

# MAURITANIA 2013 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Mauritania is a highly centralized Islamic republic with a president as head of state who governs under a constitution based on a combination of French civil law and sharia. The Senate and National Assembly exercise legislative functions. Voters elect municipal councilors, who then elect Senate members. The legislative bodies were weak relative to the executive. The 2009 election of Mohamed Ould Abdel Aziz as president ended a political crisis caused by Aziz' 2008 coup d'etat against former president Sidi Ould Cheikh Abdallahi. International observers declared the 2009 presidential election to be generally free and fair. In 2009 Union for the Republic (UPR), the majority party, won most of the seats in the indirect election to refill one-third of the Senate seats. Authorities maintained effective control over the security forces. Security forces sometimes committed human rights abuses.

The central human rights problems were the use of torture by police to extract confessions, continuing slavery and slavery-related practices, and trafficking in persons.

Other reported human rights problems included harsh prison conditions, abusive treatment in detention facilities, arbitrary arrests, and lengthy pretrial detention. Government influence over the judiciary, limits on freedom of assembly, restrictions on religious freedom for non-Muslims, and public corruption were problems. Discrimination against women, female genital mutilation/cutting (FGM/C), early and forced marriage, political marginalization of southern-based ethnic groups, racial and ethnic discrimination, child labor, and inadequate enforcement of labor laws occurred.

The government took some steps to punish officials who committed abuses and prosecuted a number of officials, but authorities frequently acted with impunity. Civil society organizations objected to the small number of indictments 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**

Unlike in previous years, there were no reports that the government or its agents committed arbitrary or unlawful killings.

### **b. Disappearance**

There were no reports of politically motivated disappearances. In June Amnesty International (AI) reported that authorities continued to refuse to disclose the whereabouts of 14 prisoners sentenced for terrorism related offenses and abducted from the central prison in Nouakchott in May 2011. The prisoners in question included Mohamed Ould Chabarnou, Sidi Ould Sidina, Maarouf Ould Heiba, Khadim Ould Semane, Mohamed Ould Abdou, Abderrahmane Ould Areda, and Mohamed Ould Chbih. At the time of their transfer, the government maintained that their transfer to a secret location was a temporary measure for security reasons.

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

The constitution and law prohibit such practices, but the governmental Commissariat for Human Rights, Humanitarian Action, and Relations with Civil Society reported that it received one complaint of torture during the year and several complaints of slavery. Independent human rights observers and the National Commission for Human Rights (CNDH) also stated that security and corrections personnel tortured detainees to extract confessions. AI reported that methods of abuse included beatings, simulated drowning, and placement of prisoners in stress positions.

On April 9, Aaron Yoon, a Canadian citizen convicted of participation in terrorist activities, accused police and prison officials of having tortured him. Two months later a delegation from AI Canada arrived to investigate his allegations and concluded that Yoon was indeed tortured while in prison, noting that more than a dozen men and children accused of terrorism and common crimes suffered torture while in custody. Authorities released Yoon on July 14. The identities of police and/or prison officials involved in torture remained unknown. Authorities took no action against those responsible in the cases cited by AI Canada.

In mid-September the Initiative for the Resurgence of the Abolitionist Movement (IRA), a leading antislavery nongovernmental organization (NGO), charged that police in Ajouwer refused to investigate a slavery complaint filed by an 18-year-old woman against a prominent White Moor family. IRA activists also maintained

that authorities intentionally deceived them by claiming that the alleged suspects had fled when in fact they were temporarily in police custody and then released without charges.

On October 27, judicial authorities in Nema intervened to negotiate the withdrawal of a complaint made against an alleged slave master by a slave named Chekrouda. According to an IRA spokesman, Ethmane Ould Yemani, Court President Saadna Ould Beddine convinced the plaintiff to drop the complaint in return for 400,000 ouguiya (\$1,311) and two camels.

### **Prison and Detention Center Conditions**

Prison conditions were harsh and life threatening. Poor security conditions and the fact that dangerous inmates shared cells with less dangerous ones obliged prisoners to live in a climate of violence, and some had to pay bribes to other prisoners to avoid being brutalized and harassed. There were credible reports, including some from government officials and AI, of torture, beating, and abuse in police detention centers, several prisons throughout the country, and gendarmerie and military facilities. Although human rights groups continued to report that prisons were overcrowded and lacked adequate sanitation and medical facilities, the government's capacity to administer detention facilities and respond to accusations of maltreatment improved.

Physical Conditions: According to the Ministry of Justice, the prison population totaled 1,664, of whom 857 were convicts and 807 were pretrial detainees. There were 34 female prisoners (six convicted and 28 pretrial detainees) and 64 minors (10 convicted and 54 pretrial detainees). The Dar Naim Prison, the main prison facility in Nouakchott with an intended capacity of 300, held 785 prisoners. Authorities frequently held pretrial detainees with convicted and often dangerous prisoners. Women and men sometimes were held together, and male guards participated in monitoring female inmates, a practice criticized by the CNDH. Conditions of detention for women were sometimes better than for men. According to the penitentiary administration directorate, for example, the women's prison in Nouakchott was less crowded.

Authorities held nine children between ages 15 and 18 in Nouakchott Central Prison due to deteriorating conditions at the juvenile detention facility at Beila. Prison officials also reported that two children, ages five and seven months, remained with their imprisoned mothers. The Ministry of Justice sometimes gave temporary custody of the children of prisoners to another family member to ensure

the child was not held in prison. International NGOs, such as the Noura Foundation, Caritas, and Terre des Hommes, provided educational and economic opportunities to current and former juvenile and female detainees.

Reports persisted of malnutrition, poor health and hygiene, lack of potable water, and inadequate ventilation and heating. Overcrowding, violence among inmates, and poor medical care were problems. Prisons lacked products such as soap and detergent, and some had no waste disposal systems. Malnutrition – particularly among foreign inmates, prisoners without familial support, and sick inmates – was widespread.

Authorities reported one inmate death during the year. On June 17, authorities found a 23-year-old prisoner dead in his cell after a chronic illness. He reportedly had not received medical treatment.

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.

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.

Administration: Efforts to improve recordkeeping progressed slowly. In 2012 the EU handed over a database management and recordkeeping project to the government, but the penitentiary administration reported the project faced technical problems. Local NGOs continued to report that prison officials often misplaced prisoner files, leading in some cases to postponement of release. There was no data available on whether the courts used alternatives for sentencing nonviolent offenders. There were no independent ombudsmen within the prison system, but prisoners were permitted to file allegations of abuse with the CNDH. Regulations also allowed inmates to choose one of their own to represent them in dealings with management, and inmates occasionally did so. Authorities allowed prisoners access to visitors. Muslim inmates could observe prayer obligations individually, and unlike in previous years, inmates had access to biweekly visits from imams.

The government generally responded to allegations of inhumane conditions but rarely dispensed corrective action.

Independent 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. The ICRC conducted frequent visits to the Dar Naim and central prisons in Nouakchott. In July AI interviewed approximately 60 prisoners about prison conditions and their treatment by penal authorities.

Improvements: Renovations to improve sanitation and ventilation continued in Aleg prison, and the construction of a new prison in Nbeika, intended to reduce overcrowding in other prisons, commenced. The government also completed a new prison in Nouadhibou, but it was not operational at year's end.

#### **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, presidential opponents, 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**

Under the Ministry of Interior, the National Police is responsible for enforcing the law 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 the guarantor of physical security at government facilities. For instance, regional authorities may call upon it to restore civil order during riots and other large-scale disturbances. The gendarmerie, a specialized paramilitary organization under the Ministry of Defense, is responsible for maintaining civil order around metropolitan areas and providing law enforcement services in rural areas. The Ministry of Interior's newest police force, the General Group for Road

Safety, maintains security on the roads and operates checkpoints throughout the country.

Police were poorly paid, trained, and equipped. Corruption and impunity were serious problems. Police regularly demanded bribes at nightly roadblocks in Nouakchott and at checkpoints between cities. There were numerous reports that police arbitrarily detained individuals – often without probable cause – for several hours or overnight at such roadblocks.

The government rarely held security officials accountable or prosecuted them for abuses or crimes, unless the charges involved terrorist activities. On May 14, for example, the Criminal Court of Nouakchott sentenced a gendarme to 10 years in prison for collaborating with al-Qaida in the Islamic Maghreb.

The Ethics Police, an internal affairs division, investigated security force abuses but did not release investigation results.

### **Arrest Procedures and Treatment of Detainees**

The law requires duly authorized arrest warrants, but these were not commonly issued. Authorities generally did not inform detainees of the accusations against them until the conclusion of an 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 attorneys were not provided or they did not speak local languages. There was a bail system, but judges sometimes refused such requests arbitrarily or set inordinately high bail amounts.

Arbitrary Arrest: Security forces sometimes arrested demonstrators and held them longer than regulations allow, often due to lack of capacity to process cases in a timely manner.

In February authorities arrested Mohamed Ould Debagh and charged him with bankrupting Mauritania Airways, the national airline. Debagh was the vice president of a conglomerate owned by Mohamed Ould Bouamatou, a cousin of

President Aziz. Observers viewed the charges against Debagh as politically motivated and a form of retaliation against Bouamatou, who was reportedly feuding with the president. Following a mediated settlement of the personal dispute between Aziz and Bouamatou, Debagh was released without trial after more than three months of confinement.

Pretrial Detention: Lengthy pretrial detention was a problem, although no statistics on the average length of detention were available.

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

The constitution and law provide for an independent judiciary, but the judiciary was not independent. The executive branch continued to exercise significant influence over the judiciary through its ability to appoint and remove judges. In January 2012 the National Bar Association characterized the role of the Supreme Council of Justice as minimal and claimed the council had been reduced to handling administrative matters.

During the year international donors funded training for prosecutors and judges to increase judicial professionalism and combat money laundering and terrorism financing.

#### **Trial Procedures**

The law provides for due process, and defendants enjoy a presumption of innocence. While authorities informed defendants of the charges/accusations against them and provided them with free interpretation services as required, the quality of these services was generally poor, and defendants did not learn of the charges until the investigation was complete. Defendants have a right to a public trial, although juries are not used. They also have the right to be present during trial. All defendants, including the indigent, have the right to legal counsel, but authorities rarely enforced this measure. Defendants have the right of appeal and can confront or question witnesses and present witnesses and evidence in both civil and criminal cases. Defendants have the right to access government-held evidence, but access was difficult. In general defendants had adequate time and facilities to prepare their defense. The law does not compel them to testify or confess guilt. These rights extended to minorities and generally were observed for men but did not extend equally to women.

Law and procedure are grounded in sharia, and courts did not treat women equally in all cases. In September, for example, the Association of Female Heads of Household, a local NGO, reported that authorities had evicted a woman and removed her children from her custody after she filed a complaint against her husband for domestic violence in 2010. The woman died following hospitalization for her injuries. Lawyers also reported that in some cases considerations such as caste or nationality influenced the treatment of women.

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 minimum age for children to stand trial is 12 years. Children between the ages of 12 and 18 who are convicted of crimes 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 that the court was not impartial. 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.

### **Property Restitution**

Property ownership in the southern wilayas (regions) has been a source of controversy since the government expelled tens of thousands of Afro-Mauritians from 1989 to 1991 amid border tensions with Senegal. Many Afro-Mauritians were dispossessed of their land, which was subsequently sold or ceded to White Moors (see section 6). Although the government took modest steps to indemnify former deportees during the year, it did not restore the property rights of returning exiles.

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



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

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

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

The constitution provides for freedom of speech and press, and the government generally respected these rights. Individuals were generally free to criticize the government publicly or privately but were occasionally subject to retaliation.

Press Freedoms: Two daily newspapers and most broadcast media were government-owned, but five radio stations and five 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 of journalists. On May 4, the day after World Press Freedom Day, the chairman of the Journalists' Union of Mauritania reported that 14 reporters had been subjected to acts of aggression during the first quarter of the year, all of which were committed by civil and security authorities.

At various points in the year, online news outlets reported that police or gendarmes arrested journalists for their coverage of sensitive government investigations, such as a rape in Tidjikia and a military plane crash in Aoujeft.

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 topics such as slavery and those mentioned above. 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**

In March the Ministry of Communication enacted reforms to liberalize audiovisual broadcasting regulations, decriminalizing certain “press offenses” and granting licenses to five radio stations and two television stations.

## **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 appropriate legal authority. According to the International Telecommunication Union, approximately 5.4 percent of the population used the internet in 2012.

## **Academic Freedom and Cultural Events**

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.

On March 10, *Alakhbar*, an online news publication, reported that police detained nine antislavery activists from an unrecognized NGO in Kaedi for failing to petition the hakim for the right to hold a private meeting. Police reportedly launched tear gas into the house before arresting the occupants. Two activists received medical attention the following day. Authorities released all nine within 10 days. Similarly, on September 29, police arrested five members of the same unrecognized NGO for protesting the government’s refusal to pursue criminal charges against a family accused of enslaving an 18-year-old woman in Boutilimit. Officials from the NGO alleged that the authorities beat demonstrators with batons.

### **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 6,000 local NGOs that are members of the platform did not receive government funding.

The government generally did not prevent unrecognized NGOs from functioning.

### **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 internal movement, 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) 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. Resources provided by the government, however, were inadequate to meet the assistance needs of these populations.

In-country Movement: Persons lacking identity cards could not travel freely in some regions. As in the previous 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.

Exile: The law does not provide for forced exile. Nevertheless, several prominent opponents of the president – including his cousin Mohamed Ould Bouamatou – have remained in self-imposed exile for years for fear of persecution or retaliation (see section 1.d.).

Emigration and Repatriation: Launched in March, the National Agency for the Fight against the Vestiges of Slavery, Reintegration, and the Fight against Poverty (Tadamoun) assumed responsibility for overseeing the reintegration of repatriated refugees from the former National Agency for the Welcome and Reintegration of Refugees. Tadamoun is responsible for providing administration and identification support, as well as for contributing to the social and economic development of resettlement areas. Despite challenges – including food insecurity, land disputes, and inadequate sanitation, health, and education infrastructure – the government made modest progress in its efforts to reintegrate repatriated refugees. For example, on June 5, customs authorities announced the reinstatement of 18 former customs officials who had lost their positions following their deportation to Senegal in 1989.

### **Protection of Refugees**

Access to Asylum: The law provides for granting of asylum or refugee status, and the government has established a system for providing protection to refugees. The National Consultative Commission for Refugees is the national body for determining refugee status. Accordingly, the UNHCR carries out refugee status determinations under its mandate and then presents cases to the consultative commission for recognition.

According to the UNHCR, as of October the government was host to an estimated 68,000 Malian refugees, concentrated in the southeastern region of Hodh El-Chargui. The government cooperated with the UNHCR and the Malian government to allow Malian refugees in Mauritania to take part in the July Malian presidential elections.

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, deporting only those found illegally seeking to reach the Canary Islands. According to the Interior Ministry, 7,022 migrants were returned to their countries of origin from January 1 to September 4.

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 in March 2012. Repatriated refugees totaled 24,536. The government continued efforts to resettle the returnees

in 120 sites located in the regions of Brakna, Trarza, Gorgol, Guidimagha, and Assaba.

### **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. The unwillingness of local authorities to process some Afro-Mauritanians repatriated from Senegal, following their mass expulsion in the late 1980s and early 1990s, rendered thousands of Afro-Mauritanians stateless.

### **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 Senate seats. Long-postponed municipal and legislative elections took place in two rounds in November and December.

### **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 was elected president with 53 percent of the vote. Although some opposition groups claimed the election was fraudulent and requested an investigation, the Constitutional Council certified the election.

In March the Independent National Electoral Commission (CENI), created in 2009 but not fully operational until 2012, announced it would organize municipal and legislative elections in October. After extended consultations with majority parties and the moderate opposition coalition, the CENI recommended a delay of six weeks to the electoral college to ensure maximum participation. Despite these efforts, the coalition of radical opposition parties (COD) boycotted the elections, although Tawassoul – the Islamist party and one of the largest members of the COD – ignored the boycott and participated in the elections.

The CENI held long-delayed municipal and legislative elections on November 23 and December 21. President Aziz's majority party, UPR, won a simple majority of 74 of the 147 seats in the National Assembly. Tawassoul won 16 seats in the elections (11 percent). As the largest party of the opposition in the new National Assembly, Tawassoul appoints the leader of the opposition in the new government.

The participation rate of eligible voters was over 75 percent in the first round and over 72 percent in the second round, according to the CENI. Candidates appealed the outcome in some constituencies, which could result in another round of voting. Presidential elections were scheduled to occur in June or July 2014.

Participation of Women and Minorities: The law reserves 20 seats in the National Assembly for women and after the last election, there were 31 women in the 147-member National Assembly. The 28-member cabinet included four women (three White Moors and one Black Moor), three Black Moors, and six Afro-Mauritanians.

#### **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.

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, official document distribution, bank loans, fishing-license distribution, land distribution, and tax payments.

Corruption: The Ministry of Interior's Economic Crimes Brigade, the Criminal Division for Economic and Financial Crimes (DCEF) of the Judiciary Council, and the Office of the Inspector General were responsible for investigating corruption. Nevertheless, authorities prosecuted few cases because judicial corruption was also a problem. The government implemented anticorruption measures. In 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 DCEF operated effectively and possessed sufficient resources, but its independence was doubtful because it is under the Ministry of Interior. During the year the DCEF completed 145 investigations involving the private sector and four investigations of the public sector.

On June 25, gendarmes arrested Ehbib Ould Ahmed Salem, a prominent military officer and husband of a former minister of culture, for his participation in a conspiracy to secure a three billion ouguiya (\$9.8 million) contract to build a new stadium in Nouadhibou. Police also arrested two other individuals in connection with the scheme, one of whom was the chief procurement official at the Culture Ministry. The third alleged conspirator was Mahfoud Ould Zeidane, the younger brother of former prime minister Zeine Ould Zeidane. After brief pretrial confinement, judicial authorities granted all defendants provisional release. On October 6, Salem, now divorced, received a five-year prison sentence for unrelated charges of writing bad checks.

On July 16, the state inspector general accused Ahmed Ould Hamza, mayor of Nouakchott and another cousin of President Aziz, of having embezzled 366 million ouguiya (\$1.2 million). Authorities demanded that Hamza reimburse the government that amount or face prosecution. Although he denounced the charges as politically motivated and insisted on his innocence, Hamza ultimately agreed to pay the penalty in installments to avoid jail time. As of October he had paid his debt and filed a complaint against the State Inspector General's Office.

Corruption and impunity were serious problems in the police force, and the government rarely held security officials accountable or prosecuted them for abuses.

On August 18, in Timbedra, 47 officers of a special tactical unit of police staged a sit-in to protest their commander's refusal to reimburse them per diem expenses incurred during a five-day protection assignment. Authorities arrested 17 of the demonstrators three days later, dismissing one officer from police, demoting two more, and suspending the remaining 14 for three months. The commander in question – Saleck Ould Ghazwani, brother of chief of defense forces Lieutenant General Mohamed Ould Ghazwani – was not punished, although the men claimed he had kept their reimbursement payments.

Whistleblower Protection: There is no law that provides protection to public and private employees who make internal disclosures or lawful public disclosures of illegality.

Financial Disclosure: 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. The information is not made public. President Aziz publicly declared his assets in 2010.

Public Access to Information: 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. Nevertheless, the government did not fully implement the law, since it 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: The CNDH, an independent ombudsman organization, 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 (\$383,000). The commission produces reports and conducts regular investigations, providing recommendations to the government. In addition to its annual report, it published several thematic reports during the year on prisons, women’s rights, the personnel status code, judiciary assistance, and incidence of torture.

The government’s Commissariat for Human Rights, Humanitarian Action, and Relations with Civil Society is charged with the design, promotion, and implementation of national human rights policy. Its budget was 1.8 billion ouguiya (\$5.9 million). It manages government and internationally funded human rights and humanitarian aid programs.

## **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 based on 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. According to the penal code, rapists who are single men face penalties of forced labor and flagellation, and married rapists could be subject to the death penalty. In contrast with years past, the government regularly enforced the rape law, convicting 220 perpetrators of the crime. Nevertheless, 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 487 rapes were reported to have taken place between January 1 and October 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. There were no reports that this provision or interpretation of the law was enforced. During the year the local NGO Mauritanian Association for the Health of Mothers and Children (AMSME) provided assistance to 177 girls and 18 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 2,709 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. Traditional sharia judges handled many domestic violence cases. 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, which is 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. Early in the year, the Ministry of Health finalized its National Plan on Family Planning, which focuses on encouraging intervals between births and distribution of contraceptives. Reproductive issues were a sensitive topic and a focus of some women's groups. In years past 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 the UN Children's Fund (UNICEF), approximately 10 percent of women and girls between the ages of 15 and 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. It attributed this high rate to lack of medical 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. Nevertheless, 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. Polygyny 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 that accorded 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, the minister of social affairs, children, and family convened a conference on women's rights, while hundreds of women from a coalition of NGOs marched peacefully on the presidential palace with a list of demands for the second consecutive year.

## **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. Additionally, 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.

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

Forced and Early Marriage: The legal marriage age is 18, but authorities rarely enforced the law, and child marriage was widespread. The government continued to work with UNICEF to implement a program to combat child marriage through judicial and political reforms. According to UNICEF, 19 percent of children were married before age 15 and 43 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, and authorities frequently granted permission. A total of 78 communities announced their commitment to abandoning child marriage in 2012. The government conducted campaigns to disseminate the personal status code (which sets the minimum age for marrying at 18 and requires a woman’s consent to seal a union) throughout the country with the cooperation of civil society, in an effort to combat 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. In 2007 UNICEF estimated that FGM/C had been performed on 72 percent of girls and women who were between the ages of 15 and 49 and that 66 percent of women had at least one daughter who had been mutilated. From 2007 to 2011, FGM/C among girls and women between the ages of 15 and 49 declined by nearly 3 percent, mainly due to a decline in the practice among urban dwellers and to greater sensitization efforts. Local NGOs reported that the practice had declined by another 3 percent since 2011.

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 (\$393 to \$983). Nevertheless, authorities seldom applied this law because an accompanying “implementing” law had not been approved by year’s end. In September the government completed implementation of a second FGM/C action plan for 2011-13 that focused on reinforcing FGM/C policy and law, including a draft law 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 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 prohibited from performing FGM/C, and several government agencies worked to prevent others from perpetrating it. The UNFPA had an agreement with the National School of Health to integrate FGM/C awareness into training curricula for midwives and nurses. According to several women's rights experts, these efforts appeared to be changing popular attitudes.

Influential imams issued a regional fatwa against FGM/C 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 were actively involved in spreading the news about the fatwa at the local level. The government continued sensitization campaigns against FGM/C. For example, in February 2012 the Ministry of Social Affairs, Children, and the Family commemorated International Zero Tolerance Day for FGM/C and held a ceremony in Kaedi in September 2012 to announce the end of FGM/C in the regions of Gorgone and Hodh El-Chargui. During the year the government instructed all schools of public health to introduce a training module on the dangers of FGM/C into their curriculums.

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 (\$393 to \$590) 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 (\$524 to \$983) 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 (\$655 to \$6,557). NGOs asserted 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 700 of the estimated 1,200 street children in Nouakchott through its youth integration centers, government assistance to street children was limited. During the year the local NGO Infancy and Development in Mauritania monitored 50 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 law also provides for access to information, communication, existing buildings through retrofitting, and future buildings through amendments to the building code. This law, however, was not enforced, and persons with disabilities generally did not have access to buildings, information, and communications. There were no other government programs to provide such access. The law provides for access to air transport and other transportation at reduced rates, yet such access was often not available.

The law provides access to mainstream schools for children with disabilities, and there was one primary school in Nouakchott for children with hearing and vision disabilities. There were no reports of abuses in educational or mental health facilities. People with disabilities have the opportunity to receive training. The Ministry of Technical and Vocational Training opens and makes available vocational and educational training institutions for persons with disabilities.

Since 2008 the government has allocated 70 million ouguiya (\$230,000) per year to 30 national associations and NGOs working on disabilities issues, as well as 30 million ouguiya (\$98,360) in technical assistance. The government did not mandate preference in employment, education, or public accessibility for persons with disabilities, although it provided some rehabilitation and other assistance for such persons. The Ministry of Social Affairs, Children, and the Family oversees social reintegration programs for persons with disabilities. It develops training

programs and validates the certificates issued by the institutions created by professional associations of persons with disabilities.

Persons with disabilities may file complaints with the Ministry of Social Affairs, Children, and the Family and may seek additional recourse with the Court of Justice. During the year the ministry received six complaints.

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

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

Ethnic minorities faced governmental discrimination. Issuance of national identification cards, which are required for voting, to Western Saharans of white Moor ancestry protected the interests of the historical ruling class at the expense of southern minority groups.

Racial and cultural tension and discrimination also arose from the geographic and cultural divides between Moors and Afro-Mauritians. The Moors encompass numerous ethno-linguistic tribal and clan groups and are further distinguished as either White Moors or Black Moors, 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, for the most part, politically and economically weaker than White Moors. Afro-Mauritanian ethnic groups, which included the Halpulaar (the largest non-Moor group), Wolof, and Soninke, were concentrated in the South and urban areas. They remained underrepresented in the government, economic sectors, and the 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 friction frequently tinged protests and incidents of labor unrest, and on occasion Afro-Mauritanian and Black Moor laborers invoked the legacy of slavery



to explain their conflict with White Moor freight executives, port officials, and public safety officers.

On July 7, Afro-Mauritanian protesters fought with police and gendarmes in Kaedi after a White Moor shopkeeper reportedly slapped an elderly Afro-Mauritanian sidewalk vendor. Restive Afro-Mauritanian youth accused authorities of perpetually siding with White Moors in interethnic disputes.

Ethnic rivalry also 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 were 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, launched in 2009, continued during the year under the auspices of Tadamoun (see section 2.d.). Its goals are to reduce poverty among the 44,750 former slaves in the Assaba, Brakna, Gorgol, and Hodh El-Chargui regions and improve their access to water, health, education, and income-generating opportunities. In 2012, for the first time, the program provided 4.3 million ouguiya (\$14,100) in funding to two local NGOs, including Boubacar Messaoud's SOS Esclaves, 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 United Nations on conflict prevention aimed at promoting democratic values and the rights of marginalized populations, including former slaves.

One of Tadamoun's three primary goals is to address the so-called vestiges of slavery. Tadamoun's director general is empowered to file official complaints with investigative and judicial authorities against alleged slave masters and on behalf of victims. No such complaints were brought to the attention of prosecutors during the year, however, and its activities were limited to internal organization,

awareness campaigns, and the development of its budget request. The director general noted that he intended to concentrate on administering social and economic programs to counter poverty. Leading figures in the antislavery movement, including IRA members, initially greeted Tadamoun with suspicion, pointing out that most of its senior leaders were white Moors. In response Tadamoun's director general appointed a black Moor as his second in command.

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

There are no laws that protect lesbian, gay, bisexual and transgender (LGBT) persons from discrimination. 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 \$198). There were no criminal prosecutions during the year. There was no evidence of societal violence, societal discrimination, or systematic acts of government discrimination based on sexual orientation. Members of the LGBT community were rarely identified or discussed, likely because of the severity of the stigma and legal penalties for having been labeled as such. 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 and no specific reports of societal discrimination. Nevertheless, infected persons were often isolated due to societal taboos and beliefs associated with the disease.

## **Section 7. Worker Rights**

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

The law allows all workers, except members of the armed forces and police, to form and join independent unions of their choice at the local and national levels and provides for the right to conduct legal strikes and to bargain collectively. Prior authorization or approval by authorities is required before a union may be recognized. The public prosecutor must authorize all trade unions before they may have a legal status. The public prosecutor can also 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 that authorities may initiate legal proceedings against union leaders who undermine public order or make false statements. This law, in effect, authorizes administrative authorities to unilaterally dissolve, suspend, or deregister trade union organizations. Noncitizens do not have the right to become trade union officials unless they have worked in the country and in the profession represented by the trade union for a period of at least five years.

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 prohibited from holding sit-ins or blocking nonstriking workers from entering work premises. Workers must provide advance notice of at least 10 working days to the Ministry of Civil Service and Labor for any strike. Strike procedures were subject to lengthy delays and appeals.

Bargaining collectively at the national level requires previous authorization or approval by the head of the government, who decides how collective bargaining is organized. No such authorization is required for collective bargaining at the company level. The director of the Ministry for the Civil Service and Labor may call for bargaining between employers, employees, labor unions, and the government. In addition the ministry is entitled to take part in the preparation of collective agreements. The law provides that the meeting must occur 15 days following the statement of nonagreement between parties.

Except for police, members of armed forces, and foreign or migrant workers, the law does not exclude any group of workers from relevant legal protections.

The government did not enforce the law effectively, and resources and inspections were often inadequate. While violators were seldom punished, the government on several occasions ordered the reinstatement of workers who had been wrongfully terminated and/or directed companies to improve employee benefits and services.

Registration and strike procedures were subject to lengthy delays and appeals. Ministry of Civil Service and Labor officials routinely issue notices 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.

Freedom of association and the right to collective bargaining were not fully respected, although unions exercised their right to organize workers during the year. While worker organizations are independent of the government and political parties, and the government did not dissolve any unions during the year, there were reports of government interference with the union activities. According to the reports from the General Confederation of Mauritanian Workers, for instance, the Ministry of Fisheries deducted overtime pay from workers who had engaged in trade union activities as a means of pressuring them to withdraw their union membership. On January 21, the management of Mauritanian Airlines International imposed discriminatory measures against workers (such as nonrenewal of their employment contracts) following their refusal to vote for the candidate favored by the management.

Workers and unions organized several strikes during the year, some of which were suppressed or forcibly dispersed by authorities. Capital Drilling reportedly dismissed workers who had participated in a strike and promised to reinstate them on condition that they leave their union and agree to work under fixed-term contracts rather than their previous permanent contracts. On May 28, an estimated 2,000 day laborers employed by the national mining company and a similar number of factory workers formerly employed by a Chinese boat factory clashed with authorities in Zouerate and Nouadhibou, respectively. In both cases security forces used tear gas and batons when strikers became violent and destructive. Two weeks later the National Assembly announced passage of a bill requiring companies to establish written employment contracts with temporary workers. According to the Minister of Civil Service and Labor, these new legal provisions would end “exploitation” of short-term workers.

The government and employers frequently intimidated 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**

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 benefiting from contracting forced labor and for exploiting forced labor as part of an organized criminal network. Although nominal advances were made during the year, government efforts to enforce the antislavery law were widely acknowledged to be inadequate given the scale of the problem. The new antislavery agency, Tadamoun, received a 4.53 billion ouguiya (\$14.8 million) budget to combat slavery, but progress was slow, as Tadamoun's director general had not launched any activities by October except for an awareness campaign.

The government organized two training workshops about the antislavery law for administrative authorities and judges. The Program to Eradicate the Effects of Slavery received an augmented budget of one billion ouguiya (\$3.3 million) during the year, up from 4.3 million ouguiya (\$14,100) in 2012, for 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. There were no convictions for slavery during the year, 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. The ILO continued to encourage the government to strengthen its prosecution efforts by ensuring that victims are actually able to turn to the police and judicial authorities to assert their rights and that law enforcement officials conduct investigations promptly, effectively, and impartially throughout the country, as required by the law criminalizing slavery and practices reminiscent of it. In addition, the ILO urged the government to improve its victim protection efforts by adopting and implementing a comprehensive strategy to combat slavery. It also noted NGOs' complaints about the government's lack of political will to end slavery and lack of determination to establish a coherent policy for combating slavery and programs in cooperation with all social partners.

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 a 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 lodging, food, and medical care. Individuals in 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 under exploitative conditions to retain access to land that they traditionally farmed. Although the law provides for distribution of land to the landless, including to former slaves, authorities enforced it in only a few cases. Both NGO observers and government officials 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 was 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 they were unaware 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.

On January 27, IRA activists accused a woman of enslaving a 10-year-old boy in Gerrou. Police arrested the alleged slaveholder two days later. After approximately a week in custody, she was released by authorities who claimed that the 2007 antislavery law did not apply to the case. The IRA reported that the victim returned to his family.

On February 7, the IRA made similar allegations against a woman in Nouakchott who was supposedly holding a boy with disabilities and his mother as slaves. Again, police arrested the accused and turned over the child to a local NGO.

Although many anticipated a trial, the alleged slave master returned home after a week under ambiguous terms of provisional release.

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. Children under 13 may not be employed in the agricultural sector unless the Ministry of Civil Service and 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 Civil Service and 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 between the ages of 14 and 16 should receive 70 percent of the minimum wage and those who are 17 and 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 and provides penalties for violations ranging from one to eight months' imprisonment and a fine of 180,000 to 300,000 ouguiya (\$590 to \$983).

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 Civil Service and Labor also collaborates through its Labor Office and Inspection Office.

The country had 77 inspectors, 42 of whom were trained at the National School of Administration. None of the inspectors, however, was charged solely with investigating compliance with child labor regulations. The Office of Children receives an annual budget of 14 million ouguiya (\$46,000), but no funds are specifically allotted to investigations, and no child labor investigations took place during the year.

Enforcement of laws was inadequate. According to a 2012 UNICEF report, 16 percent of children ages five to 14 years were engaged in labor practices. No mechanisms existed for exchanging information among agencies or assessing 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.

Child labor in the informal sector was common and a significant problem, particularly within poorer inner city areas. Several reports suggested that girls as young as age seven – most from remote regions – were forced to work as unpaid housemaids in 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 2012.

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 (\$98), increased from 21,000 ouguiya (\$69) in 2011. The poverty level for 2008 was an annual income of 129,600 ouguiya (\$425), and the extreme poverty level for 2008 was an annual income of 96,400 ouguiya (\$316).

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 Office of the Ministry of Civil Service and Labor is responsible for enforcing labor laws but did not do so effectively due to inadequate funding. The total number of work inspectors was 77. The government sets health and safety standards. Workers have the right to remove themselves from hazardous conditions without risking loss of employment. 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 444 workplace fatalities or injuries through the end of September. Of this number 192 occurred at SNIM, the national mining company. Social Security statistics did not include accidents in the informal economy.

A majority worked in the informal sector, primarily in 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 nor receive 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.

Working conditions in the fishing industry were similarly difficult. Commercial fishermen reportedly often exceeded 40 hours of work per week without receiving overtime pay. Additionally, some factory workers employed by fish processing

plants and boat manufacturers did not receive contracts guaranteeing the terms of their employment. Government inspections of fishing vessels, processing plants, and boat factories remained rare.

Violations of minimum wage or overtime laws were frequent in many sectors but more common in the informal economy, which includes domestic service, street vending, artisanal fishing, garbage collection, bus fare collection, donkey cart driving, apprenticeship, auto repair, and other employment.

In 2011 the Ministry of Civil Service and 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 domestic workers could not remove themselves from hazardous conditions without risking loss of employment. Informal sector domestic workers do not receive the same legal protections.