

The country narrative in the 2016 TIP Report:

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**MAURITANIA - Tier 3**  
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Mauritania is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Adults and children from traditional slave castes in the Black Moor and Afro-Mauritanian communities are subjected to hereditary slavery-related practices rooted in ancestral master-slave relationships. Although reliable data on the total number of slaves does not exist, local and international experts agree hereditary slavery continues to affect a significant portion of the country's population, in both rural and urban settings. Held for generations by slave-holding families, persons subjected to hereditary slavery are forced to work without pay as cattle herders and domestic servants. Separately, some boys from Mauritania and other West African countries who study at Koranic schools are forced to beg for food and money to pay corrupt imams. Boys from low-income families in the Halpulaar community are most vulnerable to forced begging by unethical imams. Approximately 41 percent of Mauritanian children lack birth certificates and are thus generally not permitted to enroll in school, which increases their risk for trafficking. Mauritanian women and girls- especially those from the traditional slave castes and Afro-Mauritanian communities, as well as women and girls from Mali, Senegal, The Gambia, and other West African countries-are forced into domestic servitude in Mauritania, sometimes by recruiters who fraudulently promise parents they will provide shelter and education for the children. West African women and girls are vulnerable to sex trafficking in Mauritania. Mauritanian women and girls are subjected to forced labor and sex trafficking abroad. During the reporting period, over 200 Mauritanian women-the majority of whom are members of traditional slave castes-were exploited in domestic servitude in Saudi Arabia after having been fraudulently recruited for nursing and teaching jobs by Mauritanian middlemen working for Saudi recruitment agencies. Men from Middle Eastern and North African countries use legally contracted temporary marriages to sexually exploit Mauritanian women and girls. Mauritanian women and girls from poor families enter into these forced marriages, facilitated by brokers and travel agencies in both

Mauritania and in the Middle East promising substantial payment, and are exploited as sex slaves in Saudi Arabia and other Gulf countries. Law enforcement and judicial officials failed to appropriately investigate and prosecute cases of hereditary slavery brought to their attention.

The Government of Mauritania does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. In 2015, the government created courts exclusively to try slavery cases and enacted an anti-slavery law that allows some NGOs to bring forward slavery cases on behalf of victims. However, these courts were underfunded, the judges did not receive specific training on how to try human trafficking cases, and the government did not prosecute any traffickers. It did not provide adequate protective services to victims or establish procedures to identify victims among persons arrested for prostitution and individuals detained and deported for immigration violations. The government continued to imprison anti-slavery activists and repress civil society advocacy for an increase in anti-trafficking law enforcement efforts.

### **RECOMMENDATIONS FOR MAURITANIA:**

Increase efforts to investigate and prosecute all types of trafficking offenses and convict and punish offenders using the 2003 anti-trafficking law and the 2015 anti-slavery law; hold government officials accountable for trafficking-related complicity, including the failure to investigate alleged trafficking offenses and efforts to interfere with ongoing investigations; sufficiently fund the anti-slavery courts, and train prosecutors and judicial officials on the 2003 trafficking in persons and 2015 anti-slavery laws; develop standard procedures to identify and refer trafficking victims to services, and train law enforcement on such measures; increase efforts, in coordination with NGOs, to provide protective services and vocational training to trafficking victims; investigate and prosecute individuals accused of fraudulently recruiting Mauritians abroad for exploitation; protect victims who participate in legal investigations from intimidation and threats from their alleged traffickers or slaveholders; provide victims with easier access to legal assistance, and enhance Tadamoun's efforts to submit criminal claims on behalf of victims; with input from civil society, develop and implement a plan to provide economic resources-through monetary or property allotment-to provide former slaves and members of traditional slave castes the opportunity to leave their

communities of enslavement, should they choose to do so; legally recognize all legitimate anti-trafficking and anti-slavery NGOs, including the Initiative for the Resurgence of the Abolitionist Movement; raise public awareness of trafficking, including hereditary slavery; and devote staff towards and implement the national anti-trafficking strategy.

## **PROSECUTION**

The government made minimal anti-trafficking law enforcement efforts. The 2003 Law Against Trafficking in Persons prohibits all forms of trafficking in persons except hereditary slavery and prescribes penalties of five to 10 years' imprisonment, which are sufficiently stringent and exceed those prescribed for other serious crimes, such as rape. The government, with assistance from civil society and international donors, drafted and enacted a new anti-slavery law in August 2015 that criminalizes slavery and prescribes sufficiently stringent penalties of five to 20 years' imprisonment, which exceed the penalties for other serious crimes. The law is overly broad in that it includes all forced marriage as slavery, which is not in line with the international definition of slavery. The law also mandated the creation of specialized anti-slavery courts to exercise exclusive jurisdiction over slavery cases. The government nominated three judges to the aforementioned courts-notably, none of the judges are from the traditional slave-holding caste-but the courts lacked funding, and none of the appointed judges were specifically trained in how to deal with the unique challenges of investigating human trafficking cases, including how to prevent traffickers from intimidating victims and victims from withdrawing their cases. The courts' limited funding and lack of resources-especially the lack of vehicles for courts that cover large geographic areas-hampered their effectiveness. The anti-slavery law authorizes human rights associations that have been legally established and operating for at least five years to bring forward slavery lawsuits on behalf of victims; however, this authorization still does not empower one of the country's leading anti-slavery NGOs-which the government has not legally recognized-to bring forward such claims.

The government reported two investigations for forced labor involving three suspected traffickers and six victims, compared with one investigation the previous reporting period; as in the previous reporting period, it did not report any prosecutions or convictions for trafficking offenses. According to NGOs, the

government received approximately 2,500 reports of child labor during the reporting period, but there is no evidence the government investigated these cases or any other cases of forced child labor. Between January 2014 and September 2015, an international organization identified 2,035 children working for former slaveholders-some of whom may have been the children's former slaveholders-and 674 children begging in Koranic schools. The National Agency to Fight against the Vestiges of Slavery, Integration, and the Fight against Poverty, or Tadamoun, submitted one criminal claim on behalf of a victim during the reporting period; however, the court later reclassified the violation as child exploitation, a crime that carries lesser penalties; in addition, against the criminal code, the court delivered the verdict without the victim or her lawyer present. The government made minimal efforts to investigate a few of the middlemen who facilitated the movement of more than 200 Mauritanian women to Saudi Arabia for labor exploitation, but it did not file any charges.

Efforts to address hereditary slavery remained especially weak. With assistance from an NGO, the government arrested a suspected slaveholder and freed three slaves he was allegedly holding; the suspect was released on bail pending trial. In December 2015, an NGO filed a complaint on behalf of three family members allegedly held in debt bondage. The prosecutor invoked the new 2015 anti-slavery law to appeal a settlement offer from the judge. In a positive contrast with previous years, the court of appeals rejected the settlement offer and ordered the two defendants to remain in prison; the case was pending at the end of the reporting period. The government reported that 17 other cases were pending among the three anti-slavery courts; however, it is unclear if the courts had initiated any prosecutions and how they had charged the defendants in these cases. NGOs reported law enforcement and judicial officials often used lesser statutes to prosecute hereditary slavery offenses, issuing charges such as unpaid labor.

The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, serious complicity concerns remained, including reports of police, prosecutors, and judges who refused to investigate and try cases of hereditary slavery. NGOs reported that in the majority of the 29 cases of hereditary slavery in Mauritania they studied between 2010 and 2015, either police closed the case without investigation or

prosecutors refused to prosecute the defendants. Government agencies charged with combating trafficking lacked sufficient resources, personnel, and the political will to prosecute offenders. Despite the government's recognition that law enforcement and judicial officials lacked training on trafficking investigations and the 2015 anti-slavery law, it did not provide such training during the reporting period.

In an attempt to suppress civil society representatives advocating against hereditary slavery and systematic discrimination in Mauritania, the government continued to detain several anti-slavery activists that it had convicted during the previous reporting period. After the court rejected the activists' first appeal in August 2015, they filed an appeal with the Supreme Court the following month that was pending at the end of the reporting period. One activist received parole in June 2015 on medical grounds, and the other two remained in prison. In September 2015, approximately 50 people peacefully protested the domestic servitude of Haratine women in Saudi Arabia outside the Saudi Arabian Embassy in Nouakchott. Local law enforcement used tear gas to break up the demonstration and arrested nine participants, who were eventually released.

## **PROTECTION**

The government maintained limited efforts to protect victims of human trafficking, including those exploited in hereditary slavery. The Ministry of Social Affairs, Childhood, and the Family opened a new public center for the protection and social integration of children, bringing the national total to seven such centers; 373 children received services from these centers, but it is unclear how many were trafficking victims. The government allocated 76.9 million ouguiya (\$233,000) to these facilities to fund staff and psycho-social assistance—a significant increase from 35 million ouguiya (\$107,000) allocated the previous reporting period. The facilities provided only short-term protections and generally returned children to their families or the imams who had facilitated their exploitation. These facilities also referred victims to NGO care providers. The government did not provide financial or in-kind support to NGOs, which continued to provide the majority of protective services to trafficking victims. An NGO repatriated 26 female Mauritanian trafficking victims from among over 200 identified in Saudi Arabia, with assistance from the Mauritanian Embassy in 16 of these cases. NGOs

provided legal assistance and reintegration services to some of the victims upon return. One NGO provided psycho-social care and legal assistance to three alleged slaves during the reporting period; a second NGO reported assisting at least five female trafficking victims who had returned from Saudi Arabia, including one who had suffered both labor and sexual exploitation. There are no shelters dedicated specifically to trafficking victims, nor are there shelters available for adult trafficking victims. Lack of available long-term rehabilitative care in Mauritania made many victims vulnerable to additional trafficking after identification and repatriation.

The 2015 anti-slavery law provides for comprehensive legal assistance for victims of hereditary slavery, providing information on their rights and exempting them from judicial fees; however, it is unclear whether the government applied such provisions during the reporting period. The law also mandated the creation of support centers to facilitate such assistance in each province, but no such centers had been established by the end of the reporting period. The law increased victim compensation significantly, from 250,000 to 5 million ouguiya (\$758 to \$15,150), but no victims received compensation during the reporting period. While victims may seek restitution from their traffickers, the complex and opaque legal system makes such efforts extremely difficult. The absence of measures to identify trafficking victims among vulnerable populations may have led to victims being punished for acts committed as a result of being subjected to trafficking. For example, officials often jailed women suspected of prostitution and held illegal migrants in detention until their refugee status had been resolved. In 2015, the Ministry of Interior returned 6,000 migrant workers to their countries of origin and did not screen the majority for indicators of trafficking. Mauritania does not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution.

## **PREVENTION**

The government sustained modest efforts to prevent human trafficking. It partnered with an international organization, local NGOs, and civil society organizations to plan implementation of its 2014 national anti-trafficking strategy and committed to providing staff to implement the plan. However, it is unclear if the government made progress towards addressing any of the plan's objectives in 2015. No single

government agency was responsible for leading anti-trafficking efforts, which hampered the effectiveness of such efforts; the inter-ministerial anti-trafficking committee, formed under the prime minister in 2014 and responsible for the implementation of the national anti-trafficking strategy, met twice during the reporting period. Tadamoun, the government agency to combat the vestiges of slavery and poverty, outlined plans to open and fund schools in adwabas-communities comprised of former slaves and slave descendants-to increase educational opportunities for youth at risk, including for trafficking; however, it is unclear how many of these schools were operational during the reporting period. The government did not make efforts to reduce the demand for forced labor or commercial sex acts. The government investigated one middleman allegedly involved in the fraudulent recruitment of Mauritanian women to Saudi Arabia but did not pursue a legal case. The government canceled the work exchange program and recalled the Mauritanian domestic workers from Saudi Arabia; some workers did not report being victims of trafficking and chose to stay in the country. The government did not provide anti-trafficking training for its diplomatic personnel or for 140 gendarmes before their deployment on an international peacekeeping mission.