

MAURITANIA 2018 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 deputies at the National Assembly, municipal mayors, and regional councilors. Voters reelected President Mohamed Ould Abdel Aziz to a second and constitutionally mandated-final five-year term in 2014. In August 2017 the government organized a referendum on constitutional amendments, which passed with 85 percent of the vote. One of the amendments led to the dissolution of the Senate and the transformation of the legislative system into a unicameral one. The number of seats at the new National Assembly increased from 147 to 157. In September the Union for the Republic (UPR), the president's party, won 95 of 157 seats in the National Assembly in legislative elections.

Civilian authorities maintained effective control over the security forces.

Human rights issues included allegations of torture by law enforcement officers; arbitrary and politically motivated arrests; harsh and life-threatening prison conditions; restrictions on freedom of assembly, association, and religion; widespread corruption; rape and domestic violence against women with few victims seeking legal recourse; ethnic discrimination by government actors; criminalization of same-sex sexual conduct; continued existence of slavery and slavery-related practices with antislavery organizations subjected to restrictions on freedom of expression, association, and assembly; trafficking in persons; and minimal efforts to combat child labor.

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 prohibits torture. Additionally, 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. Despite this statute, nongovernmental organizations (NGOs) reported security and law enforcement officials tortured NGO members. Methods of abuse reportedly included beatings and stripping of clothing. 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.

For example, on June 13, the family of Mohamed Ould Brahim Maatalla alleged he died of cardiac arrest after police tortured him. On June 14, Minister of Interior and Decentralization Ahmedou Ould Abdallah publicly denied the allegation.

In 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 in January-February 2017 and went to several 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.

The Committee against Torture of the UN Human Rights Council noted with concern in its August 6 report that, even though the government denied the

existence of places of unofficial detention, the special rapporteur on torture was denied access to one of these places during his visit.

On June 15, a prisoner, Bouchama Ould Cheikh, committed suicide in his cell in Dar Naim prison to protest the bad conditions he experienced in the prison. The prison suffered from overcrowding and filth. The National Human Rights Commission and several international organizations described the conditions of prisoners as catastrophic.

According to the United Nations, two allegations of sexual exploitation and abuse against peacekeepers from Mauritania reported in 2017 were pending. Both cases involved military personnel deployed in the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic. One case alleged sexual abuse (sexual assault) involving a child. The other case alleged sexual exploitation (exploitative relationship). The United Nations repatriated the peacekeepers in question. Investigations by Mauritania were pending. One additional allegation reported in 2017 was substantiated with both the United Nations and Mauritania taking action against the perpetrators.

Prison and Detention Center Conditions

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

Physical Conditions: Prisons remained overcrowded. As of October the main civil prison in Nouakchott had a capacity of 350 inmates but held 943, of whom 460 were convicted prisoners and 483 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 (MHRW) 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 September 3, the Directorate of Penal Affairs and Prison Administration reported that 77 children between the ages of 15 and 17 were in the Nouakchott Central Prison and seven in the prison in Nouadhibou. On October 3, a separate youth detention center opened, and it held 69 minors.

Authorities reported that 10 persons died in custody during the year. One death by suicide occurred inside the prison. All other cases involved chronic diseases such as tuberculosis and AIDS. No families asked for an autopsy of their family members.

In December 2017 Salafist prisoners complained of mistreatment at the Central Civil Prison of Nouakchott, indicating the government prevented their families from visiting them. They also complained of malnutrition because of inadequate food. According to the MHRW, 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 50 ouguiyas (\$1.40) 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 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 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 partners to the Directorate of the Penal Affairs and Prison Administration, in particular the ICRC, Noura Foundation, and Caritas-Mauritania, contributed to the improvement of conditions in the detention centers under a partnership agreement with the administration. The ICRC helped to improve infrastructure, hygiene, and health conditions in detention centers and rehabilitated the sanitation network of the prison of Dar-Naim. It also implemented a program to combat malnutrition in prisons in Aleg and Dar-Naim by rehabilitating the kitchen facilities and periodically providing medicines and other hygiene products.

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 the lawfulness of his or her detention before a court under two circumstances. If a person remains arrested after the end of his or 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. Second, if the detainee disagrees with his or her sentence, he or she has the right to file 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. On July 28, *al-Akhbar*, a news website, reported that the Committee against Torture in Geneva recommended the duration of police custody not exceed 48 hours. According to the committee, the nonworking days were not counted in the duration of police custody, thus often extending the period of detention. Under the law against terrorism, the duration of custody could reach 45 working days without possibility of challenge or appeal. The report noted that the records of detention in police stations were poorly maintained. 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.

In November 2017 the Nouadhibou Court of Appeals ordered the release of Mohamed Cheikh Ould Mohamed Ould Mkheytir (MKheytir), a blogger who was sentenced to death in 2014 for apostasy after he allegedly posted statements on

social media critical of the Prophet Mohammed. In March 2017 the Supreme Court ruled the court of appeals had improperly sentenced MKheytir to death for apostasy, since he had properly recanted his statements. Despite the appeals court's release order, MKheytir remained in an unknown location, with the government citing concerns for his safety and public order if released.

In August the news website *Tawary* reported that authorities arrested and subsequently released two journalists, Babacar Baye N'Diaye from the news website *Cridem* and Mahmoudi Ould Saibott from the news website *Taqadoun*, following a defamation complaint by a Mauritanian lawyer based in Paris, Jamal Ould Mohamed, who was considered to be close to 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 some cases.

A special court hears cases involving persons younger than age 18. Children who appeared before the court received more lenient sentences than adults and extenuating circumstances received greater consideration. The minimum age for a child to stand trial is 12 years. Several NGOs expressed concern regarding the holding of youthful offenders in the general population, including with more dangerous inmates, at Nouakchott Central Prison; however, these concerns were addressed when the new youth detention center opened in October.

Political Prisoners and Detainees

On August 15, *al-Akhbar*, a news website, reported that Amnesty International called on the authorities to stop pre-election arrests of journalists and opposition figures, including antislavery activists. The president of the Initiative for the Resurgence of the Abolitionist Movement (IRA), Biram Dah Abeid, was arrested at his home on August 7. Biram was in the middle of his ultimately successful campaign for parliament. Abdallahi El Housein Messaoud, another member of the IRA, was questioned two days later. Biram Dah Abeid and Abdellahi El Houssein Messoud were arrested in connection with a complaint filed by a journalist accusing Biram of threatening him. Opposition political parties and several international and domestic organizations denounced Biram's continued detention as politically motivated.

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 a 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.

For example, in November 2017 the defense minister reaffirmed the government’s commitment to provide compensation to victims of the 1989-91 events. To this end, it allocated more than 124.3 million ouguiyas (\$3.5 million) to fund pensions of soldiers who were expelled from the army from 1981 to 2004.

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: There were no major restrictions on freedom of opinion and expression. Local NGOs and bloggers, among other observers, reported the government's actions in recent years discredited its image and reputation. For example, it arrested journalists who were sympathizers to prominent government opposition figures.

On September 15, the news website *al-Akhbar* reported that police arrested several opposition bloggers and activists at the headquarters of the political party Tawassoul in the city of Zouerate in the northern part of the country. Included in the arrests was a youth caravan coming from Nouakchott to support the opposition candidates.

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.

In June 2017 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: On October 8, political parties from the hardline opposition, as well as many international and national organizations, denounced the government's repression and harassment of the protests organized by the IRA.

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.

In October 2017 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 said they were either rebuffed or ignored by the owners of the private television stations.

On August 3, TDM again notified private channels and radio stations to pay their debts. According to the local press, TDM gave one week for these media outlets to settle, otherwise, they would be closed again. The media outlets did not pay, but they were not suspended.

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 2017 approximately 21 percent of the population used the internet.

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 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 August 29, the news website *Sahara Media* reported that police dispersed an opposition rally in Nouakchott in advance of the September elections. Police objected to the rally on the grounds of a complaint filed by Al-Najah Company,

which owned the old airport (site of the rally). According to opposition leaders, they had previously received approval from the government to hold the rally.

After parliament opened on October 8, the IRA organized several largely peaceful protests against the continued detention of their leader and newly elected parliamentarian Biram Dah Abeid. Police response to some protests was violent.

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.

Since 2014 Amnesty International documented 43 cases in which NGOs working in the human rights domain had not received a response from the government on their registration requests, meaning the NGOs were not authorized to operate in the country.

The government encouraged locally registered NGOs to join the government-sponsored Civil Society Platform. Approximately 6,000 local NGOs did so.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at 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 54,000 Malian refugees in the M'bera camp and continued to offer asylum to new refugee arrivals. The country also provided additional security in the camp to allow the Malian refugees to vote in the 2018 Malian presidential election.

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. Authorities immediately deported migrants determined to be illegally seeking to reach Spain's nearby Canary Islands.

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 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 re-election to a second and constitutionally mandated-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 August 2017 the country organized a referendum that led to the dissolution of the Senate, resulting in a unicameral legislature. Voters approved the referendum with 85 percent of the vote, and the Constitutional Court validated the result 10 days later.

In September the president's party, the UPR, won 95 of 157 seats in the National Assembly in direct legislative elections, which observers, including from the African Union, judged to have been peaceful, calm, and credible. The UPR also won control of each of the 13 regional councils that replaced the Senate, as well as two-thirds of the 219 municipalities elected on the same day.

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 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 2018 legislative elections, 30 women held seats in the 157-member National Assembly. Of the country's 29 ministers, eight were women, four were Haratines, and five 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, as well as in 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 July 25, the news website *Elilami* reported that police in charge of the fight against economic and financial crimes arrested the former director general of the National Society for Rural Development. Officials accused him of embezzling an estimated 16.2 million ouguiya (\$456,000).

The 2015 anticorruption law was unevenly enforced and mostly used as a weapon against opponents of the government. 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 re-elected him in 2014. Members of his first administration who resigned in the wake of his re-election 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.

There were restrictions on some human rights groups, especially those investigating slavery. For example, in November 2017 El Ide Ould Mohameden, lawyer of local NGO SOS Esclaves, stated authorities had prevented the organization from organizing an EU-supported workshop on legal support to slavery victims.

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.

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; 50 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 gender-based violence and sexual assault were generally seen as part of the broader issue of violence against women.

Women raped were discouraged from reporting the crime because they themselves could be jailed for having sex outside of marriage. In a 2018 report, Human Rights

Watch interviewed five women and girls authorities had prosecuted for *zina* (sex outside of marriage) after reporting sexual assault, including a 15-year-old girl who had been gang-raped and was sent to prison.

On March 21, following a complaint from his daughters and their mother, the criminal court of the Hodh El Gharbi Region sentenced a man who raped his six daughters to 10 years' imprisonment. The victims were between 12 and 26 years of age, and officials confirmed that the father had raped the youngest multiple times over several years.

Available data on gender-based violence remained sparse, and the situation of children and women who were victims of abuse was poorly documented. The subject was taboo due to social prejudice.

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. 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 12,000 to 30,000 ouguiyas (\$340 to \$845). Nevertheless, authorities seldom applied the law, since the accompanying implementing law remained provisional.

On February 11, the Ministry of Social Affairs, Childhood, and Family confirmed that over the past six months more than 200,000 traditional health providers publicly abandoned the practice of FGM/C in the areas of the Hodh El Chargui, Braknah, Gorgol, and Taghant.

For more information, see Appendix C.

Other Harmful Traditional Practices: Traditional forms of mistreatment of women continued to decline. One of these was 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 or involuntary sterilization. For more information, see Appendix C.

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. Failure to register could result in denial of some public services, such as education.

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 lower castes from both Haratine and Sub-Saharan 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 younger than 18, with penalties of six months to two years in prison and a 12,000 to 18,000 ouguiyas (\$340 to \$510) fine. The possession of child pornography is illegal, with penalties of two months to one year in prison and a 16,000 to 30,000 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 20,000 to 200,000 ouguiyas (\$565 to \$5,650). NGOs asserted the laws were not properly enforced.

Displaced Children: On May 22, the minister of social affairs, childhood, and family stated that in 2017, there were more than 16,469 children needing protection, such as children without civil documentation, uneducated children, and victims of child labor. The minister announced the creation of 10 regional groups and 30 municipal child protection systems to coordinate efforts at combatting the problem.

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 <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.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/.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental 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 December 2017 the Ministry of Social Affairs, Children, and the Family launched the use of a disabled person's card. The card identifies persons with disabilities and determines the type and degree of their disability. It also facilitates their access to public health facilities and private clinics and reduces transportation fares.

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; some hereditary slavery continued, and Haratines continued to suffer from the legacy of centuries of slavery (see section 7.b.). 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 were 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 and some influential persons 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.

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

No laws protect lesbian, gay, bisexual, transgender, and intersex (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 500 to 6,000 ouguiyas (\$14 to \$170). The LGBTI community was rarely identified or discussed, which observers attributed to the severity of the stigma and legal penalties attached to such labels.

According to a December 2017 report by the LGBTI Nouakchott group of Solidarity Association, the rights of LGBTI persons are not recognized and therefore not protected. LGBTI persons lived in perpetual fear of being driven out by their families and rejected by society in general. As a result, they did not attend or participate in public activities due to fears of retribution and violence. According to available information, arrests on the basis of sexual orientation or gender identity were not reported, but there were cases where LGBTI persons were arrested and detained for other reasons, such as irregular immigration.

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. Other provisions and laws severely restrict or excessively regulate these rights. The government did not effectively enforce applicable laws, and penalties were not sufficient to deter violations.

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. Despite previous announcements by the government to do so, it had not authorized union elections since 2014.

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, except for those working in services deemed essential. Aggrieved parties must follow complex procedures before conducting a strike 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 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. Longshoremen of the Autonomous Port of Nouakchott observed a general strike on July 25. According to Mauritanian Workers' Free Confederation, the authorities dismissed thousands of longshoremen without giving them their rights, adding that the walkout came in response to the "arbitrary policies and decisions" taken against the carriers. The longshoremen strike each year to protest against their harsh working conditions and to demand an increase in the allowances they receive in the course of their work.

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, which includes forced labor and child labor, and imposes penalties both on government officials who do not take action on reported cases and on those who benefit from contracting forced labor. Although the government continues its action toward ending slavery, its efforts to enforce the 2015 antislavery law were considered inadequate.

Tadamoun, the government agency charged with combating the “vestiges” of slavery, received 750 million ouguiyas (\$21.1 million) of public funding to underwrite infrastructure and education programs to improve opportunities primarily for the benefit of the Haratine community. Some national and international NGOs criticized Tadamoun for not targeting its funding toward the Haratine community and for not more directly confronting cases of slavery in the country, such as not submitting criminal claims on behalf of slavery victims. Other than Tadamoun, the only entities that can legally file criminal cases on behalf of former slaves are legally registered human rights associations that have been operating for five years. The government continued to prevent the registration of antislavery organizations and associations that work for the promotion and protection of human rights of the Haratine community and former slave groups that would have been able to submit complaints once their five-year wait had passed.

The IRA, which is the most active organization on fighting slavery in the country, was prevented from registering since its creation in 2008. The lack of registration for the IRA and other human rights NGOs, as well as the ensuing inability to file complaints on behalf of victims, was a contributing factor to the underutilization of the Specialized Antislavery Courts.

In March the Nouadhibou Specialized Antislavery Court adjudicated its first two cases by convicting and sentencing three slaveholders, imposing stronger penalties than those in previous slavery cases. A woman was convicted of enslaving three sisters in Nouadhibou and was sentenced to 10 years’ imprisonment. The woman was released two months later due to her age and health. In a separate case, a man and his son were sentenced to 20 years’ imprisonment for enslaving an entire family in Bir Moghreïn, although at the time of the verdict, the man was deceased and his son was convicted in absentia after fleeing the country.

In April the Nouakchott Antislavery Court sentenced two defendants to one year in prison and 25,275 ouguiyas (\$710) fines for the crime of libeling with slavery in two separate cases. The third case, in which the defendant was accused of slavery, was postponed pending the decision of the appeals court.

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 and the government maintained there was no slavery, local and international experts agreed hereditary slavery and slavery-like conditions 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. Human rights groups reported that masters persuaded persons in slavery and slave-like relationships to deny such exploitative relationships to human rights activists.

In 2015 the government asked the International Labor Organization (ILO) for a program to assess the scope of forced labor in the country. The ILO launched the program in 2015, but at year's end, the government had not authorized the start of a population survey.

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, religious, 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. 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.).

Also see the Department of State's *Trafficking in Persons Report* at 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. Forced child labor occurred (see section 7.b.).

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 18,000 to 30,000 ouguiyas (\$510 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 year. 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.

The CNDH's 2016 annual report, which had the most recent numbers available, 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 in each of regions of 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.

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 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 law provides for a national minimum wage that is more than the most recent estimate for the poverty income level.

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; however, this was not the practice. 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 ILO reported that a significant pay gap between staff in the labor inspectorate and staff in other government inspection departments who receive better remuneration (such as tax inspectors or education inspectors) led to attrition. The ILO also reported that the labor inspectorate was subject to undue influence by employers and the government, thereby reducing the effectiveness of inspection activity.

The majority of the working population labored in the informal sector, primarily in subsistence agriculture and animal husbandry. According to the General Confederation of Mauritanian Workers (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 187 workplace fatalities or injuries through September, comparable with previous years.

According to MHRW and local press reports, the past few years, and particularly the year 2017, experienced an increase in work accidents associated with manual exploration of gold.