

# MAURITANIA 2017 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Mauritania is a highly centralized Islamic Republic with a president as head of state and a constitution grounded in French civil law and sharia (Islamic law). The National Assembly exercises legislative functions but was weak relative to the executive. Voters elect municipal councilors and the deputies at the National Assembly. Voters reelected President Mohamed Ould Abdel Aziz to a second and final five-year term in 2014. In 2013 Union for the Republic (UPR), the president's party, won 76 of 147 seats in the National Assembly in direct legislative elections, which some opposition parties boycotted. Several political parties, but not the major opposition parties, agreed in September 2016 to hold a referendum on proposed amendments to the constitution. On August 5, the government organized a referendum on some constitutional amendments, which the voters approved by an 85 percent margin. This led to the dissolution of the Senate and the transformation of the legislative system into a unicameral one.

Civilian authorities maintained effective control over the security forces.

The most significant human rights issues included allegations of torture by law enforcement officers; harsh, overcrowded, and dangerous prison conditions; incarceration of children with adult prisoners; arbitrary and politically motivated arrests; lengthy pretrial and incommunicado detention; increased government influence over the judiciary; arbitrary limits on freedom of assembly; violations of freedom of the press, association, and conscience, particularly for antislavery organizations and groups not formally recognized by the government; restrictions on religious freedom; public corruption, continuing slavery, and slavery-related practices; lack of accountability in cases involving gender-based violence against women and girls, including female genital mutilation/cutting (FGM/C); early and forced marriage; racial and ethnic discrimination by government actors; criminalization of same-sex sexual conduct, which remains punishable by death; and trafficking in persons.

The government took modest steps to punish officials who committed violations and prosecuted a number of violators, but officials frequently acted with impunity. Civil society organizations objected to the scant number of indictments handed down by the authorities.

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

**a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were no reports the government or its agents committed arbitrary or unlawful killings.

**b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities.

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

The constitution and law prohibit torture, but nongovernmental organizations (NGOs) reported security and law enforcement officials tortured their members. Methods of abuse reportedly included beatings, stripping of clothing, and denial of food. There were credible reports of torture, beatings, and abuse in police detention centers and several prisons throughout the country, and in gendarmerie and military facilities.

On October 11, the president of the Association of Female Head of Families (AFCF), Aminetou Mint El Moctar, denounced what she called torture of former senator Mohamed Ould Ghadda by police officers after he refused to appear in court; she alleged police handcuffed Ghadda in a violent manner. Mint El Moctar also revealed that another prisoner, Mohamed Ould Mohamed M'Bareck, had been subjected to torture inside the prison, which caused injury to his abdomen and other parts of his body.

In 2015 the government adopted a law against torture that requires the establishment of a mechanism for its prevention. This law considers torture, acts of torture, and inhuman or degrading punishments as crimes against humanity not subject to a statute of limitations. The law specifically covers activities in prisons, rehabilitation centers for minors in conflict with the law, places of custody, psychiatric institutions, detention centers, areas of transit, and border crossing points.

In April 2016 the government created the National Mechanism for Prevention of Torture (MNP) as an independent governmental body charged with investigating

credible allegations of torture. The MNP had not launched any investigation since its inception.

The UN special rapporteur on torture visited the country from January 25 to February 3 and went to many prisons. The rapporteur encouraged the judiciary to redouble its efforts in implementing safeguards against torture. He expressed concern over the lack of investigations into allegations of torture and called on prosecutors to bring cases against those accused of torture.

On June 22, the website *Elmourageb* reported that the gendarmerie subjected a number of accused arrested to various types of torture. The detainees were allegedly severely beaten and deprived of sleep during interrogation.

As of October 20, the United Nations had received two allegations of sexual exploitation and abuse during the year against Mauritanian military personnel serving with the UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA). The investigation of one allegation of sexual assault against a child was pending the identification of the personnel involved. The UN investigation into an allegation of an exploitative relationship was substantiated, and the United Nations repatriated the individual. Mauritania's national investigation was pending as of October.

The United Nations concluded investigations regarding the two allegations of sexual exploitation and abuse made in 2016 against Mauritanian military personnel, also serving with MINUSCA. One allegation of sexual exploitation was substantiated; the United Nations repatriated the individual, and the national investigation remained pending. An allegation of the rape of a child was determined to be unsubstantiated due to insufficient evidence.

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

Prison conditions were harsh and life threatening due to overcrowding, food shortages, violence, and inadequate sanitary conditions and medical care.

Physical Conditions: Prisons remained overcrowded. The main civil prison in Nouakchott had a capacity of 350 inmates but held 866, of whom 339 were convicted prisoners and 527 pretrial detainees. Authorities frequently held pretrial detainees with convicted and often dangerous prisoners. Male guards frequently monitored female inmates in the women's prison of Nouakchott, a practice criticized by the National Commission on Human Rights (CNDH). Conditions of

detention for women were generally better than for men. According to prison officials, the women's prison in Nouakchott was less crowded.

Prison authorities kept a mixed population of prisoners in prison facilities throughout the country regardless of their sentences. Drugs were often trafficked among prisoners, which the government acknowledged was caused by lax security for visitors. Prisoners often rebelled and disobeyed authorities in protest against violence and inhuman treatment meted out by jailers. Poor security conditions and dangerous inmates sharing 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 brutalization and harassment. Human rights groups continued to report prisons lacked adequate sanitation and medical facilities.

Local NGOs reported that in Dar Naim (largest prison in the country), inmates controlled one wing of the prison while staff secured the other half. Narcotics, weapons, and cash circulated freely because staff could not effectively screen what came into the prison and could not safely enter some areas.

The Mauritanian Human Rights Watch continued to denounce the poor conditions in prisons. There were two separate prisons for women, one in the capital, Nouakchott, and the other in the second largest city, Nouadhibou. Most supervisors were men; there was a severe shortage of female supervisors. Male guards provided security at women's prisons because the all-male National Guard was assigned this task nationwide. There were some women supervisors in prisons, but they were not from the National Guard. An Italian NGO operated a detention center for minors, the only facility that came close to meeting international standards. These prisons were in addition to detention centers located in police stations throughout the country.

On November 11, the Directorate of Penal Affairs and Prison Administration reported that 85 children between the ages of 15 and 17 were in the Nouakchott Central Prison, and 11 in the prison in Nouadhibou. The minors in Nouakchott's Central Prison had contact with adult prisoners, including those convicted of terrorist offenses and other violent crimes. The Ministry of Justice sometimes gave temporary custody of the children of prisoners to another family member to remove them from confinement.

Authorities reported nine inmates died during the year due to infectious diseases. Upon the death of an inmate in custody, the family of the deceased has the right to

request an autopsy. Three different families asked for an autopsy of their family members. The result showed all deaths were due to natural causes.

According to the Mauritanian Human Rights Watch, access to food for most prisoners was generally inadequate, as were sanitary conditions in prison kitchens. Medical facilities and staff were similarly inadequate, particularly in the Dar Naim men's prison and at the Central Prison. The government allocated a budget of 600 ouguiyas (\$1.70) a day for each prisoner for food and medical supplies. Generalized corruption in the prison system, smuggling of medicines, and lack of skilled medical staff accounted for most deficiencies. Ventilation, lighting, and potable water in many cells and holding areas ranged from inadequate to nonexistent.

Administration: Authorities permitted prisoners to file allegations of abuse with the CNDH, and the MNP. Regulations also allowed inmates to choose one of their own to represent them in dealings with the administration, and prisoners occasionally made use of this opportunity.

The government acknowledged the allegations regarding inhuman conditions but rarely took 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 continued its work with prison authorities to improve conditions of detention and the treatment of inmates by renovating infrastructure and providing food, medical assistance, water, sanitation, prison management advice, and legal safeguards through protection of prisoners' rights and contact with their families. The ICRC conducted frequent visits to Dar Naim and to prisons in Aleg, Selibaby, and Kaedi. Corrections officials continued to allow access to several prisons in Nouakchott to diplomatic personnel, who had the opportunity to interview prisoners and staff members.

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

The constitution and law prohibit arbitrary arrest and detention, but authorities did not observe these prohibitions. A detainee has the ability to challenge lawfulness of his or her detention before a court under two circumstances. If a person remains arrested after the end of his/her legal period of detention, the detainee has the right

to complain before a court against the administration of the prison or the penitential authority that arrested the detainee. Secondly, if the detainee disagrees with his/her sentence, he or she has the right to call for an appeal before a court of appeal or the Supreme Court.

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

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

Under the Ministry of Interior and Decentralization, the National Police is responsible for enforcing the law and maintaining order in urban areas. The National Guard, under the same ministry, performs limited police functions in keeping with its peacetime role as the guarantor of physical security at government facilities, including prisons. 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 and Decentralization's newest police force, the General Group for Road Safety, maintains security on roads and operates checkpoints throughout the country.

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

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

The law requires duly authorized arrest warrants, although their issuance was uncommon. 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 may detain persons for up to an additional 15 days in national terrorism 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 an attorney at state expense, but frequently

either legal representation was unavailable or attorneys did not speak a defendant's language. There was a bail system, but judges sometimes refused such requests arbitrarily or set inordinately high bail.

Arbitrary Arrest: There were cases of arbitrary arrest and detention of journalists. Police arrested a number of human right activists and journalists without charge or hearings.

For example, on August 25, *al-Akhbar*, a news website, reported that authorities arrested and subsequently released four journalists (president of the Mauritanian Press Association Mousa Samba Sy, editor of the *Mauri* website Jedna Ould Deida, Baboubkar Ndiaye from the *Cridem* website, and the editor of *Calame* newspaper Ahmed Ould Cheikh). Following a defamation suit filed by the president's son, authorities accused them of receiving a bribe from an overseas opponent of the government.

Pretrial Detention: Lengthy pretrial detention was a problem, although no statistics on the average length of detention were available. Security force members sometimes arrested demonstrators and held them longer than regulations allow, often due to lack of capacity to process cases in a timely manner, or to obtain confessions. By law authorities may hold a minor for no more than six months while the detainee awaits trial. Nevertheless, there were reports many individuals, including minors, remained in pretrial detention for excessively long periods due to judicial inefficiency.

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

The constitution and law provide for an independent judiciary, but the judiciary was not autonomous. The executive branch continued to exercise significant influence over the judiciary through its ability to appoint and remove judges. Observers often perceived many judges to be corrupt and unskilled.

#### **Trial Procedures**

The law provides for due process, and defendants enjoy a presumption of innocence. The law requires that authorities inform defendants of the charges against them, but the government did not normally respect this provision. Defendants did not often learn of the charges until the investigation was complete. Authorities generally provided defendants with free interpretation as required; however, the quality of these services was generally poor. Defendants have the

right to a fair and public trial. They also have the right to be present during trial. All defendants, including the indigent, have the right to legal counsel, but authorities rarely respected this right. Likewise, defendants may confront or question witnesses and present witnesses and evidence in both civil and criminal cases. Defendants generally had adequate time and facilities to prepare their defense. Defendants enjoy the right not to be compelled to testify or confess guilt and have the right of appeal. These rights extend to minorities and men but do not extend equally to women. Court proceedings are by law conducted in Arabic, and interpreters are not always available for those defendants who do not understand that language. Some bilingual judges speak with defendants in French.

Sharia is, in part, the basis for law and court procedures. Courts did not treat women equally with men in all cases.

A special court hears cases involving persons under age 18. Children who appeared before the court received more lenient sentences than adults did, and extenuating circumstances received greater consideration. The minimum age for a child to stand trial is 12 years. Juvenile offenders between ages 12 and 17 generally served sentences at detention centers for minors, although several NGOs expressed concern regarding the holding of youthful offenders in the general population, including with more dangerous inmates, at Nouakchott Central Prison.

### **Political Prisoners and Detainees**

On August 10, authorities arrested opposition Senator Mohamed Ould Ghadda, who was the head of the anticorruption committee in the now-dissolved senate. He took part in antireferendum rallies that protested amendments to the constitution. Authorities accused him of accepting a bribe from an overseas opponent of the government.

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

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



## **Property Restitution**

Real property ownership in the southern regions has been controversial since the government expelled tens of thousands of non-Arab sub-Saharan communities based in the Senegal River Valley (Halpulaar, Soninke, and Wolof) from 1989 to 1991 amid tensions with neighboring Senegal. Many non-Arabs were dispossessed of their land, which regional officials subsequently sold or ceded to Beydane (“Arabo-Berbers” or “White Moors” (see section 6, National/Racial/Ethnic Minorities)). Although the government continued to make modest efforts to indemnify returning deportees, it did not fully restore their property rights. The government reimbursed some in cash and provided jobs for others.

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

The constitution prohibits such actions, and there were no reports the government failed to respect these prohibitions.

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

### **a. Freedom of Expression, Including for the Press**

The constitution provides for freedom of speech, including for the press, and the government generally respected this right; however, it sometimes arbitrarily and selectively applied regulations to suppress individuals or groups of individuals who opposed government policies. Individuals were generally free to criticize the government publicly or privately but were occasionally subject to retaliation. The constitution and law prohibit racial or ethnic propaganda. The government used these provisions against political opponents, accusing them of “racism” or “promoting national disunity” for speaking out against the extreme underrepresentation in government of Haratines and sub-Saharan Africans.

Freedom of Expression: On July 17, the Mauritanian Observatory for Freedom of Expression denounced what it called a significant decline in freedom of expression through arrests of persons who tried to express their views peacefully.

For example, on July 11, police arrested 20 persons who protested in the city of Aleg against the constitutional amendments of August 5. The demonstration was

organized during the visit of Prime Minister Yahya Ould Hademine, who was campaigning in support of the constitutional revisions.

Press and Media Freedom: Several independent daily publications generally expressed a wide variety of views with limited restrictions. Throughout the year incidents of government retaliation against media deemed too outspoken increased.

On June 13, *al-Akhbar* news website reported the National Assembly passed a bill imposing harsh penalties on journalists who publish “incendiary” articles. The law describes possible financial penalties for journalists publishing articles or statements that may, according to government, incite discrimination, hatred, violence, or insult based on origin, ethnicity, or nationality.

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.

Violence and Harassment: There were several reported incidents of violence against and harassment of journalists. For example, on August 25, *Cridem* (an independent news website) reported that Reporters Without Borders criticized the government for intimidating the private press and specifically referred to security forces interrogating four journalists about their links to self-exiled businessman Mohamed Ould Bouamatou.

Censorship or Content Restrictions: Some opposition leaders asserted they had no effective access to official media. The government made payment of back taxes, at times unpaid for years with official complicity, a matter of priority, threatening the solvency of several independent stations.

On October 17, Tele Diffusion Mauritania (TDM) briefly shut down five private television channels. TDM explained that its decision to suspend the private television stations’ operations was intended to force these outlets to pay their overdue royalties and broadcasting dues. TDM claimed to have made several attempts at finding an amicable solution but they were either rebuffed or ignored by the owners of the private television stations.

## **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private

online communications without appropriate legal authority. According to the International Telecommunication Union, in 2016 approximately 18 percent of the population used the internet.

The parliament adopted a bill on cybercrime in 2015 that establishes protection of systems and data. Journalists alleged the legislation would permit authorities to prosecute them for almost anything published online. The legislation would also bring encryption technology under heavy state regulation and nullify previous laws extending protections to journalists using digital technologies.

### **Academic Freedom and Cultural Events**

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

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

#### **Freedom of Peaceful Assembly**

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

On several occasions officials with the Initiative for the Resurgence of the Abolitionist Movement (IRA) and other organizations reported security force members arrested their activists for failing to obtain the local prefect's permission before holding a rally.

On July 29, *Sahara Media* news website reported that police dispersed a march organized by activists of the Democratic Rally Party, which was campaigning against the constitutional amendments proposed by the government in the August referendum. Police objected to the march on grounds that it was not authorized. *Sahara Media* reported that authorities banned several rallies and demonstrations organized by the opposition opposed to amending the constitution.

#### **Freedom of Association**

The law provides for freedom of association, and the government generally, but not in every instance, respected this right.

All local NGOs must register with the Ministry of Interior and Decentralization. Generally, if the ministry fails to respond within 45 days to a request to establish an NGO, the NGO may proceed with its work, although it was not considered officially registered.

On April 17, *Tawary*, a news website, reported that Nouakchott police used tear gas and batons to disperse approximately 200 young demonstrators who declared their plans to organize a peaceful demonstration that called for more involvement of youth in national decision making, particularly regarding issues affecting the youth. Several persons were injured and others were arrested. Police said the demonstration was not authorized.

The government encouraged locally registered NGOs to join the government-sponsored Civil Society Platform. Approximately 7,000 local NGOs did so. IRA Mauritania, whose president challenged President Aziz in the 2014 presidential election, had been awaiting official recognition since 2008. Other similar organizations received government permission to operate. Two IRA members remained in prison in Bir-Mogreine for their membership in the unregistered organization and alleged participation in a Nouakchott riot in June 2016. President Aziz publicly stated more than once that IRA had never applied for recognition, a claim denied by IRA.

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

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

### **d. Freedom of Movement**

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, or other persons of concern.

Resources provided by the government 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 previous years, the government set up mobile roadblocks where gendarmes, police, or customs officials checked the papers of travelers.

### **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. UNHCR carries out refugee status determinations under its mandate and then presents cases to the National Consultative Commission for Refugees for recognition. The country hosted nearly 52,000 Malian refugees in the M'bera camp and continued to offer asylum to new refugee arrivals.

In accordance with agreements with the Economic Community of West African States on freedom of movement, the government allows West Africans to remain in the country for up to three months, after which they must apply for residency or work permits. Migrants determined to be illegally seeking to reach Spain's nearby Canary Islands were immediately deported.

### **Stateless Persons**

The law allows children born outside the country to Mauritanian mothers and foreign men to obtain Mauritanian nationality at age 17. According to Article 15 of the Mauritanian Code of Nationality, as amended, children born to Mauritanian fathers and foreign mothers are automatically Mauritanian. If the father is stateless, children born outside the country are subject to statelessness until age 17, at which point the child is eligible for nationality. The unwillingness of local authorities to process thousands of sub-Saharan Africans who returned from Senegal, following their mass expulsion between 1989 and 1991, rendered the returnees stateless.

### **Section 3. Freedom to Participate in the Political Process**

The constitution provides citizens the ability to choose their government in free and fair periodic elections based on universal and equal suffrage and conducted by secret ballot.

## **Elections and Political Participation**

Recent Elections: In 2014 President Aziz won reelection to a second and final five-year term with approximately 82 percent of the vote. Although some opposition groups alleged procedural irregularities and inconsistent application of vote counting policies, the Constitutional Council and international observers endorsed the results of the election.

In 2013 the president's party, the UPR, won 76 of 147 seats in the National Assembly in direct legislative elections, which some opposition parties boycotted.

On August 5, the country organized a referendum, which led to the dissolution of the Senate, resulting in a unicameral legislature. Voters approved the referendum by an 85 percent margin, and the Constitutional Court validated the result on August 15.

Political Parties and Political Participation: The government often favored individuals based on political ties.

The Beydane (Arabs) account for at most 30 percent of the population but occupied approximately 80 percent of top leadership positions. Haratines (Arab slave descendants) constitute at least 45 percent of the population but held less than 10 percent of the positions. The sub-Saharan ethnic groups (Halpulaar, Soninke, and Wolof) make up about 25 percent of the population and accounted for less than 10 percent of top leadership positions.

Participation of Women and Minorities: No laws limit the participation of women and/or members of minorities in the political process, and they did participate. Some observers, however, believed that traditional and cultural factors restricted women from participating in political life on an equal basis with men. The law reserves at least 20 seats in the National Assembly for women. Following the 2013 legislative elections, 31 women held seats in the 147-member National Assembly. Of the country's 29 ministers, nine were women, three were Haratines, and six were from non-Arab sub-Saharan ethnic groups.

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

The law provides criminal penalties for corruption by officials, 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.

Corruption: Corruption and impunity were serious problems in the public administration, and the government rarely held officials accountable or prosecuted them for abuses. There were reports government officials frequently used their power to obtain favors such as unauthorized exemption from taxes, special grants of land, and preferential treatment during bidding on government projects. Corruption was most pervasive in government procurement but also common in the distribution of official documents, fishing and mining licenses, land, bank loans, and tax payments. Although there was a slight increase in prosecutions for corruption during the year, authorities rarely jailed those found guilty. Instead, they were usually required only to return the funds in question.

On August 31, a federal prosecutor in Nouakchott requested the imprisonment of several former senators and members of the national press and trade unions, and charged them with receiving bribes from Mohamed Ould Bouamatou, a government opponent, who remained in self-imposed exile in Morocco. The investigative judge ordered the jailing of just one senator, Mohamed Ould Ghadda, but denied the rest of the prosecutor's request, placing the other 13 senators, four journalists, and two trade union officials under conditional release pending trial.

On May 8, *Mauripress*, a news website, reported that the Mauritanian Food Security Commission (CSA) dismissed its entire staff working at its Bassikounou branch. The office has responsibilities over the M'Berra refugee camp. The General Inspection took the decision following an investigation. The government asked the CSA Bassikounou branch head official to reimburse the CSA the amount of 29 million ouguiyas (\$81,700).

The 2015 anticorruption law was unevenly enforced and mostly used as a weapon against opponents of the regime. The law defines corruption as "all exploitation by a public agent of his position for personal purposes, whether this agent is elected, or in an administrative or judicial position."

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 available to the public. The last public accounting of President Aziz's personal assets took place in 2010; the president of the Supreme Court declared Aziz did not have to renew the public declaration when voters reelected him in 2014. Members of his first administration

who resigned in the wake of his reelection did not declare their assets. During the year the opposition continued to denounce President Aziz and other government members' nondeclaration of their personal assets as required by the law.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses 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.

During the year there were increased restrictions on these groups, especially those investigating slavery. The government prohibited domestic and international antislavery organizations from conducting some activities. On April 28, the government expelled two French researchers conducting research on slavery and declared them *persona non grata*. On August 21, the government denied entry into the country to members of a foreign-based antislavery organization. On November 20, a major international human rights organization was denied entry into the country, despite having regularly been granted entry to the country in the past.

Government Human Rights Bodies: The Commissariat for Human Rights and Humanitarian Action designs, promotes, and implements national human rights policies. The commissariat managed government and internationally funded human rights and humanitarian assistance programs.

The CNDH, an independent ombudsman organization, includes government and civil society representatives. It actively monitored human rights conditions and advocated for government action to correct violations. The CNDH produced an annual report on thematic topics, conducted regular investigations, and made recommendations to the government.

The Mauritania Human Rights Watch in 2016 reported that the CNDH had not exercised all its legal powers to screen and monitor violations of civil, social, and political rights. In addition, it reported the CNDH did not respond firmly to reports of attacks, arrests, and politicized trials of several opponents and human rights activists.

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



## Women

Rape and Domestic Violence: Rape, including spousal rape, is illegal. Rapists who are single men face penalties of forced labor and whipping, and married rapists are subject to the death penalty. The government regularly enforced the law; 39 persons were convicted under the law and received various sentences. Nevertheless, as in years past, wealthy rape suspects reportedly avoided prosecution or, if prosecuted, avoided prison. Families of the victim commonly reached an agreement with the perpetrator for monetary compensation.

Human rights activists and lawyers reported that rape victims were stigmatized, persecuted, and even imprisoned. Since rape is often associated with the concept of adultery, judges could, in theory, accuse the victim of fornication under sharia, hold the victim responsible for the rape, and imprison the victim. There were no reports this provision or interpretation of the law was enforced.

Female slaves, both women and girls, were routinely subjected to rape by their masters and forced to bear their children. These victims were vulnerable to sharia against extramarital sex that can incur harsh punishments. There were cases in the past where female slaves attempted to prosecute their master. State prosecutors told victims that they could face charges for having children out of wedlock, using children produced from rape as a deterrent to prosecuting slavery.

Spousal abuse and domestic violence are illegal, but there are no specific penalties for domestic violence. The government did not enforce the law effectively, and convictions were rare.

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.

Female Genital Mutilation/Cutting (FGM/C): The law states 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 ouguiyas (\$338 to \$845). Nevertheless, authorities seldom applied the law, since the accompanying implementing law remained provisional.

During the year the government entered the fourth phase of the five-year FGM/C action plan, which aims to reinforce FGM/C policy and law, offer education and community support, encourage public declarations of FGM/C abandonment, and establish partnerships and public outreach campaigns.

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 performing FGM/C, and educating the population and elected officials on its dangers. The law prohibits government hospitals and licensed medical practitioners from performing FGM/C, and several government agencies worked to prevent others from perpetrating it. According to several women's rights experts, these efforts appeared to be changing popular attitudes.

For more information, see [data.unicef.org/resources/female-genital-mutilation-cutting-country-profiles/](https://data.unicef.org/resources/female-genital-mutilation-cutting-country-profiles/).

Other Harmful Traditional Practices: Traditional forms of mistreatment of women continued to decline. One of these is the forced feeding of adolescent girls prior to marriage, practiced by some Beydane families.

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

Coercion in Population Control: There were no reports of coerced abortion, involuntary sterilization, or other coercive population control methods. Estimates on maternal mortality and contraceptive prevalence are available at: [www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/](http://www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/).

Discrimination: Women have legal rights to property and child custody, and the more educated and urbanized members of the population recognized these rights. Nevertheless, women had fewer legal rights than men.

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 female victim 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 judicial officials did not always respect it.

## Children

Birth Registration: By law a person generally derives citizenship from one's father. One can derive citizenship from one's mother under either of the following conditions: if the mother is a citizen and the father's nationality is unknown or he is stateless, or if the child was born in the country to a citizen mother and the child repudiates the father's nationality a year before reaching majority. Children born abroad to citizen mothers and foreign men can acquire citizenship one year before reaching the majority age of 18. Minor children of parents who are naturalized citizens are also eligible for citizenship.

The process of registering a child and subsequently receiving a birth certificate was reportedly difficult. For additional information, see Appendix C.

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 Haratine families often did not receive any education.

Early and Forced Marriage: The legal marriage age is 18, but authorities rarely enforced the law, and child marriage was widespread. Since consensual sex outside of marriage is illegal, a legal guardian can ask local authorities to permit a girl younger than 18 to marry. Local authorities frequently granted permission. Nevertheless, the government continued to work with UNICEF to implement a program to combat child marriage through judicial and political reforms. For additional information, see Appendix C.

Sexual Exploitation of Children: The law prohibits 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 ouguiyas (\$338 to \$507) 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 ouguiyas (\$450 to \$845) 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 ouguiyas (\$563 to \$5,630). NGOs asserted the laws were not properly enforced.

Displaced Children: The Ministry of Social Affairs, Children, and Family worked on the identification and the monitoring of the street children in nine of the country's 15 regions through youth integration centers and local NGOs. Nevertheless, government assistance to these children was limited.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at [travel.state.gov/content/childabduction/en/legal/compliance.html](http://travel.state.gov/content/childabduction/en/legal/compliance.html).

### **Anti-Semitism**

A very small number of foreigners 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/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **Persons with Disabilities**

The law prohibits discrimination against persons with disabilities. The law provides for access to information and communication, and to existing public buildings through retrofitting and future buildings through amendments to the building code. Authorities did not enforce the law, and persons with disabilities generally did not have access to buildings, information, and communications.

In July the Council of Ministers approved a draft law that mandates minimum architectural and technical conditions of access to public buildings for persons with disabilities. It also defines the technical and architectural requirements for access to communications, information, and public transport.

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

Some ethnic groups faced governmental discrimination while the Beydane (Arab) ethnic group received governmental preference. Western Saharan citizens of Beydane (Arab) ethnicity often obtained national identity cards required for voting although they were not legally qualified to do so. Meanwhile, Haratine (Arab slave descendants) and sub-Saharan (non-Arab) citizens often had great difficulty obtaining national identity documents.

Racial and cultural tension and discrimination also arose from the geographic, linguistic, and cultural divides between Moors (Beydane and Haratine)--who,

while historically representing a mix of Berber, Arab, and sub-Saharan Africans, today largely identify culturally and linguistically as Arab--and the sub-Saharan non-Arab minorities. Historically, the Beydane enslaved the Haratine population. Hereditary slavery of the Haratines continues to this day. Beydane tribes and clans dominated positions in government and business far beyond their proportion of the population. The Haratines remained, as a group, politically and economically weaker than the Beydane, although they are the largest ethnocultural group in the country. The sub-Saharan ethnic groups, along with the Haratines, remained grossly underrepresented in leadership positions in government, industry, and the military (see section 3).

The constitution designates Arabic the official language and Arabic, Pulaar, Soninke, and Wolof as the country's national languages. The government continued to encourage French and Arabic bilingualism in the school system. Arabic is the armed forces' language of internal communication. Neither the sub-Saharan national languages nor the local Hassaniya Arabic dialect was used as a language of instruction.

According to human rights activists and press reports, local authorities continued to allow Beydane to appropriate land occupied by Haratines and sub-Saharans, to occupy property unlawfully taken from sub-Saharans by former governments, and to obstruct access to water and pasturage.

On May 3, the news website *Tawary* reported the government would stop authorizing private primary schools in the country. The objective was to have all children attend public schools for their first six years (primary school) to ensure more equality between different ethnic groups.

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

No laws protect LGBTI 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 ouguiyas (\$14 to \$169). The LGBTI community was rarely identified or discussed, which observers attributed to the severity of the stigma and legal penalties attached to such labels. No cases of abuses based on sexual orientation were reported during the year.

## **HIV and AIDS Social Stigma**

Persons infected with HIV/AIDS were often isolated due to societal taboos and prejudice associated with the disease but were gradually being accepted by society and the government. They were involved in the implementation of state programs to combat infectious diseases, HIV/AIDS, malaria, and tuberculosis.

## **Section 7. Worker Rights**

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

The law allows all workers, except members of police, armed forces, and foreign and migrant workers, 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.

On September 13, local press reported that police closed the headquarters of the General Confederation of Mauritanian workers (CGTM) while its board was meeting inside. The head of the CGTM was among the officials accused of receiving a bribe from an overseas opponent of the government.

Prior authorization or approval by authorities is required before a union may be recognized. The public prosecutor must authorize all trade unions before they enjoy legal status. The public prosecutor may provisionally suspend a trade union at the request of the Ministry of Interior and Decentralization if ministry officials believe the union has not complied with the law. The law also 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 dissolve, suspend, or deregister trade union organizations by unilateral decision. 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 at least five years. Labor unions must obtain government authorization in order to hold labor elections. Labor unions stated union elections had not been held for several years. The minister of labor announced that the country planned to hold union elections in September, but elections did not take place.

Bargaining collectively at the national level requires previous authorization or approval by the president, who decides how collective bargaining is organized. No such authorization is required for collective bargaining at the company level. The

minister of labor, public service, and modernization of the administration may call for bargaining among 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 a statement of nonagreement between parties.

The law provides for the right to strike, but aggrieved parties must follow long and complex procedures before taking such action. If negotiations between workers and employers fail to produce an agreement, the case is referred to the Court of Arbitration. If the court fails to broker a mutually satisfactory agreement, workers may have to wait up to four additional months from the time of the decision before they can legally strike. The government may also dissolve a union for what it considers an illegal or politically motivated strike. The law prohibits workers 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 Labor, Public Service, and Modernization of the Administration for any strike.

The government did not enforce the law effectively, and resources and inspections were often inadequate. While authorities seldom punished violators, on several occasions the government ordered the reinstatement of workers who were wrongfully terminated and/or directed companies to improve employee benefits and services. While antiunion discrimination is illegal, national human rights groups and unions reported authorities did not actively investigate alleged antiunion practices in some private firms.

Freedom of association and the right to collective bargaining were not fully respected, although unions exercised their right to organize workers during the year. Collective bargaining at the company level, however, was rare. There were reports of government interference with union activities. According to the reports from the CGTM, for instance, the Ministry of Fisheries and the Maritime Economy deducted overtime pay from workers who had engaged in trade union activities as a means of pressuring them to withdraw their union membership.

Registration and strike procedures were subject to lengthy delays and appeals. Labor ministry officials routinely issued notices calling on all parties to negotiate. Such notices legally restrict workers from striking for a period of four months.

Workers and unions organized several strikes, but in an improvement over years past, authorities only occasionally employed force to disperse them.

## **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor, including by children. It also criminalizes the practice of slavery and imposes penalties both on government officials who do not take action on reported cases and on those who benefit from contracting forced labor. The 2015 amendments to the law expand the definition of slavery to include forced labor and child labor. Although the government took some action toward ending slavery, such as the adoption of the Roadmap for the Eradication of the Vestiges of Slavery in 2014, its efforts to enforce the 2007 antislavery law were widely seen as inadequate, given the severity of the problem.

Tadamoun, the government agency charged with combating the “vestiges” of slavery, received 7.5 billion ouguiyas (\$21.1 million) of public funding. Nevertheless, its progress continued to be slow, and evidence of programs directly reducing the “vestiges” of slavery was minimal. Throughout the year Tadamoun’s director general underscored his intention to address the vestiges of slavery through indirect means, such as awareness campaigns and local agriculture projects, rather than through submitting criminal claims on behalf of slavery victims, despite Tadamoun’s directive to do so.

In 2015 the country provisionally established three antislavery courts, as mandated by the 2015 amendments to the antislavery law, and appointed three judges to the courts. A January 2016 decree legally formalized the structure of the courts, and all three courts were formally inaugurated in 2016. The first court was inaugurated in May 2016 in Nema, in the willaya (region) of Hodh El Gharbi in the southeast. The second was inaugurated in Nouakchott in July 2016. A third was inaugurated in November 2016 in Nouadhibou. The courts, however, still lacked funding and resources, and none of the appointed judges had received training in how to deal with the unique challenges of investigating slavery cases, including how to prevent slave owners from intimidating victims and victims from withdrawing their cases. In addition, regular courts failed to refer slavery cases to the antislavery courts for prosecution, further delaying cases.

In 2016 the court of Nema convicted and sentenced two men for slavery. The court sentenced Sidi Mohamed Ould Hanana and Hlehana Ould Hmeyada, who are cousins, to five years’ imprisonment with one year to be served and four years suspended with supervision/probation, significantly less than the maximum 10 years’ imprisonment allowed under the law. The court also imposed a fine of



100,000 ouguiyas (\$281) and ordered payment of one million ouguiyas (\$2,810) in restitution to each of the two female victims.

Immediately after Hanana's 2015 arrest, his family reportedly entered a financial agreement with the family of his victim for 3.5 million ouguiyas (\$9,860), as had routinely happened in previous cases. The amount was paid to the family, but unlike in previous cases the financial agreement did not stop the case from proceeding. According to the court, Hmeyada's family, meanwhile, was also involved in the crime but could not be prosecuted because they lived in northern Mali, outside the court's jurisdiction.

Slavery and slavery-like practices, which typically flowed from ancestral master-slave relationships and involved both adults and children, continued throughout the year. Although reliable data on the total number of slaves did not exist, local and international experts agreed hereditary slavery continued to affect a significant portion of the population in both rural and urban settings. Enslaved persons suffered from traditional chattel slavery, including forced labor and forced sexual exploitation. Children of slaves at times became the property of their masters and could be passed from one owner to another as gifts. Human rights groups reported that masters persuaded persons in slavery and slave-like relationships to deny such exploitative relationships to human rights activists.

Former slaves and their descendants remained in a dependent status with their former slave owners in part due to cultural tradition and a lack of marketable skills, poverty, and persistent drought. Some former slaves and descendants of slaves were forced or had no other viable option than to work for their old masters in exchange for some combination of lodging, food, and medical care. 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 rarely enforced the law.

Former slaves in subservient circumstances were also vulnerable to mistreatment. Women with children faced particular difficulties; because they were particularly vulnerable in society and lacked the resources to live independently from their former masters, they could be compelled to remain in a condition of servitude, performing domestic duties, tending fields, or herding animals without remuneration.

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 or 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.

Slavery and dependency of former slaves occurred primarily in areas where educational levels were generally low or a barter economy still prevailed, and in urban centers, including Nouakchott, where domestic servitude was relatively common. The practices commonly occurred where there was a need for workers to herd livestock, tend fields, and do other manual or household labor.

Forced labor also occurred in urban centers where young children, often girls, were retained as unpaid domestic servants (see section 7.c.).

The government signed a formal agreement with Saudi Arabia to send 15,000 domestic workers from Mauritania to Saudi Arabia, despite evidence that Mauritanian workers had experienced abuse in Saudi Arabia in the past. This agreement was widely denounced by Mauritanian worker confederations due to the risk of fraudulent recruiting, trafficking, and abuse.

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

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

The labor code sets the minimum age for employment at 14. Nevertheless, children as young as 12 may be employed in most forms of family enterprise with authorization from the Ministry of Labor, Public Service, and Modernization of the Administration, as long as the work does not affect the child's health, exceed two hours per day, or occurs during school hours or holidays. The law states employed children between ages 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 and should be given one or several one-hour breaks, and may not work at night. Children working in unpaid, temporary, or noncontractual work do not have the same protections under the

child labor laws and regulations as do children working in contractual employment.

In May the government began a participatory process that resulted in the development of a National Action Plan for the Elimination of Child Labor. This plan was an integral part of the government antislavery “Roadmap” adopted in 2014.

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 ouguiyas (\$507 to \$845). The penalties were generally insufficient to deter violations. The law does not prohibit hazardous occupations and activities in all relevant child labor sectors, including agriculture. Moreover, no law prohibits the use of children for illicit activities, such as the production and trafficking of drugs.

The government did not effectively enforce the law. Existing mechanisms for exchanging information among agencies or assessing effectiveness were not active during the reporting period. There was no specific mechanism for submitting complaints, other than to 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 Police Brigade for Minors, and pressured the government to adjudicate the cases or integrate the victims in social centers or schools.

According to a 2014 UNICEF report, 21.5 percent of children ages five to 14 were engaged in labor. The CNDH’s 2016 annual report confirmed the extent of child labor, especially in rural areas. The report stated 26 percent of children between ages of 15 and 17 worked. The report indicated the proportion of children between ages of 12 and 14 who performed some work was up to 22 percent. The report also stressed the exploitation of girls was more frequent in domestic work.

An unknown number of “talibes” (young students), nearly all from the Halpulaar community, begged in the streets and gave the proceeds to their religious teachers as payment for religious instruction. There were reliable reports some “marabouts” (religious teachers) 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 urban areas. Several reports suggested girls as young as seven, mainly from remote regions, were forced to work as unpaid domestic servants in wealthy urban homes.

Young children in the countryside were commonly engaged in cattle and goat herding, cultivation of subsistence crops, fishing, and other significant labor in support of their families. Young children in urban areas often drove donkey carts and delivered water and building materials. Street gang leaders forced children to steal, beg, and sell drugs in the streets of the capital. In keeping with longstanding tradition, many children also served apprenticeships in small industries, such as metalworking, carpentry, vehicle repair, masonry, and the informal sector. The government continued to operate seven Centers for Protection and Social Integration of Children in Difficult Situations: one each in Kiffa, Nouadhibou, Aleg, and Rosso, and three in Nouakchott. During the year these centers hosted 400 children.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at [www.dol.gov/ilab/reports/child-labor/findings](http://www.dol.gov/ilab/reports/child-labor/findings).

#### **d. Discrimination with Respect to Employment and Occupation**

The law prohibits discrimination based on race, disability, religion, political opinion, national origin, citizenship, social origin, sexual orientation and/or gender identity, age, or language, but the government often did not enforce the law. Discrimination in employment and occupation occurred with respect to race and language. For example, in conformity with long-standing practice, the advancement of both Haratines and sub-Saharanans in the armed services remained limited.

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; most employers in the private sector reportedly did not. In the modern wage sector, women also received family benefits, including three months of paid maternity leave. Women faced employment discrimination, because employers usually preferred to hire men, and women were overrepresented in low-paying positions (see section 6).

#### **e. Acceptable Conditions of Work**

The nationally mandated minimum monthly wage for adults was 30,000 ouguiyas (\$84). The most recent poverty level estimate by the government, from 2008, was an annual income of 129,600 ouguiyas (\$365), and the extreme poverty level for 2008 was an annual income of 96,400 ouguiyas (\$271).

The law provides that the standard legal nonagricultural workweek must not exceed either 40 hours or six days, unless there is overtime compensation, which is 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. The law provides that all employees must be given at least one 24-hour rest period per week. There are no legal provisions regarding compulsory overtime.

The government sets health and safety standards, and in principle 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. The labor code applies to all formal workers regardless of nationality.

The Labor Office of the Ministry of Labor, Public Service, and Modernization of the Administration is responsible for enforcing labor laws but did not do so effectively.

The majority of the working population labored in the informal sector, primarily in subsistence agriculture and animal husbandry. According to the CGTM, only 25 percent of workers filled positions with regular pay.

Despite the law, labor unions pointed to conditions approaching forced labor in several sectors, including the food processing industry. In these sectors workers did not have contracts or receive pay stubs. Their salaries were below the official minimum wage, and they worked in unfavorable conditions. Sometimes they did not receive pay 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.

According to the CGTM, the National Agency of Social Security registered 60 workplace fatalities or injuries through September, 56 of which occurred at National Industrial and Mining Company. This was a net decrease of 121 cases of workplace fatalities, as compared with 181 fatalities in 2016.