

MAURITANIA 2017 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution defines the country as an Islamic republic and designates Islam as the sole religion of the citizenry and state. Only Muslims may be citizens, and apostasy is a crime punishable by death. On November 9, the Court of Appeals in Nouadhibou ordered the release of Mohamed Cheikh Ould Mohamed Ould Mkheytir (MKheytir), a blogger who was previously sentenced to death in 2014 for apostasy after he allegedly posted statements on social media critical of the Prophet Mohammed. In March the Supreme Court ruled that the Court of Appeals improperly sentenced MKheytir to death for apostasy, since he had properly recanted his statements. The court ruled that he should have been sentenced to two years imprisonment for “unbelief.” Despite the court’s release order, MKheytir remained detained in an unknown location, and the government filed an appeal against the court’s verdict. On June 9, the National Assembly voted to impose prison sentences from one to five years for anyone criticizing the dominant Maliki school of Sunni jurisprudence. On June 9, the local press reported that one Mauritanian woman and three foreign citizens were arrested for apostasy but were later released. In May a Nouakchott court sentenced a woman to death for adultery, but she was immediately released to her family after family members promised that the woman would not violate adultery laws that are based on traditional sharia and colonial French legal principles. On April 11, the news website *Sahara Media* reported that the administration of the National Industrial and Mining Company (SNIM) authorized the conversion of the church of Zouerate into a mosque. On June 16, the government announced a ban on religious and opposition political groups that it said were using mosques to promote political agendas and propagate extremist views. The Ministry of Islamic Affairs and Traditional Education (MIATE) continued to collaborate with independent Islamic religious groups to combat extremism, radicalization, and terrorism through a series of workshops in all 15 provinces. The ministry also organized an International Islamic Conference on “Violence and Extremism from Sharia’s Perspective.”

On March 30, the Mauritanian Bar Association, in collaboration with the Muslim World Lawyers Organization, held a one-day seminar in Nouakchott on the role of Islamic law in the fight against terrorism and violent extremism. On September 1, during the annual Eid al-Adha observance, Imam Ahmedou Ould Lemrabott Ould Habibou Rahman, the Imam of the Grand Mosque of Nouakchott, repeated

concerns about what he said was the spread and growing threat of Shia Islam in the country. The imam also stated government authorities should sever ties with Iran in order to stop the spread of Iranian Shia Islam.

U.S. embassy representatives, including the Ambassador and visiting senior U.S. government officials, discussed religious tolerance with senior government officials, including the president and prime minister. Embassy officials raised the court case of MKheytir and other apostasy and religious freedom-related issues with authorities on multiple occasions and urged authorities to ensure that MKheytir's judicial proceedings were fair and transparent. The Ambassador and embassy officials hosted two iftars, at which they discussed religious tolerance with government officials and religious and civil society leaders.

Section I. Religious Demography

The U.S. government estimates the total population at 3.7 million (July 2017 estimate). Sunni Muslims are estimated to be 99 percent of the population. There are very small numbers of non-Muslims, mostly Christians and a small number of Jews, almost all of whom are foreigners.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution defines the country as an Islamic republic and recognizes Islam as the sole religion of its citizens and the state. Only Muslims may be citizens. Persons who convert from Islam lose their citizenship.

The law and legal procedures derive from a combination of French civil law and sharia. The judiciary consists of a single system of courts that uses principles of sharia in matters concerning the family and secular legal principles in all other matters.

The law prohibits apostasy. A Muslim convicted of apostasy who does not recant within three days may be sentenced to death and have his or her property confiscated. The government, however, has never applied capital punishment in this regard.

The penal code stipulates that the penalty for unmarried individuals of any gender caught engaging in sexual activity is 100 lashes and imprisonment of up to one

year. The penalty of those married individuals convicted of adultery is death by stoning, although the last stoning punishment occurred more than 30 years ago. The penal code requires death by stoning for those convicted of consensual homosexual activity. These punishments only apply to Muslims.

The government does not register Islamic religious groups, but all nongovernmental organizations (NGOs), including humanitarian and development NGOs affiliated with religious groups, must register with the Ministry of Interior. NGOs must also agree to refrain from proselytizing or otherwise promoting any religion other than Islam. The law requires the Ministry of Interior to authorize all group meetings, including non-Islamic religious gatherings, in advance, even those held in private homes.

By law, the MIATE is responsible for enacting and disseminating fatwas, fighting “extremism,” promoting research in Islamic studies, organizing the Hajj and Umrah pilgrimages, and monitoring mosques. The government appoints the six imams of the High Council of Islam, who advise the government on conformity of legislation to Islamic precepts. The government also appoints the High Council for Fatwa and Administrative Appeals, which has sole authority to regulate fatwa issuance and resolve related disputes among citizens and between citizens and public agencies.

The law requires members of the Constitutional Council and the High Council of Magistrates to take an oath of office that includes a promise to God to uphold the law of the land in conformity with Islamic precepts.

A ministerial decree requires public schools and private secondary schools, but not international schools, to teach four hours of Islamic studies per week. Religious instruction in Arabic is required for students seeking the baccalaureate.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

On November 9, the Court of Appeals in Nouadhibou ordered the release of Mohamed Cheikh Ould Mohamed Ould Mkheytir, often known as MKheytir, a blogger who was previously sentenced to death in 2014 for apostasy after he allegedly posted statements on social media critical of the Prophet Mohammed. In March the Supreme Court ruled that the Court of Appeals improperly sentenced MKheytir to death for apostasy, since he had properly recanted his statements. The

court ruled that according to law, he should have been sentenced to two years' imprisonment for "unbelief." MKheytir's trial on January 31 attracted widespread attention and crowds of approximately 4,000 protesters who called for his execution. MKheytir's lawyers were also threatened, including Mohamed Ould Meine, whom the Mauritanian Bar Association disbarred in 2014 for his work on MKheytir's case. In November police dispersed demonstrations in Nouakchott and Nouadhibou against the verdict with tear gas. Despite the court's release order, at year's end MKheytir remained detained in an unknown location, and the government filed an immediate appeal against the court's verdict. On November 16, cabinet members proposed eliminating the legal ground allowing for a reduction of sentence for those convicted of apostasy who then recanted. If enacted, those convicted of apostasy or blasphemy in the future would be subject to execution. On November 17, four separate gatherings with between 600 and 1,500 protesters demonstrated against the court's order to release MKheytir.

On May 30, a court in Nouakchott sentenced Toutou Mint El Ide to death by stoning after being convicted of adultery. She was then released to her family after a relative promised to guarantee her future good behavior.

The local press reported that on June 9, a Mauritanian woman and three foreign citizens from Cameroon, Ghana, and Nigeria who were distributing Christian literature were arrested for apostasy and then released without charges.

On June 16, the government banned religious and opposition political groups from using mosques to promote political agendas or propagate extremist views. The Minister of Islamic Affairs, Ahmed Ould Ehel Daoud, announced the ban to the Association of Imams of Mauritania, stating the government would not accept the exploitation of these platforms in the service of political objectives or personal purposes. The minister urged imams to spread the values of tolerance and "to close the door to anyone who aims at undermining the Mauritanian's moderate values, and the country's spirit of moderation."

Local civil society leaders and NGOs criticized the traditional religious leadership for stressing a Maliki doctrine requiring believers to be loyal to the government of the day as "God-ordained" following a vote in the National Assembly on June 9 to impose a criminal penalty of between one and five years in prison against anyone who speaks in a manner "contrary or hostile" to the regionally dominant Maliki school of Sunni Islamic jurisprudence. The draft statute stated its purpose was to prevent hate speech, incitement to violence, and racist crimes. According to human rights advocates, the law could be broadly interpreted to target and suppress

virtually any dissent. The draft legislation is silent on its applicability to religions other than Islam.

The MIATE continued to collaborate with independent Islamic religious groups to combat extremism, radicalization, and terrorism through a series of workshops in all 15 provinces. The MIATE organized an international conference on “Violence and Extremism from Sharia’s Perspective” held on March 19. The prime minister, the minister of Islamic affairs, and international religious leaders attended the conference, which focused on challenges facing Islam, such as violence and extremism.

Authorized churches were able to conduct services discreetly within their premises but could not proselytize. Although there remained no specific legal prohibition against non-Muslims proselytizing, in practice the government prohibited such activity through the broad interpretation of the constitution stating Islam shall be the religion of the people and of the state. No public expression of religion except Islam was allowed.

An unofficial government requirement restricted non-Muslims’ worship to the few recognized Christian churches. There were Roman Catholic and other Christian churches in Nouakchott, Kaedi, Atar, Nouadhibou, and Rosso. Citizens could not attend non-Islamic religious services, which remained restricted to foreigners. The Ministry of Interior had not acted on several requests by a group of foreign Protestants for authorization to build their own place of worship. The group first sought authorization to construct a place of worship in 2006, then renewed the process in 2012 and 2016, but at year’s end was still awaiting approval.

On December 9, 2016, *Essahraa*, an independent news website, reported the government and the Holy See decided to establish diplomatic relations; however, by year’s end there was no progress toward that end.

The possession of non-Islamic religious materials remained legal, although the government continued to prohibit their printing and distribution. The government maintained a Quranic television channel and radio station. Both stations sponsored regular programming on themes of moderation in Islam.

The government continued to provide funding to mosques and Islamic schools under its control. The government paid monthly salaries of 50,000 ouguiyas (\$140) to 200 imams who passed an examination conducted by a government-funded panel of imams and heads of mosques and Islamic schools. It also paid

monthly salaries of 25,000-100,000 ouguiyas (\$70-\$280) to 30 members of the National Union of Mauritanian Imams, an authority established to regulate the relationship between the religious community and the MIATE.

Islamic classes remained part of the educational curriculum, but class attendance was not mandatory and not required for graduation. The results in the classes did not count significantly in the national exams that determine further placement. Additionally, many students reportedly did not attend these religious classes for various ethnolinguistic, religious, and personal reasons. The Ministry of National Education and the MIATE continued to reaffirm the importance of the Islamic education program at the secondary level; the government reportedly considered religious education a tool to protect children and society against extremism and to promote Islamic culture.

Section III. Status of Societal Respect for Religious Freedom

During the annual Eid al-Adha observance on September 1, Imam Ahmedou Ould Lemrabott Ould Habibou Rahman, the Imam of the Grand Mosque of Nouakchott, renewed his warning of what he called the spread and growing threat of Shia Islam in the country. The imam also stated for a second successive year that government authorities should sever ties with Iran in order to stop the spread of Iranian Shia Islam.

On April 11, the news website *Sahara Media* reported that the administration of SNIM authorized the conversion of the church of Zouerate into a mosque. The church was built in 1952 to serve as a place of worship for hundreds of French citizens working at the company. SNIM was initially reluctant to respond to requests to convert the church to a mosque, since it remained affiliated with the Roman Catholic Church; however, in 2016 the Roman Catholic Church authorized SNIM to use the building as it wished.

Section IV. U.S. Government Policy and Engagement

U.S. embassy representatives, including the Ambassador and visiting senior U.S. government officials, discussed religious tolerance with senior government officials, including the president and prime minister. Embassy officials raised the case of MKheytir and other apostasy and religious freedom cases with authorities on multiple occasions. The Ambassador urged authorities to ensure that judicial proceedings were transparent.

The Ambassador met regularly with religious leaders to discuss religious tolerance. On June 14, an embassy official hosted an iftar in Boghe, in the Brakna District, which was attended by the *hakim*, the Mayor of Boghe, journalists, traditional leaders, and civil society representatives. The Ambassador previously held an iftar attended by the minister of foreign affairs, the minister of Islamic affairs, other senior government officials, journalists, and civil society leaders. In May, Ibrahima Kane, the imam of the mosque of the Construction and Real Estate Management Company, SOCOGIM, traveled to the United States on an U.S. government exchange program to promote interfaith dialogue.