

## MAURITANIA 2012 HUMAN RIGHTS REPORT

### EXECUTIVE SUMMARY

Mauritania is a highly centralized Islamic republic with a president as head of state governing under a constitution based on a combination of French civil and Sharia law. The Senate and National Assembly exercise legislative functions. Voters elect municipal councilors, who then vote to elect Senate members. The legislative bodies were weak relative to the executive. The election of Mohamed Ould Abdel Aziz as president in 2009 ended a political crisis caused by Aziz's 2008 coup d'état against then president Sidi Ould Cheikh Abdallahi. International observers declared the 2009 presidential election to be generally free and fair. In 2009 the majority party, Union for the Republic (UPR), won most of the seats in the indirect election to refill one-third of the Senate seats. In accordance with the opposition's request, the government indefinitely postponed new Senate, National Assembly, and municipal elections scheduled for 2011. Security forces reported to civilian authorities.

Continuing slavery, slavery-related practices, and trafficking in persons were central human rights problems. Prison conditions were harsh and in two reported cases resulted in death.

Other reported human rights problems included: use of torture by police to extract confessions; other abusive treatment, arbitrary arrests, lengthy pretrial detention; government influence over the judiciary; limits on freedom of the press and assembly; restrictions on religious freedom for non-Muslims; corruption; discrimination against women; female genital mutilation/cutting (FGM/C); child marriage; political marginalization of southern-based ethnic groups; racial and ethnic discrimination; child labor; and inadequate enforcement of labor laws.

The government took some steps to punish officials who committed abuses and prosecuted a number of officials; however, authorities frequently acted with impunity. Civil society organizations objected to the small number indicted and alleged that some of the prosecutions, particularly those involving official corruption, had political motivations.

### **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

**a. Arbitrary or Unlawful Deprivation of Life** MAURITANIA 2 Country Reports on Human Rights Practices for 2012 United States Department of State • Bureau of Democracy, Human Rights and Labor

There was one report that government agents committed an arbitrary or unlawful killing.

In October prison guards reportedly beat three inmates in the Dar Naim Prison in Nouakchott, causing one death. On October 3, the National Commission of Human Rights condemned the acts and called for an immediate investigation. The president of the national bar association, Ahmed Salem Ould Bouhoubeiny, denounced the death of El Hassen Ould Hadih, asserting that the practice of torture in prisons was common. The government appointed a new director of the prison, dismissed and jailed guards, and initiated an investigation that continued at year's end.

Although there was no investigation into the September 2011 killing of Lamine Mangane in Maghama, the government dismissed the gendarme responsible for the killing.

#### **b. Disappearance**

There were no reports of politically motivated disappearances.

#### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution and law prohibit such practices, and the governmental Commissariat for Human Rights, Humanitarian Action, and Relations with Civil Society reported that it received two cases of torture during the year. Independent human rights observers also stated that security personnel tortured detainees to extract confessions. Torture methods reportedly included electric shocks, burning, beating, pulling out of hair, and sexual violence.

On May 30, the Senate participated in a sensitization workshop on the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment, or Punishment. As a follow-up to the October 3 ratification of the Optional Protocol to the Convention against Torture, the Council of Ministers approved on November 29 a draft law on Repression of Slavery, Torture, and Crimes Against Humanity. On December 10 and 11, the National Commission for Human Rights hosted a workshop, Ending Torture, for government officials, civil society, and counterparts in Morocco and Mali.

**Prison and Detention Center Conditions** MAURITANIA 3 Country Reports on Human Rights Practices for 2012 United States Department of State • Bureau of Democracy, Human Rights and Labor

Prison conditions were harsh and in two cases resulted in death, but the government's capacity to administer detention facilities and response to accusations of maltreatment improved. There were credible reports of torture, beating, and abuse in police detention centers, several prisons throughout the country, and gendarmerie and military facilities.

In November 2011 a rehabilitated prison facility opened in Aleg, and in December 2012 the International Committee for the Red Cross announced that it was beginning another series of renovations to improve ventilation and waste disposal. The government completed a prison in Nouadhibou, but it was not operational by year's end. The Ministry of Justice budget for prisons and detention centers was the only ministry budget that increased during the year; however, overcrowding, violence among inmates, and poor medical care in prisons continued. Sanitation conditions were poor due to lack of products such as soap and detergent and no system to dispose of waste properly. Malnutrition was a problem, affecting vulnerable prisoners, particularly foreign inmates, prisoners without familial support, and individuals suffering from untreated diseases. The government generally responded to allegations of inhumane conditions. For instance, it responded promptly to reports of an October 3 beating in the Dar Naim prison by investigating, dismissing the guards responsible for the beating, and appointing a new prison director.

Physical conditions: According to the Ministry of Justice, the prison population totaled 1,602, of whom 1,017 were convicts and 585 were pretrial detainees. There were 34 women prisoners (six convicted and 28 pretrial detainees) and 64 minors (10 convicted and 54 pretrial detainees). Although conditions improved during the year, overcrowding and a lack of running water continued to contribute to the spread of disease, and ventilation was especially poor. Some prisoners with health problems received little care, and medical supplies remained insufficient. The Dar Naim Prison, built to hold 300 prisoners, held approximately 700. Reports continued of some malnutrition, poor health, and deficient hygiene, but there was a significant decrease in the number of cases of tuberculosis in that institution.

There were reports that police did not inform family members or friends of the location and condition of detainees in a timely manner, preventing them from receiving adequate food.

Authorities sometimes held women and girls under 18 years of age together in a separate location from men and boys, but in Aleg, men and women were held together. In April credible media sources reported that some prisons held minors six to nine years old and adults together. According to the penitentiary administration directorate, the women's prison in Nouakchott was less crowded and therefore more comfortable than the men's prison. However, male guards participated in monitoring female inmates, a practice criticized by the National Commission for Human Rights. Children of female prisoners remained with their mothers, or the Ministry of Justice gave temporary custody of the children to another family member. International nongovernmental organizations (NGOs), such as the Noura Foundation, Caritas, and Terre des Hommes, provided educational and economic opportunities to current and former juvenile and female detainees.

On April 9, the Office of the UN High Commissioner for Human Rights reported that male inmates raped a female prisoner in the Aleg prison.

Deaths in prisons and pretrial detention centers were not common, although two cases were reported during the year.

In April a Senegalese man sentenced to five years died during medical evacuation to Nouakchott from the Aleg prison, where he suffered from an unknown ailment exacerbated by poor ventilation.

The holding areas in police stations were overcrowded, unsanitary, and poorly ventilated.

NGOs continued to denounce overcrowding and long pretrial detention. The large number of pretrial detainees exacerbated prison overcrowding. Authorities frequently held pretrial detainees with convicted and often dangerous prisoners. In May 2011 authorities reportedly removed 14 suspected terrorists awaiting trial from Nouakchott Central Prison to an undisclosed location in order to improve prison security and disrupt illicit activity. On February 23, Amnesty International protested their removal. During a press conference on November 30, President Aziz explained that the prisoners had been removed because they had recruited youths for al Qaida training camps abroad.

Due to poor security conditions and the fact that dangerous inmates shared cells with less dangerous ones, prisoners lived in a climate of violence, and some had to pay bribes to other prisoners to avoid being brutalized and harassed. In March

inmates in Zouerate Prison set sheets and pillows on fire to protest their conditions, and 14 inmates received treatment for burns.

Administration: Steps to improve recordkeeping continued. In 2011 the EU purchased 28 computers to train the penitentiary administration on database management to improve recordkeeping and the integrity of each prisoner's file. The EU handed over the project to the government during the year, but the penitentiary administration reported that the project faced technical issues. There was no data available on whether the courts used alternatives for sentencing nonviolent offenders. There were no ombudsmen at the prison level. Regulations allowed inmates in an institution to choose one of their own to represent them in dealings with management, and inmates occasionally did so during the year. Authorities allowed prisoners access to visitors and allowed prisoners to observe Muslim prayer obligations individually, and unlike in previous years, the penitentiary administration reported that inmates had access to biweekly visits from imams.

Monitoring: The government permitted prison and detention center visits by NGOs, diplomats, and international human rights observers. The International Committee of the Red Cross (ICRC) had unlimited access to prisons and conducted multiple visits, including visits to terrorism suspects, in accordance with its standard modalities. They distributed hygiene items and books. The ICRC conducted daily visits to the Dar Naim and Central prisons in Nouakchott. In December the organization acquired an aircraft to facilitate visits to remote detention locations throughout the country.

The Commission for Human Rights, Humanitarian Action, and Relations with Civil Society continued to supply prisons with medical staff, as well as medications, hygiene products, and foodstuffs.

#### **d. Arbitrary Arrest or Detention**

The constitution and law prohibit arbitrary arrest and detention, but authorities did not observe these prohibitions.

In some cases authorities arbitrarily arrested and detained protesters and journalists (see section 2.a.).

By law a minor may not be held for more than six months while awaiting trial. Nevertheless, there were reports that a large number of individuals, including minors, remained in pretrial detention for extended periods due to judicial ineptitude.

### **Role of the Police and Security Apparatus**

The National Police, under the Ministry of Interior, are responsible for law enforcement and maintaining order in urban areas. The National Guard, also under the Ministry of Interior, performs limited police functions in keeping with its peacetime role as security support at government facilities. The National Guard may also be called on by regional authorities to restore civil order during large-scale disturbances such as rioting. The gendarmerie, a specialized paramilitary group under the Ministry of Defense, is responsible for maintaining civil order within and outside of metropolitan areas, as well as providing law enforcement services in rural areas. In October 2011 a new police force, the General Group for Road Safety, began operations under the Ministry of Interior.

The police were poorly paid, trained, and equipped. Corruption and impunity were serious problems (see section 4).

The government rarely held security officials accountable or prosecuted them for abuses. The Ethics Police operates as an internal affairs division and as a mechanism to investigate security force abuses. This unit did not make public investigation results.

### **Arrest Procedures and Treatment While in Detention**

The application of constitutional safeguards continued to vary widely from case to case. The law requires duly authorized arrest warrants, but these were not commonly used. In most cases detainees were not informed promptly of the accusations against them but informed of relevant charges at the conclusion of the investigation. The law requires that in most cases courts review the legality of a person's detention within 48 hours of arrest, but police may extend the period for an additional 48 hours, and a prosecutor or court can detain persons for up to 15 days in national security cases. Authorities generally respected the two-week deadline for formally arraigning or releasing terrorism suspects in national security cases. Only after the prosecutor submits charges does a suspect have the right to contact an attorney. By law indigent defendants are entitled to attorneys at state expense, but in practice attorneys were not provided. There was a bail system, but

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sometimes judges arbitrarily refused lawyers' requests for bail or set inordinately high bail amounts.

Arbitrary Arrest: Security forces at times arrested demonstrators engaged in sit-ins, marches, or rallies, and held them longer than regulations allow, often due to lack of capacity to process cases in a timely manner.

In March 2012 a penal court sentenced former human rights commissioner Mohamed Lemine Ould Daddeh y to three years in prison for embezzling public funds in the amount of 271 million ouguiya (\$903,000) between 2008 and 2010. He had been detained since 2010, a violation of the one-year maximum pretrial detention period. He was granted provisional release on December 26, 2012.

In March four prisoners (Saleck Ould Sheikh, Mohamed Lemine Ould Mballa, Yakhob Ould Mohamed El Moktar, and Guinean citizen Youssef Galesa) accused of attempting to set off car bombs in Nouakchott in early 2011 began a hunger strike. A court sentenced them to death in July 2011, but they remained in detention at the civilian prison of Nouakchott.

On April 28 police arrested antislavery activist Biram Ould Dah Ould Abeid and six others for burning Islamic texts they believed encouraged the practice of slavery. Four NGOs demanded their release, and they were granted provisional release on September 3.

Pretrial Detention: Human rights and other observers accused the government of exceeding the legal limits for pretrial detention. Lawyers highlighted the lengthy incarceration of detainees and delays in organizing court hearings, but no statistics on the average length of detention or length of pretrial procedures were available.

Amnesty: The constitution provides presidential authority to grant amnesty to prisoners convicted of crimes (except murder, rape, and embezzlement). On February 4, President Aziz announced that he would pardon 32 prisoners, including six foreigners, on the occasion of the El Maoloud holiday. The prisoners did not receive official amnesty.

#### **e. Denial of Fair Public Trial**

The constitution and law provide for an independent judiciary, but it was not independent in practice. The executive branch continued to exercise significant influence over the judiciary through its ability to appoint and remove judges. For

example, on January 9, the National Bar Association stated that the substantive role of the Supreme Council of Justice was minimal and that the Council was reduced to administrative matters.

NGOs reported that judges often lacked requisite training and expertise to render judgments, which led to the common practice of trained attorneys bribing judges to deter them from making uneducated decisions based on irrelevant criteria or personal connections.

During the year international donors funded training for prosecutors and judges with the aim of increasing judicial professionalism. On February 25, the city of Nema, in collaboration with the Ministry of Justice and the UN Office on Drugs and Crime, hosted a capacity-building workshop for mouslihs (mediators) and the presidents of district courts in the Hodh Charghi Region.

### **Trial Procedures**

The law provides for due process. Defendants enjoy a presumption of innocence. Defendants are informed of the charges/accusations against them but do not learn of their charges until the investigation is complete. They have a right to a public trial. Juries are not used. Defendants have the right to be present during their trial. By law all defendants, regardless of the court or their ability to pay, have the legal right to representation by counsel during proceedings. Although the court should appoint an attorney free of charge to represent defendants lacking the ability to pay, this measure was rarely enforced during the year. Defendants have the right of appeal. Defendants can confront or question witnesses and present witnesses and evidence in both civil and criminal cases. By law defendants have access to government-held evidence, but access was difficult in practice. These rights extended to minorities and generally were observed in practice for men but did not extend equally to women.

Sharia provides the legal principles upon which the law and legal procedures are based; the courts did not treat women equally in all cases. Lawyers also reported that in some cases, the unequal treatment of women was based on such considerations as a woman's caste or nationality.

A special court hears cases involving persons under the age of 18. Children who appeared before the court received more lenient sentences than adults, and extenuating circumstances received greater consideration in juvenile cases. The

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minimum age for children to be tried is 12 years. Children between the ages of 12 and 18 who are convicted of a crime are sentenced to detention centers for minors.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

Complaints of human rights violations are within the jurisdiction of the Administrative Court. Individuals or organizations can appeal decisions to international regional courts. NGO representatives stated they collaborated with the court, but the court was not impartial in practice. There are administrative and judicial remedies through the social chamber of the Court of Appeals and through the Supreme Court. Persons can sue at the Administrative Court and can appeal to the Court of Appeals and then to the Supreme Court.

### **f. Arbitrary Interference with Privacy, Family, Home, or Correspondence**

The constitution prohibits such actions, and the government generally respected these prohibitions in practice.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Speech and Press**

Freedom of Speech: The constitution provides for freedom of speech, and the government generally respected this right in practice. Individuals could criticize the government publicly or privately.

Freedom of Press: Two daily newspapers and most broadcast media were government owned, but five radio stations and three television stations were independent. Several independent daily publications generally expressed a wide variety of views with limited restrictions.

Violence and Harassment: There were several reported incidents of violence and harassment, particularly against journalists covering student protests early in the year. On World Press Freedom Day on May 3, the chairman of the Journalists' Union of Mauritania (SJM) reported that 12 journalists were subjected to acts of

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aggression during the first quarter of the year, eight of which were committed by authorities and four by students.

On April 16, the online news portal *Alakhbar* reported that police beat, verbally abused, and arrested its French-version editor, Abou Ould Abdoul Kader, while he was covering a demonstration by members of the Youth Movement of Mauritania. Journalists organized a sit-in in Nouakchott to protest police brutality. The SJM publicly denounced police brutality and harassment against journalists.

Censorship or Content Restrictions: Some journalists practiced self-censorship when covering topics deemed sensitive, including the military, corruption, and the application of Sharia, and there were reports that police detained and questioned journalists during the year in connection with their coverage of such topics as protests and slavery. Some opposition leaders asserted that they had no effective access to official media.

Independent media remained the principal source of information for most citizens, followed by government media. Government media focused primarily on official news but provided some coverage of opposition activities and views. The government-owned TV Mauritania occasionally broadcast programs covering opposition activities.

### **Actions to Expand Press Freedom**

Signaling the end of the government's 51-year monopoly of the broadcast media, in September 2011 the High Press and Audiovisual Authority began taking applications for five new radio stations and five new television channels to be owned by nongovernmental entities. By December 2012 all five independent radio stations had begun broadcasting in Nouakchott. Mauritanid MFM also began broadcasting in Nouadhibou.

### **Internet Freedom**

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms without judicial oversight. According to the International Telecommunication Union, approximately 4.5 percent of the population used the Internet in 2011.

**Academic Freedom and Cultural Events** MAURITANIA 11 Country Reports on Human Rights Practices for 2012 United States Department of State • Bureau of Democracy, Human Rights and Labor

There were no government restrictions on academic freedom or cultural events.

## **b. Freedom of Peaceful Assembly and Association**

### **Freedom of Assembly**

The constitution provides for freedom of assembly. The law requires that NGO organizers apply to the local prefect (hakim) for permission to hold large meetings or assemblies. Authorities generally granted permission but on some occasions denied it in circumstances that suggested the application of political criteria. Registered political parties are not required to seek permission to hold meetings or demonstrations.

In January and February, hundreds of students of the Institute for Islamic Research and Studies (ISERI) held a series of demonstrations against the government's decision to move ISERI from the capital to Aioun. Similarly, students at the University of Nouakchott repeatedly protested high tuition and poor quality instruction. Police using batons and tear gas dispersed multiple protests and sit-ins. The government later reversed its decision to close ISERI in Nouakchott.

On June 29, authorities dispersed a University of Nouakchott student sit-in, resulting in one injury that required medical evacuation to Senegal. Authorities evacuated the student, Ahmed Ould Nah, to Dakar for surgery after an antiriot police officer fractured his right arm while attempting to disperse the protest.

### **Freedom of Association**

The law provides for freedom of association, and the government generally respected this right.

All local NGOs must register with the Ministry of Interior. The government encouraged local NGOs to join the government-sponsored Civil Society Platform during the year. The approximately 5,500 local NGOs that are members of the platform did not receive government funding.

The government generally did not prevent unrecognized NGOs from functioning. However, in 2010 the Ministry of Interior ordered the international NGO, National Democratic Institute (NDI), to suspend its operations because it lacked formal accreditation (although it resumed some of its activities later in 2010). On July 11, NDI received formal accreditation to operate in the country. **MAURITANIA 12**

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### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/j/drl/irf/rpt](http://www.state.gov/j/drl/irf/rpt).

### **d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**

The constitution and law provide for freedom of movement within the country, foreign travel, emigration, and repatriation. The government generally respected these rights, but there were exceptions.

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR), the International Organization for Migration, and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, vulnerable migrants, and other persons of concern. In practice resources provided by the government were inadequate.

In-country Movement: Persons lacking identity cards could not travel freely in some regions. During the year, in response to what it described as an increased terrorist threat, the government set up mobile roadblocks where gendarmerie, police, or customs officials checked the papers of travelers and where officials often demanded bribes.

#### **Protection of Refugees**

Access to Asylum: The laws provide for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. The National Consultative Commission for Refugees (CNCR) is the national body for determining refugee status. The UNHCR carries out refugee status determinations under its mandate and presents cases to the CNCR for recognition.

Refoulement: In practice the government provided protection against the expulsion or return of refugees to countries where their lives or freedoms would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. According to the UNHCR, the government provided protection to 54,117 refugees, primarily Malian refugees concentrated in the southeastern region of Hodh Ech Chargui.

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In accordance with agreements with the Economic Community of West African States on freedom of movement, the government allowed West African migrants to remain in the country provided they complied with the law on foreigners in Mauritania, deporting only those found illegally seeking to reach the Canary Islands. According to Interior Ministry statistics, 7,500 migrants were returned to their countries of origin from January 1 to November 13.

Employment: Legislation provides refugees with access to the job market and basic services. The UNHCR provided assistance to refugees with revenue-generating activities throughout the year, including through small-scale vending projects and assistance with camp activities at the Mbera refugee camp.

Access to Basic Services: By law, refugees had the right, and in practice received, access to basic services, including health care and education.

Durable Solutions: Pursuant to the 2007 Mauritania-Senegal-UNHCR tripartite agreement to repatriate Mauritanian refugees who fled to Senegal in the late 1980s, the final convoy of refugees returned to Mauritania on March 25. Repatriated refugees totaled 24,536. The government resettled the returnees in 120 sites located in the regions of Brakna, Trarza, Gorgol, Guidimagha, and Assaba.

The National Agency for the Welcome and Reintegration of Refugees (ANAIR) is responsible for overseeing the reintegration of repatriated refugees, providing administration and identification support, and contributing to the social and economic development of resettlement areas. Despite challenges such as inefficient sanitation, health, education infrastructure, land disputes, and food insecurity, the government made efforts during the year to reintegrate repatriated refugees. For example, on September 20, the Ministry of Public Employment, Modernization, and Administration announced that 786 former refugees who had lost their positions in government would be reinstated. ANAIR's budget for the year was two billion ouguiya (\$6.7 million), of which 1.6 billion ouguiya (\$5.3 million) was allocated for infrastructure and social development such as water drilling, schools, and agricultural projects.

On January 9, returnees in Nouakchott held a sit-in in front of the National Assembly to protest the slow national registration/census process for the new national database launched in May 2011. The government reported that it had registered approximately 50 percent of the population by year's end.

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## **Stateless Persons**

The law allows children born outside the country to Mauritanian mothers and foreign men to obtain Mauritanian nationality at age 17. If the father is stateless, children born outside the country could be rendered stateless until age 17. There was no data available on stateless persons (see also section 6, Children).

## **Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government**

The constitution provides citizens the right to change their government peacefully, and the country accomplished a peaceful transition from military rule with the presidential election of 2009, followed the same year by the indirect election of one-third of the seats in the Senate. However, the government indefinitely postponed scheduled elections of municipal councilors, the members of the National Assembly, and another third of Senate seats, due to inability to reach agreement with opposition parties.

### **Elections and Political Participation**

The country returned to constitutional rule in 2009 following the Dakar Accord, which resulted in the agreement of then president Abdallahi to resign and the formation of a Transitional Government of National Unity.

Recent Elections: In an election held in 2009, former High State Council leader General Aziz won 53 percent of the vote. Although some opposition groups claimed the election was fraudulent and requested an investigation, the Constitutional Council certified the election.

Elections by municipal councils to fill one-third of the seats in the Senate, also in 2009, resulted in a large win for the UPR. Opposition and independent candidates denounced what they characterized as heavy pressure on the municipal councilors to vote for majority party candidates and on independent candidates to withdraw. Authorities did not investigate these complaints.

Indirect elections for another one-third of the Senate seats were scheduled for April 2011 but postponed twice due to the inability of the government and a coalition of opposition parties to agree on the opposition's demand that the electoral code be rewritten, the ruling coalition dissolved, and laws regulating the media reformed. The opposition coalition indicated it would not participate in elections until its

demands were met. The majority and opposition parties engaged in a national dialogue from September to October 2011 to resolve their political impasse, but the participants did not establish a timetable for Senate, National Assembly or municipal elections. The Constitutional Council subsequently ruled that a delay of parliamentary elections no later than May 31, 2012, would be legal; however, they had not taken place by year's end. Opposition groups held peaceful protests on November 21, a week prior to Mauritania's National Day.

Opposition parties claimed the national registration process was politically motivated by a desire to postpone elections. While identity cards were distributed, the process was not complete. There were peaceful protests against the slowness of the registration process.

On June 7, President Aziz appointed seven members to the senior committee established to oversee the new Independent National Electoral Commission developed in response to the September-October 2011 national dialogue with majority and opposition parties stemming from the Dakar Accords.

Political Parties: There were approximately 78 accredited political parties, and they generally functioned openly, issuing public statements, and choosing their own leadership. All political parties must register with the Ministry of Interior.

However, the government generally did not prevent unrecognized political parties from functioning.

Participation of Women and Minorities: There were 18 women among the 95 National Assembly members and six in the 56-seat Senate. The 27-member cabinet included three women, three Black Moors, and five Afro-Mauritanians.

The law requires that women make up at least 20 percent of candidates on legislative candidate lists. The law was observed.

#### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for official corruption, but authorities did not enforce the law effectively, and officials often engaged in corrupt practices with impunity. Corrupt practices were widely believed to exist at all levels of government, and the World Bank's most recent Worldwide Governance Indicators reflected that corruption was a severe problem.

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There were reports that government officials frequently used their power to obtain such favors as unauthorized exemption from taxes, special grants of land, and preferential treatment during bidding on government projects. Corruption was most pervasive in government procurement, bank loans, fishing-license distribution, land distribution, and tax payments.

The Ministry of Interior's Economic Crimes Brigade and the Office of the Inspector General were responsible for investigating corruption. In January 2011 the Judiciary Council created the Criminal Division for Economic and Financial Crimes, a special chamber responsible for investigating economic crimes and to reinforce the legal efforts against corruption. During the year the chamber completed 50 investigations involving the private sector. No investigations of the public sector took place.

On February 13, the Nouakchott Criminal Court tried four individuals (one in absentia) accused of misappropriating Global Fund to Fight AIDS funds in 2008. Prosecutors requested three to 10 years' imprisonment. Three of the individuals remained free; the other fled the country.

On March 13, Moulaye El Arbi Ould Moulaye Mohamed and Mahfoudh Ould Agatt, former directors of the parastatal import-export firm SONIMEX, were acquitted after being arrested for their alleged involvement in the misappropriation of \$14.7 billion ouguiya (\$49 million) in 2008.

On March 27, for the first time, authorities charged a senior military official with embezzlement. They arrested former director of military engineering, Colonel Sid Ahmed Ould El Mane, for embezzling an estimated 300 million ouguiya (one million dollars). The case did not go to the Court of Justice, and El Mane quietly reimbursed the government. He remained free at year's end.

The Court of Auditors ordered the former minister of finance, Ahmed Ould Moulaye Ahmed, to pay back the 38 million ouguiya (\$127,000) embezzled while he directed the National Health Insurance Fund. The case did not go to the Court of Justice, but Moulaye Ahmed reimbursed the amount. He was subsequently appointed director of the national bank.

On June 10, the Nouakchott Criminal Court sentenced the former commissioner of human rights, Ould Daddeh, to three years in prison and payment of 76 million ouguiya (\$253,000). Ould Daddeh was arrested in 2010 for embezzling 254

million ouguiya (\$847,000) from a fund for emergency programs. The Nouakchott Court of Cassation granted bail to Ould Daddeh on December 26.

Corruption and impunity were also serious problems in the police force, and the government rarely held security officials accountable or prosecuted them for abuses. Police regularly demanded bribes at nightly roadblocks in Nouakchott and at checkpoints between cities. There were numerous reports that police arbitrarily detained individuals for several hours or overnight at roadblocks in Nouakchott or other locations. According to these reports, police detained motorists or passengers without asking for identity papers or vehicle registration, and without searching the vehicles.

Judicial corruption was also a problem.

The government implemented anticorruption measures. In July 2011 it created a Procurement Regulation Authority with membership from the Office of the Inspector General, the private sector, and civil society to monitor independent regulation of the public tender and procurement system. The government also enforced laws prohibiting the use of government vehicles outside working hours and eliminated benefits such as free housing for high-level government officials. The government enforced the requirement that senior officials, including the president, file a declaration of their personal assets at the beginning and end of their service. Senior officials reportedly disclose their assets through an internal procedure, but the information is not made public. However, President Aziz publicly declared his assets in 2010.

The law provides for public access to government information, and the government generally granted such access to citizens and noncitizens, including foreign media, during the year. The law was not fully implemented in practice. According to authorities, the law requires a second “implementing” law to determine the modalities for providing information to the public.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

Several domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were somewhat cooperative and responsive to their views.

Government Human Rights Bodies: An independent ombudsman organization, the National Commission on Human Rights, includes government and civil society representatives. It actively monitored human rights and advocated for government action to correct violations. The annual budget was 117 million ouguiya (\$390,000). The Commission produces reports and conducts regular investigations, providing recommendations to the government. In addition to its annual report, it published four thematic reports during the year on prisons, women's rights, the personnel status code, and judiciary assistance.

### **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

The constitution and law provide for equality for all citizens regardless of race, national origin, sex, or social status and prohibits racial or ethnic propaganda, but the government often favored individuals on the basis of racial and tribal affiliation, social status, and political ties. Societal discrimination against women, trafficking in persons, and racial and ethnic discrimination were problems, as was the potential death penalty for male same-sex sexual activity.

#### **Women**

Rape and Domestic Violence: According to NGOs, the incidence of both reported and unreported rape continued to be high, and rape was considered a serious problem. Rape, including spousal rape, is illegal. In practice the government did not enforce the law effectively. According to the penal code, rapists who are single men face penalties of forced labor and flagellation. Married rapists could be subject to the death penalty. In practice rape cases rarely went to trial, but in contrast with 2011, there were five convictions of rape. In several cases wealthy rape suspects reportedly avoided prosecution or, if prosecuted, avoided prison. Families of the victim commonly reached an agreement with the rapist for monetary compensation. National statistics on arrests and prosecutions for rape were unavailable, but the Association of Female Heads of Families (AFCF) reported that 412 rapes had taken place between January 1 and November 1. Human rights activists and lawyers reported that rape victims were stigmatized, persecuted, and even imprisoned. Since rape is tied to the concept of adultery, judges could, in theory, accuse the victim of fornication under Sharia and hold the victim responsible for the rape, which could lead to imprisonment. During the year the local NGO, Mauritanian Association for the Health of Mothers and

(AMSME), provided assistance to 127 girls and six adult women who were victims of sexual violence.

Domestic violence was a serious problem. Spousal abuse and domestic violence are illegal, but the government did not enforce the law effectively, and most cases went unreported. There are no specific penalties for domestic violence, and convictions were very rare. No reliable government statistics on prosecutions, convictions, and sentences for domestic violence were available. From January 1 to November 1, the AFCF provided legal assistance to 1,812 domestic violence victims.

Police and the judiciary occasionally intervened in domestic abuse cases, but women rarely sought legal redress, relying instead on family, NGOs, and community leaders to resolve domestic disputes. Many domestic violence cases were handled by a traditional judge under Sharia outside the secular system. NGOs reported that in certain cases they asked police for help to protect victims of domestic violence, but police declined to investigate. The AFCF and other women's NGOs provided psychologists and shelter to some victims.

Harmful Traditional Practices: Traditional forms of mistreatment of women declined during the year. One of these is the forced feeding of adolescent girls (gavage) prior to marriage practiced only among White Moor tribal groups. Increased government, media, and civil society attention to the problem, including the health risks associated with excessive body weight, led to a marked decline in the traditional encouragement of female obesity.

Female Genital Mutilation/Cutting (FGM/C): FGM/C was practiced primarily on young girls (see section 6, Children).

Sexual Harassment: There are no laws against sexual harassment. Women's NGOs reported that it was a common problem in the workplace.

Reproductive Rights: The government recognized the right of individuals and couples to decide freely and responsibly the number, spacing, and timing of their children and to have the information and means to do so free from discrimination, violence, or coercion. Reproductive issues were a sensitive topic and a focus of some women's groups. Government health centers did not provide unmarried women with access to contraception, and did so for married women only with the consent of the husband. Contraception was available at private health centers for

those who could afford it. According to UNICEF, approximately 8 percent of women and girls in union ages 15-49 used a modern method of contraception. In 2010 the UN Population Fund (UNFPA) estimated the maternal mortality ratio to be 510 per 100,000 live births. The high rate was attributed to medical facilities lacking equipment, low participation by mothers in programs to promote prenatal care, births without the assistance of health professionals, poor sanitary conditions during birth, and maternal malnutrition. According to the UNFPA, skilled health personnel attended approximately 57 percent of births.

The AFCF stressed that these deficiencies applied in particular to poor women and women from traditionally lower castes such as slaves and former slaves, who also often lacked access to contraception, obstetric and postpartum care, and treatment for sexually transmitted infections. The AMSME, which operated a center in Nouakchott for rape victims, provided emergency contraception to victims.

Discrimination: Women have legal rights to property and child custody, and these rights were recognized among the more educated and urbanized members of the population. However, women had fewer legal rights than men. Divorced women could lose child custody if they remarried. According to common tradition, a woman's first marriage requires parental consent. The personal status code states men can marry up to four women but are required to obtain the consent of their existing spouse or spouses before marrying again. Government awareness programs encouraged women to obtain a contractual agreement at the time of marriage stipulating that the marriage ends if the husband marries a second wife. This practice was common in Moor society. Nevertheless, women who did not establish a solid contract remained unprotected. In addition the validity of and right to establish prenuptial agreements was not always respected. Polygamy continued to be rare among Moors but was gaining in popularity. It was common among other ethnic groups. Arranged marriages were increasingly rare, particularly among the Moor population. Cultural resistance to intercaste marriage persisted, and NGOs reported that powerful individuals used the judicial system to intimidate and persecute members of their families who married below their social rank.

The law considers women to be minors, and women faced other legal discrimination. According to Sharia as applied in the country, the testimony of two women was necessary to equal that of one man. The courts granted only half as large an indemnity to the family of a woman who was killed as to the family of a male victim. The personal status code provides a framework for the consistent

application of secular law and Sharia-based family law, but it was not uniformly employed. Formulas for property distribution varied widely from case to case. Human rights lawyers reported that judges treated differently cases concerning white Moor women, female slaves or other lower-caste women, and foreign women.

Women did not face legal discrimination in areas not addressed specifically by Sharia. The law provides that men and women should receive equal pay for equal work. The two largest employers, the civil service and the state mining company, observed this law, although most employers in the private sector did not. In the modern wage sector, women also received family benefits, including three months of maternity leave.

The government sought to open new employment opportunities for women in areas traditionally filled by men, such as diplomacy, health care, communications, police, and customs services. The International Labor Organization (ILO) reported a slight increase in female share of employment in high-status occupations from 28.2 percent in 2005 to 29.9 percent in 2010.

Women's groups and national and international NGOs organized meetings, seminars, and workshops throughout the year to publicize women's rights. On March 8, International Women's Day, for the first time hundreds of women marched peacefully on the presidency in support of women's rights. A senior government delegation welcomed the marchers on behalf of President Aziz. The government launched its own commemorative activities at a ceremony attended by UN Development Program representatives and approximately 80 women's cooperatives.

On February 27, the AFCF launched an appeal for strengthened legal action against perpetrators of violence against women. Nouakchott declared August 13 a day of zero tolerance for sexual violence.

### **Children**

**Birth Registration:** By law citizenship is derived from one's father. Citizenship can be derived from one's mother under the following two conditions: if the mother is a citizen and the father's nationality is unknown or is stateless, or if the child was born in the country to a citizen mother and repudiates the father's nationality a year before reaching majority. Children born abroad to citizens can

acquire citizenship one year before reaching majority age of 18. Minor children of parents who have become naturalized citizens are also eligible for citizenship. In most of the country, the government generally registered births immediately, but in the south many citizens reported not having birth certificates or national identity papers. In addition some slaves did not have birth certificates. While there was no official data on unregistered births, UNICEF estimated that 56 percent of children less than five years of age had their births registered.

Education: The law mandates six years of school attendance for all children, but the law was not effectively enforced. Many children, particularly girls, did not attend school for six years. Children of slave-caste families often did not receive any education.

Public education was tuition free through university level. Classes were fully integrated, including both boys and girls and students from all social and ethnic groups.

In addition to public schools, almost all children, regardless of gender or ethnic group, attended Quranic school between the ages of five and seven and gained at least rudimentary skills in reading and writing Arabic.

Child Abuse: Child abuse was reported, but no data was available on its prevalence.

Child Marriage: The legal marriage age is 18, but the law was rarely enforced, and child marriage was widespread. According to UNICEF, 15 percent of children were married before age 15 and 35 percent before age 18. Since consensual sex outside of marriage is illegal, a “weli” (tutor) can ask local authorities to permit a girl younger than 18 to marry; authorities frequently granted permission. Seventy-eight communities announced their commitment to abandoning child marriage.

Harmful Traditional Practices: FGM/C was practiced by all ethnic groups and performed on young girls, often on the seventh day after birth and almost always before the age of six months. UNICEF estimated that in 2007, FGM/C was perpetrated on 72 percent of women 15 to 49 years of age and that 66 percent of women had at least one daughter who had been mutilated. From 2007 to 2011, FGM/C among women 15 to 49 years of age declined by nearly 3 percent, mainly due to a decline in the practice among urban dwellers and to greater sensitization efforts. Articles 309 and 310 of the Child Protection Penal Code state that any act

or attempt to damage a girl's sexual organs is punishable by imprisonment and a fine of 120,000 to 300,000 ouguiya (\$400 to \$1,000). Because an accompanying "implementing" law had not been issued by year's end, the law was seldom applied, allowing the practice to continue. A second FGM/C action plan for 2011 to 2013 was being implemented at the national level by the government. The plan focused on reinforcing FGM/C policy and law, including finalizing a draft law for criminalizing FGM/C; education and community support; monitoring and evaluation; increasing public declarations of FGM/C abandonment; and partnerships and public outreach. Excision was the most severe form of FGM/C practiced.

The government, international organizations, and NGOs continued to coordinate their anti-FGM/C efforts, which were focused on eradicating the practice in hospitals, discouraging midwives from perpetrating FGM/C, and educating the population on its dangers. The government, the UNFPA, UNICEF, and the national Imams' Association joined other civil society members to emphasize the serious health risks of FGM/C and correct the widespread belief that the practice was a religious requirement. Government hospitals and licensed medical practitioners were barred from performing FGM/C, and several government agencies worked to prevent others from perpetrating it. According to several women's rights experts, these efforts appeared to be changing popular attitudes.

A regional fatwa against FGM/C was issued following a 2011 roundtable organized by the Forum on Islamic Thought and Dialogue Between Cultures, in cooperation with the German Society for International Cooperation. As a follow-up, various religious leaders and imams were actively involved in spreading the news about the fatwa at the local level. The government conducted sensitization campaigns against FGM/C. For example, on February 8, the Ministry of Social Affairs, Children, and the Family commemorated International Zero Tolerance Day for FGM/C and held a ceremony in Kaedi on September 15 to announce the end of FGM/C in the regions of Gorgone and Hodh Echchargui. Seventy-eight communities announced their commitment to FGM/C abandonment.

Sexual Exploitation of Children: The law prohibits adult sexual relations with a child under 18 years of age, with penalties of six months to two years in prison and a 120,000 to 180,000 ouguiya (\$400 to \$600) fine. The possession of child pornography is illegal, with penalties of two months to one year in prison and a 160,000 to 300,000 ouguiya (\$533 to \$1,000) fine. Commercial sexual exploitation of children is illegal, and conviction carries penalties of two to five years in prison and a fine of 200,000 to two million ouguiya (\$667 to \$6,667).

NGOs asserted that the laws were not properly enforced. In some instances men from the Middle East contracted “temporary marriages” as a means to traffic and exploit Mauritanian girls and women in the Middle East.

Displaced Children: Although the Ministry of Social Affairs, Children, and the Family monitored approximately 900 of the estimated 1,200 street children in Nouakchott through its youth integration centers in Dar Naim and El Mina, government assistance to street children was limited. During the year the local NGO Infancy and Development in Mauritania monitored 70 children in Nouakchott and Nouadhibou who lived on the streets largely as the result of poverty and the urbanization of formerly nomadic families. It also monitored and facilitated the school enrollment of 463 children lacking birth certificates.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

### **Anti-Semitism**

A very small number of expatriates practiced Judaism. There were no reports of anti-Semitic acts.

### **Trafficking in Persons**

See the Department of State’s *Trafficking in Persons Report* at [www.state.gov/j/tip](http://www.state.gov/j/tip).

### **Persons with Disabilities**

A 2006 law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in education, employment, or the provision of other state services, and there were no reports of governmental discrimination against persons with disabilities. The corresponding implementing law required to fully apply the law was awaiting approval from parliament at year’s end. Once passed, the text would create a funding mechanism for individuals and organizations to apply for funds to conduct activities to comply with the 2006 law. The law also provides for access to buildings, information, and communication; in practice, however, persons with disabilities generally did not have access to buildings, information, and communications, and there were no government programs to provide such access. The law provides for access to air transport and

other transportation at reduced rates, but in practice such access was often not available.

The law provides access to schools for children with disabilities, and there is one primary school in Nouakchott for hearing and visually impaired children. There were no reports of abuses in educational or mental health facilities. People with disabilities, who by the nature or severity of their disability cannot attend regular training, have the opportunity to receive appropriate training. The Ministry of Technical and Vocational Training opens and makes available training institutions for persons with disabilities, both physical accessibility as educational programs and techniques.

Since 2008 the government has allocated 70 million ouguiya (\$233,000) per year to national associations and NGOs working on disabilities issues as well as 30 million ouguiya (\$100,000) in technical assistance. The government did not mandate preference in employment, education, or public accessibility for persons with disabilities, although it did provide some rehabilitation and other assistance for such persons. For example, on September 19, the Ministry of Housing donated 200 plots of land in the districts of Arafat and Toujounine to persons with disabilities. The Ministry of Social Affairs, Children, and the Family oversees social reintegration programs for persons with disabilities. The ministry develops training programs and validates the certificates issued by these institutions created by professional associations of persons with disabilities.

Persons with disabilities may file complaints with the director for persons with disabilities in the Ministry of Social Affairs, Children, and the Family and may seek additional recourse with the Court of Justice. In 2011 the ministry received 10 complaints.

In April two sign-language television news programs began broadcasting daily on Mauritanian national television.

### **National/Racial/Ethnic Minorities**

Ethnic minorities faced governmental discrimination. The inconsistent issuance of national identification cards, which were required for voting, effectively disenfranchised many members of southern minority groups. Racial and cultural tension and discrimination also arose from the geographic and cultural divides between Moors and Afro-Mauritanians. The Moors consist of numerous ethnolinguistic tribal and clan groups and are further distinguished as either White

Moor or Black Moor, although it was often difficult to distinguish between the two by skin color. White Moor tribes and clans, many of whom are dark skinned after centuries of intermarriage with Berbers and sub-Saharan African groups, dominated positions in government and business. The Black Moors (also called haratines or freed slaves) remained politically and economically weaker than White Moors. Afro-Mauritanian ethnic groups, which include the Halpulaar (the largest non-Moor group), Wolof, and Soninke, are concentrated in the South and urban areas. Afro-Mauritanians were underrepresented in the government and military.

The constitution designates Arabic as the official language and Arabic, Pulaar, Soninke, and Wolof as the country's national languages. The government continued to encourage French and Arabic bilingualism within the school system, as opposed to earlier efforts at "arabization." Neither the Afro-Mauritanian national languages nor the local Hassaniya Arabic dialect were used as languages of instruction.

Ethnic rivalry contributed to political divisions and tensions. Some political parties tended to have readily identifiable ethnic bases, although political coalitions among parties were increasingly important. Black Moors and Afro-Mauritanians continued to be underrepresented in mid- to high-level public and private sector jobs.

There were numerous reports of land disputes between former slaves, Afro-Mauritanians, and White Moors. According to human rights activists and press reports, local authorities allowed Moors to expropriate land occupied by former slaves and Afro-Mauritanians or to obstruct access to water and pastures.

Human rights NGOs reported numerous cases of inheritance disputes between slaves or former slaves and their masters. Traditionally, slave masters inherited their slaves' possessions.

The government's Program to Eradicate the Effects of Slavery, begun in 2009, continued during the year. Its goals are to reduce poverty among the 44,750 former slaves in the Assaba, Brakna, Gorgol, and Hodh Chargui regions and improve their access to water, health, education, and income-generating opportunities. The program provided 4.3 million ouguiya (\$14,300) in funding to two local NGOs, including Boubacar Messaoud's SOS Esclaves for the first time, for conflict prevention and awareness raising activities in the isolated eastern regions, and for direct financial support for the rehabilitation of five liberated

slaves. The government also continued its collaborative program with the UN on conflict prevention aimed at promoting democratic values and the rights of marginalized populations, including former slaves.

### **Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity**

Under Sharia, as applied in the country, consensual same-sex sexual activity between men is punishable by death if witnessed by four individuals, and such activity between women is punishable by three months to two years in prison and a fine of 5,000 to 60,000 ouguiya (\$17 to \$200). There were no criminal prosecutions during the year. There was no evidence of societal violence, societal discrimination, or systematic government discrimination based on sexual orientation. There were no organizations advocating for sexual orientation or gender-identity rights, but there were no legal impediments to the registration of such groups.

### **Other Societal Violence or Discrimination**

There was no evidence of governmental discrimination against persons with HIV/AIDS, but societal taboos and beliefs associated with the disease in some areas caused infected persons to face isolation.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law allows workers to form and join independent unions of their choice and provides the right to conduct legal strikes and to bargain collectively. Under the law all workers except members of the armed forces and police were free to associate in and establish unions at the local and national levels.

To be legally recognized, a union must have the authorization of the public prosecutor, who can provisionally suspend a trade union at the request of the Ministry of Interior if the ministry believes that the union has not complied with the law.

The law provides for the right to strike, but long and complex procedures must be followed before a legal strike can be called. The government can also dissolve a union for what it considers an illegal or politically motivated strike. Workers are

not allowed to hold sit-ins or to block nonstriking workers from entering work premises. Except for police and members of armed forces, no groups of workers were excluded from relevant legal protections.

Freedom of association and the right to collective bargaining were not fully respected in practice although unions exercised their right to organize workers during the year. Procedures were subject to lengthy delays and appeals. Workers must provide advance notice of at least 10 working days to the Labor Office for any strike. The Labor Office routinely issues a notice calling on all parties to negotiate. Workers are then prohibited from striking for a period of four months. If an agreement is not reached during the negotiation, the case is referred to the Court of Arbitration. If an agreement is still not reached, employees may have to wait up to four additional months from the time of the decision before they can legally strike.

Worker organizations were independent of the government and political parties. The government did not dissolve any unions during the year.

Workers and unions organized several strikes during the year, some of which were suppressed by authorities. On July 14, a Nouakchott-based National Guard unit used batons and tear gas to disperse an employee strike at Mauritanian Copper Mines (MCM). They beat and detained several protesters, and one severely injured protester, Mohamed Ould Machdoug, died as the National Guard transported him to the Akjoujt police station. Following the death, MCM temporarily suspended its operations and the government launched an investigation. The government provided three million ouguiya (\$10,000) in compensation to the victim's family. Article 342 of the labor code 2004-017 grants power to the director of labor to call for bargaining between employers, employees, labor unions, and the Office of Labor. The law provides that the meeting must occur 15 days following the statement of non-agreement between parties. In practice the law was not fully enforced. The government and employers frequently intimidate employees and union representatives in order to avoid legal processes.

While antiunion discrimination is illegal, national human rights groups and unions reported that authorities did not actively investigate alleged antiunion practices in some private firms owned by very wealthy citizens.

**b. Prohibition of Forced or Compulsory Labor** MAURITANIA 29 Country Reports on Human Rights Practices for 2012 United States Department of State • Bureau of Democracy, Human Rights and Labor

The law prohibits all forms of forced or compulsory labor, including by children. The law criminalizes the practice of slavery and imposes penalties on government officials who do not take action on reported cases. The law includes criminal penalties also for contracting to benefit from forced labor and for exploiting forced labor as part of an organized criminal network. Although advances were made during the year, government efforts to enforce the antislavery law were widely acknowledged to be inadequate when compared with the dimensions of the problem. The government organized training workshops about the antislavery law for administrative authorities and judges. Due to fund mismanagement in 2010 (see section 4), the Program to Eradicate the Effects of Slavery received a significantly reduced budget during the year, down from one billion ouguiya (\$3.3 million) to 4.3 million ouguiya (\$14,300) in assistance to communities of former slaves. These funds supported conflict prevention and awareness raising activities in the isolated eastern regions, and direct support for the rehabilitation of five liberated slaves. In contrast with 2011, there were no convictions for slavery, nor did the government initiate judicial proceedings against other alleged slave-masters. Data on the number of victims removed from forced labor during the year was not available. There were reports of forced child labor. Slavery-like practices, typically flowing from ancestral master-slave relationships and involving both adults and children, continued. Former slaves and their descendants remained in a dependent status in part due to lack of marketable skills, poverty, and persistent drought. Such practices occurred primarily in areas where educational levels were generally low or a barter economy still prevailed, and in urban centers, including Nouakchott, where slavery-like domestic service existed. The practices commonly occurred where there was a need for workers to herd livestock, tend fields, and do other manual labor. Some former slaves and descendants of slaves were forced to work for their old masters in exchange for some combination of money, lodging, food, and medical care. Individuals in these subservient circumstances were vulnerable to mistreatment. Women with children faced particular difficulties and could be compelled to remain in a condition of servitude, performing domestic duties, tending fields, or herding animals without remuneration.

Some former slaves reportedly continued to work for their former masters or others in order to retain access to land they traditionally farmed. Although the law provides for distribution of land to the landless, including to former slaves, authorities have enforced it in only a few cases. NGO observers suggested that deeply embedded psychological and tribal bonds made it difficult for many

individuals whose ancestors had been slaves for generations, to break their bonds with former masters or their tribes. Some persons continued to link themselves to former masters because they believed their slave status had been divinely ordained and they feared religious punishment if that bond were broken. Former slaves were often subjected to social discrimination and limited to performing manual labor in markets, ports, and airports.

Forced labor also occurred in urban centers where young children, often girls, were retained as unpaid household servants. Some individuals self-identified as slaves or masters and claimed with varying degrees of plausibility that they were unaware that slavery had been abolished. Human rights groups reported that persons in slave-like relationships were persuaded by their masters to deny the relationship to activists.

NGOs continued to report cases of trafficking in persons for domestic service, street begging for unscrupulous religious teachers, and slave-like relationships as domestic servants or herders. Victims were men, women, and children.

Anti-slavery activists from the NGO Initiative for the Resurgence of Abolitionism (IRA) claimed they had evidence that a slave named Souadou was found dead on November 2 at the bottom of a well in Ouadane (350 miles northeast of Nouakchott) and promptly buried in opaque circumstances. According to IRA, law enforcement personnel later disinterred Souadou at their request for a post-mortem examination. IRA charged that the evaluation was insufficient, resulting in an erroneous declaration of suicide. IRA organized a demonstration in Nouakchott on November 10. The government conducted an investigation, and an autopsy showed that the victim died of natural causes.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip](http://www.state.gov/j/tip).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibits employment of children under the age of 12. Those under age 13 may not be employed in the agricultural sector unless the Ministry of Labor grants an exception due to local circumstances. Those younger than 14 may be employed in most forms of family enterprise with authorization from the Ministry of Labor as long as the work does not affect the child's health, exceed two hours per day, or occur during school hours or holidays. The law states that employed children 14 to 16 years old should receive 70 percent of the minimum wage and **MAURITANIA**

those 17 to 18 should receive 90 percent of the minimum wage. Children should not work more than eight hours a day with one or several one-hour breaks, and they are prohibited from engaging in night work. The law prohibits employing or inciting a child to beg with penalties ranging from one to eight months imprisonment and a fine of 180,000 to 300,000 ouguiya (\$600 to \$1,000).

The Ministry of Social Affairs, Children, and the Family is the main governmental body responsible for enforcing all laws relating to children. The Office of Childhood promotes and protects children's rights, elaborates and executes child welfare programs, coordinates actions in favor of childhood educational development, and elaborates and executes a national policy. The Ministry of Justice is involved through the Direction of the Judiciary for Protection of Children and the Ministry of Interior through the Special Police Brigade for Minors. The Ministry of Labor also collaborates through its Labor Office and Inspection Office. During the first 11 months of the year, there were 80 inspectors to receive and investigate complaints and to perform control duties, 42 of whom were trained at the National School of Administration. None of the 80 inspectors, however, were charged solely with investigating compliance with child labor regulations. The budget provides 14 million ouguiya (\$47,000) to the Office of Childhood, but nothing is specified for investigations. Consequently, no child labor investigations took place during the year.

Enforcement of laws was inadequate. On January 12, UNICEF reported that 16 percent of children ages five to 14 years were engaged in labor practices. No mechanisms existed for exchanging information among agencies or to assess effectiveness. There was no specific mechanism for making complaints other than labor inspectors or the Special Police Brigade for Minors. NGOs were the only organizations that handled cases of child victims, referred them to the Special Brigade for Minors, and pressured the government to adjudicate the cases or integrate the victims in social centers or in schools.

An unknown number of "talibes" (young students), nearly all from Halpulaar tribes, begged in the streets and gave the proceeds to their "marabouts" (religious teachers) as payment for religious instruction. There were reliable reports that a small number of marabouts forced their talibes to beg for more than 12 hours a day and provided them with insufficient food and shelter. The government continued a program to reduce the number of talibes and cooperated with NGOs to provide talibes with basic medical and nutritional care.

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Child labor in the informal sector was common and a significant problem, particularly within poorer inner city areas. Several reports suggested that young girls, as young as the age of seven, from remote regions, and possibly from western Mali, continued to be forced to work as unpaid housemaids in some wealthy urban homes.

Street gang leaders forced children to steal, beg, and sell drugs in the streets of the capital. Children reportedly were forced to work in agriculture, construction, and livestock herding.

Young children in the countryside were commonly engaged in herding; cultivation of subsistence crops, such as rice, millet, and sorghum; fishing; and other significant labor in support of their families' activities. Young children in urban areas often drove donkey carts and delivered water and building materials. In keeping with longstanding tradition, many children served apprenticeships in small industries, such as metalworking, carpentry, vehicle repair, masonry, and the informal sector. The government continued to operate Centers for Protection and Social Integration of Children in Difficult Situations. President Aziz unveiled a new center in Nouadhibou in November.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at [www.dol.gov/ilab/programs/ocft/tda.htm](http://www.dol.gov/ilab/programs/ocft/tda.htm).

#### **d. Acceptable Conditions of Work**

The nationally mandated minimum monthly wage for adults was 30,000 ouguiya (\$100), increased from 21,000 ouguiya (\$70) in September 2011. The poverty level for 2008 was an annual income of 129,600 ouguiya (\$432) and the extreme poverty level for 2008 was an annual income of 96,400 ouguiya (\$321).

The law provides that the standard legal nonagricultural workweek must not exceed either 40 hours or six days without overtime compensation, which was to be paid at rates graduated according to the number of supplemental hours worked. Domestic workers and certain other categories could work 56 hours per week. All employees must be given at least one 24-hour period of rest per week. There are no legal provisions regarding compulsory overtime. The Labor Directorate of the Ministry of Labor was responsible for enforcement of the labor laws but did not do so effectively due to inadequate funding. The total number of work inspectors was 80. The government sets health and safety standards. Workers have the right to remove themselves from hazardous conditions without risking loss of employment.

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The law applies to all workers in the formal economy. In principle, workers could remove themselves from hazardous conditions without risking loss of employment. The labor code protects all workers regardless of nationality.

According to the General Confederation of Workers of Mauritania, the National Agency of Social Security registered 567 workplace fatalities or injuries through the end of November; 283 of them at the national mining company, SNIM. It is likely that the number of accidents was greater because many accidents in the informal economy were unreported.

A majority worked in the informal sector, primarily subsistence agriculture and animal husbandry. Only 25 percent of workers were employed in regularly paid positions. The nationally mandated minimum monthly wage was not enforced.

Despite the law, labor unions pointed to conditions approaching modern slavery in several sectors, including the food processing industry. In these sectors, workers did not have contracts or received pay stubs. Their salaries were below the official minimum wage, and they worked in very unfavorable conditions. Sometimes they were not paid for several months. Violations of minimum wage or overtime laws were frequent in many sectors, but more common in the informal economy such as domestic servants, street vendors, garbage collectors, bus fare collectors, donkey cart drivers, and apprentices for mechanics and other employers. In September 2011 the Ministry of Labor adopted regulation 1797 of the Labor Code Law 2004-017 to regulate domestic work by establishing minimum conditions of work, contracts, leave time, and access to social security for servants and child care providers, in line with ILO Convention 189. The government, however, did not adopt the appropriate legal mechanism to implement it. Despite the law, workers could not remove themselves from hazardous conditions without risking loss of employment. Informal sector domestic workers do not receive the same legal protections.

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