bilateral cooperation as explained, the Indian side was interested in seeking an opportunity for India law students to intern in Mauritius. IJLS on its part assured to accept the students and arrange suitable exposure to them not only of trial courts and the Supreme Court of Mauritius but also to the State agencies. The actual internship will be

from 01st May to 10th July each year. This period was chosen because summer break would be preferred by the students to avail internship without any adverse impact on classroom attendance. The students would bear the expenses of air passage, visa, boarding and lodging, travel and medical insurance. They will also be responsible to arrange adequate funds for their stay in Mauritius. The hosts will render help by identifying and proposing convenient location for boarding.

The interns will visit law enforcement agencies, prison and correction homes and corporate law offices as part of exposure to alternate and effective models.

A formal Memorandum of Understanding (MoU) was executed between the parties. Its duration is to be valid for two years but can be renewed

by mutual acceptance. The interns were under an obligation to obey all local laws. They would be issued with a certificate on completion of their internships. The MoU also carried usual clauses stipulating confidentiality and for termination of internship.

It is expected that the discussed model of development cooperation can be replicated between other jurisdictions to derive mutual benefits for traversing in a transparent, reasonable and judicious mode for capacity building in legal profession to facilitate and promote international trade and transnational intercourse. Young law professionals will be able to make useful contacts while also providing competent expertise to negotiate legal hurdles and procedural bottlenecks.

ENERGY SECTOR COOPERATION: PRIORITY FOR AZERBAIJAN

The key theme for Russian Energy Week International Forum 2018 was sustainability of energy in a changing world. Attended by representatives from Qatar, North Korea, Serbia, Belarus, Equatorial Guinea, and Hungary amongst others. Azerbaijani was represented by Energy Minister Parviz Shahbazov.

Over the last 15 years Azerbaijan has invested more than \$250 billion in its economy with half of this coming from foreign direct investment. Out of this \$95 billion was invested in the oil and gas sector. Azerbaijan has recently implemented one of the largest gas projects in the world - the Southern Gas Corridor. The length of this pipeline is more than 3,500 km, and gas will be delivered to Georgia, Turkey, most of Europe and the Balkan region including Bulgaria, Greece, Albania, and the south of Italy. During the Forum in a meeting with the Azerbaijani Minister, Minister of Foreign Affairs and Trade of Hungary Peter Szijjarto expressed interested in participating in the Southern Gas Corridor project.

Since 2016, a large reform program is being implemented in Azerbaijan, with one of the main parts of this reform is related solely to the energy sector. As of September 2018, the volume of raw material production in Azerbaijan amounted to 773,000 barrels per day, and the growth of oil production will ensure an increase in gas condensate production and investment.

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