



ECO-SUD est une association apolitique ouverte à ceux qui ont à cœur la protection de l'environnement. Ses objectifs sont les suivants : Défendre toute espèce et tout site menacés de destruction ou de dommage sur le territoire mauricien.

Protéger l'environnement. Conscientiser le public aux problèmes écologiques. Promouvoir l'équilibre entre développement et protection de l'environnement.

106 Avenue des Carangues,
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9 January 2024

Press release

Our fight for the recognition of the right of citizens and NGOs to access the Environmental Tribunal to challenge an EIA licence is being brought before the Privy Council on the 5th of March 2024.

Support Eco-Sud in this fight, make a donation!

On 18 July 2023, the Supreme Court of Mauritius, sitting on appeal, made history by delivering a landmark judgement (*Eco-Sud v The Minister of Environment, Solid Waste Management and Climate Change* 2023 SCJ 284) in environmental law. This judgement greatly relaxed the criteria that anyone wishing to apply to the Environmental Law and Land Use Tribunal (ELUAT) to quash an Environmental Impact Assessment (EIA) licence issued by the Ministry of Environment must meet. This ruling gives environmental NGOs and citizens the possibility of appealing to ELUAT even in the absence of proof that the disputed project is detrimental to them. Many legal actions have been rejected by ELUAT from the outset, because the plaintiffs were unable to prove such personal harm. In the present legal situation in Mauritius, in matters of contamination, biodiversity or the utility of wetlands, for example, it is practically impossible to prove such direct personal injury. The Supreme Court's ruling removes this previously mandatory criterion by applying a multi-criteria approach that focuses on the credibility of the plaintiff and his involvement in the cause he is defending, the chances of success of the legal action, and the significance of the project's impact on the environment.

This victory is a major step forward because it finally gives citizens and NGOs a participatory role in protecting the environment, particularly in the face of a Ministry of Environment that has long ceased to play the role assigned to it by the Environment Protection Act 2002, that of ensuring that EPA standards are respected by developers wishing to undertake projects in environmentally sensitive areas.

Following this victory, the Ministry of Environment and the developer have appealed to the Privy Council. The appeal will be heard on 5th March 2024 in London.

Given the importance of this judgement for the future of our island, and for the protection of our environment, Eco-Sud is defending its position and the Supreme Court judgement which ruled in its favour.



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A fundraising campaign to support a mission

Eco-Sud needs your financial support to continue its legal fight. Our Mauritian and English legal team has already supported us on a pro bono basis in the following actions:

- EIA licence challenge before ELUAT
- Appeal before ELUAT
- Application by the Ministry of Environment to appeal to the Privy Council
- Application by the developer to appeal to the Privy Council

We have to be financially able to defend our position before the Privy Council in this historic case, which has the power to change the face of environmental law forever.

The funds raised will help pay for part of the time that the legal team will spend on this case, the costs associated with the Mauritian team's travel to London and Eco-Sud's advocacy work.

Join this citizen's fight and contribute to the crowdfunding campaign on crowdfund.mu.

Together, let's change environmental law!

Let 2024 be the year when Nature becomes our priority!

To support the cause and find out more, visit [[Crowdfund link](#)].

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Follow our campaign for the Rights of Nature on our networks

