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MAURITANIA

Mauritania is a highly centralized Islamic Republic dominated by a strong presidency. The 1991 Constitution provides for a civilian government composed of a dominant executive branch, a senate, and a national assembly. President Maaouya Ould Sid'Ahmed Taya has governed since 1984, first as head of a military junta, and since the 1992 multiparty election as head of a civilian government. In December 1997, Taya was reelected President, receiving over 90 percent of the vote. The election, contested by four opposition candidates but boycotted by the five-party Opposition Front coalition, was widely regarded as fraudulent. Most opposition parties also boycotted earlier parliamentary elections but participated in senate elections in 1994 and 1996; they gained only one seat. In the country's first multiparty elections to the 79-member National Assembly held in 1996, 1 opposition and 6 independent candidates were elected; candidates of the ruling Republican, Democratic and Social Party (PRDS) won 72 seats. The outcome of these elections was marred by fraud on all sides and pervasive government intervention. The Constitution provides for an independent judiciary; however, the judiciary is subject to significant pressure from the executive through its ability to influence judges.

The Government maintains order with regular armed forces, the National Guard, the Gendarmerie, and the police. The Ministry of Defense directs the armed forces and Gendarmerie; the Ministry of Interior directs the National Guard and police. The armed forces are responsible for national defense. The National Guard performs police functions throughout the country in areas in which city police are not present. The Gendarmerie is a specialized paramilitary group responsible for maintenance of civil order in and outside metropolitan areas. Security forces are under the full control of the Government and are responsible to it. Some members of the security forces committed human rights abuses.

Mauritania, with an estimated population of 2.5 million, has a generally market-oriented economy based on fishing, mining, subsistence farming, herding, and a small commercial sector. Fish and iron ore are the country's main export-earners. Drought, desertification,

and insect infestation have contributed to rapid urbanization, extensive unemployment, pervasive poverty, and a burdensome foreign debt. Continued drought in 1997-98 fueled urbanization, further straining government finances. The concentration of much of the country's wealth in the hands of a small elite, including the President's tribe and related Moor tribes, as well as a lack of transparency and accountability in certain areas of governance, also impedes economic growth. Annual per capita national income is estimated at \$440. Mauritania receives foreign assistance from bilateral and multilateral sources.

The Government's human rights record remained generally poor; there was some improvement in a few areas, but problems remain in others. Democratic institutions remain rudimentary, and the Government circumscribes citizens' ability to change their government. Police used excessive force, beat or otherwise abused detainees, and used arbitrary arrest and detention, incommunicado prearrestment detention, and illegal searches; however, reports of police abuses decreased during the year. The Government failed to bring to justice most officials who committed abuses, although some were sanctioned during the year. Prison conditions remained harsh and unhealthy, although there were some improvements. Pretrial detention is often very lengthy. Although the Government instituted judicial programs and training, the executive continued to exercise significant pressure on the judiciary, and in practice the right to a fair trial was restricted. At times the Government restricted freedom of speech. While the Government tolerates a critical independent press, it continued to censor individual editions and banned one paper for a period of 3 months without official explanation other than to cite the Constitution, which prohibits material that undermines national sovereignty, territorial integrity, or national unity. The Government restricted freedom of assembly in one instance and at times restricted freedom of association. The leader and other officials of a major opposition party arrested at the end of 1998 were tried and acquitted of all charges in March in what was considered a fair trial. The Government limits freedom of religion. The Government continued to refuse to recognize officially some nongovernmental organizations (NGO's). A ministry-level High Commission for Human Rights, Poverty Alleviation, and Integration created in 1998 facilitated the work of international NGO's. Societal discrimination against women continued, and female genital mutilation remained a serious problem despite government efforts to halt the practice. Ethnic tensions continued to ease, but the largely southern-based ethnic groups, including the Halpulaar (also called Fulani or Peuhl), Soninke, and Wolof ethnic groups, remained underrepresented in political life and some of their members feel excluded from effective political representation. Child labor in the informal sector is common.

The Government continued efforts to resolve a serious abuse from the 1989-91 period, in which approximately 70,000 members of southern ethnic groups were expelled or fled to neighboring countries, by encouraging returns and facilitating the work of local and international organizations to continue the integration projects initiated by United Nations High Commissioner for Refugees (UNHCR). The UNHCR has determined that the majority of the refugees had returned home and that there were no longer impediments to the rest returning. It therefore terminated its program at the end of 1998. Informed observers advise that following the large-scale returns of previous years of up to 65,000 persons, refugees continued to return in small numbers during the year. Under the land reform program intended to provide land to the landless and to increase land under cultivation, some of the returnees as well as other members of the southern ethnic groups who had never left Mauritania failed to regain access to all of the land they previously had

held. Some returnees also failed to regain the houses they had occupied before their expulsion, and there were varying reports about their success in obtaining other homes. There were claims that the Government favored the dominant White Moor ethnic group in its redistribution, reportedly leaving some Southerners landless.

The Government failed to address fully another major abuse from the 1989-91 period, when 503 members of the military, almost entirely from the Halpulaar and Soninke ethnic groups of the south, were killed, tortured, and maimed. The Government in earlier years gave pensions to the documented widows of those killed, but not to undocumented individuals claiming to be additional wives. In 1996 the Government extended pension benefits to some of those who survived the purge. There were no indications of further action on alleged wives who lack documentation. A 1993 amnesty law precludes legal pursuit of those responsible for the killings, and the Government does not acknowledge responsibility or wrongdoing nor has it provided honorable discharge papers to survivors or other compensation to families of those killed. The issue resurfaced with the July 3 arrest in France, under the International Convention against Torture of a Mauritanian captain undergoing training at the French Army College who was accused by two political refugees of having tortured them. The arrest sparked a lively debate among opinion leaders from all ethnic groups, covered extensively in the press, on how to further national reconciliation.

A system of officially sanctioned slavery in which government and society join to force individuals to serve masters does not exist; however, there continued to be unconfirmed reports that slavery in the form of forced and involuntary servitude persists in some isolated areas. Unofficial, voluntary servitude persists with many former slaves continuing to work for former masters for food, shelter, and clothing, although they were under no legal compulsion to do so. Many persons including some persons from all ethnic groups still use the caste designation of slave.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

There were no reports of political killings.

There was one known extrajudicial killing by the security forces. Toward the end of the year, police in an antidrug brigade arrested a young man and beat him severely. The judge before whom he was brought to be charged released him to his family, but he died a few days later. In November the two police officers responsible were brought before a disciplinary body and fired, but were not prosecuted.

Extrajudicial killings from past years remained unresolved, principally the 1990-91 deaths while in military custody of 503 military personnel and civilians detained in the investigation of an alleged coup attempt. The individuals were largely Halpulaar but included a few Soninke. In 1993 the Government began to provide pension benefits to some of the widows and families of those killed, and in 1996 the Government recognized the prior government service of some of the civilian survivors and began to pay them pensions. The military has not released the results of its 1991 internal investigation, and in

1993 Parliament passed an amnesty bill to preclude legal pursuit of those responsible. The Government has not acknowledged responsibility or wrongdoing nor has it provided honorable discharge papers to survivors to facilitate alternative employment and their reintegration into society. The Government has considered applications from civil servants who had lost their jobs during the events of 1989-91 and has employed a small number.

b. Disappearance

There were no reports of politically motivated disappearances.

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

The law prohibits torture and other forms of cruel or inhuman punishment; however, the police reportedly continue on occasion to beat criminal suspects while in custody. Police have used undue force in controlling public crowds and breaking up peaceful demonstrations (see Section 2.b.). There was one case in March in which a man who reportedly tried to rob someone was beaten severely by his intended victim who then brought him to the police station where he died 3 days later, having received no medical treatment. No official action was taken against the police.

In November an airport policeman shot a taxi driver during the course of an argument over payment of a fee. The taxi driver was hospitalized and the policeman was arrested and charged, and is now in prison. In a separate case in July, two policemen in Nouakchott who had assaulted a man who had been harassing a neighbor were removed from the force.

During the year, the Director of Security traveled to each region of the country to meet with police forces to inform their members that the Government would not tolerate the use of torture or undue force and that violators would be prosecuted. The Government has continued its in-service training of police and other security personnel, which has shown some positive results. Reports of the use of excessive force, requests for payoffs, or other abusive behavior decreased during the year, and some violators were sanctioned.

On July 3, two Halpulaar political refugees in France charged Mauritanian Captain Ely Ould Dah, a Black Moor, in France as part of a military cooperation program, with having tortured them during the 1990-91 events. A French judge in Montpellier had Ould Dah arrested under the International Convention against Torture. The arrest sparked a lively debate among opinion leaders from all ethnic groups, which was covered extensively in the press, on how to further national reconciliation (see Section 4).

Prison conditions remained harsh and do not meet minimum international standards, although improvements continued during the year. Sanitation facilities remained inadequate and reportedly have contributed to diseases such as tuberculosis, diarrhea, and dermatological ailments. Medical supplies, mainly provided by an international NGO, remained insufficient. Some prisoners received special treatment based on family and position. Prisoners with high-level connections and families to bring them food, medicines, and reading material fared better than the less privileged or Africans from other countries. New guard force management continued to enforce instructions against beatings and torture. However, there were reports of beatings of detainees at the

Commissariat outside of the prison. The current overall prison population is approximately 1,352, of whom 658 are in Nouakchott, including, 34 women and 31 minors held in separate facilities. Conditions at the women's and children's centers continued to be better than in the men's prisons. Female prisoners were moved to a considerably upgraded new facility in May that contained a communal garden. An NGO working in the prison provided a program of education and micro-enterprise projects. An international NGO is in the process of establishing facilities for educational and sports activities at the children's center. The Government is cooperating with an NGO to seek funding to provide training for female guards to replace the male guards currently at the women's prison. A new wing was added to the men's prison in Nouakchott in 1998, increasing its overall intended capacity to 300. It currently is housing double that number. Plans are underway to build a new prison in Nouakchott, and reported plans to build a new prison in Akjoujt have been dropped. The current prison continues to be used for those awaiting trial; the new facility is to house those already convicted. A doctor and nurse assigned to the men's prison also provide medical care for the women's and children's prison, but the infirmary remains understaffed.

The new prison administration instituted in August 1997 has improved markedly the conditions of prison food, health, hygiene, and family contacts. In May detainees at the men's prison engaged in a hunger strike to demand further improvements, including speedier trials. Prison officials met with the protesters and on June 7 established a commission to review the prison situation and seek ways to improve conditions. Based on the commission's recommendations, prison administrators have included in next year's budget request an increase of 2 1/2 times the current expenditures per prisoner in order to provide for improved food and nutrition, medical services and supplies, and new bedding and cleaning supplies.

The Government permits prison visits by diplomats and human rights monitors.

d. Arbitrary Arrest, Detention, or Exile

The Constitution stipulates that authorities cannot arrest, detain, prosecute, or punish anyone except as provided for under the law; however, at times police arbitrarily arrested and detained citizens. The actual application of the constitutional safeguards continued to vary widely from case to case.

The law requires that courts review the legality of a person's detention within 48 hours of arrest. The police may extend the period for another 48 hours, and a prosecutor or court may detain persons for up to 30 days in national security cases. Only after the prosecutor submits charges does a suspect have the right to contact an attorney.

Human rights activists report that police showed greater respect for legally mandated procedures and that prison administration improved considerably. However, pretrial detention after arraignment is often prolonged. An estimated 30 to 50 percent of those in prison have not yet been tried, or were awaiting sentencing following their trials. The Government and an NGO sponsored a 10-day seminar for 50 police officers in May to inform them of the rights of children and the legal treatment of detained suspects.

Some indicted detainees are released before trial without explanation; familial, tribal, or political connections may explain some of these cases. There is a provision for granting

bail, but it is used rarely.

Ahmed Ould Daddah, leader of the opposition party Union of Democratic Forces-New Era (UFD-A), and two other party members, who had been arrested in mid-December 1998 for having repeated charges that the Government had agreed to bury Israeli nuclear waste on Mauritanian soil, were released in January after 5 weeks detention. They were tried and acquitted in March. The defendants were represented well by counsel, and the trial generally was considered to have been conducted fairly in accordance with legal procedures.

There continued to be occasional reports of arbitrary arrests and intimidation committed by security forces, particularly of returned refugees in communities in the south along the Senegal River. Police detained protesters in January (see Section 2.b.). There were conflicts between the Government and communities along the river over the redistribution of land under the land reform program, particularly among communities with returned refugees. The land reform program was designed to provide land to the rural landless and to increase land under cultivation, particularly land made irrigable from the Senegal River Valley Authority (OMVS) project created and managed by Mauritania, Senegal, and Mali. The reform has met with resistance from those who had part of their traditional landholdings that had lain fallow confiscated. Some persons, including returned refugees, were arrested when they attempted to reclaim all of their traditional land. In the village of Medina-Fenai, villagers were arrested and held in prison for 4 days before release in July. In some cases the fallow land was granted to wealthy Moors who developed commercial agricultural enterprises. A net redistribution of land from southerners to both Black Moors and White Moors displaced from the northern and central regions by desertification since the 1970's may have occurred; however, this program is designed specifically to avoid leaving any rural family landless and provides land to landless persons from all ethnic groups (see Section 1.f.).

There were no reports of forced exile. The Government continued to welcome the return of any citizens who had been expelled or who had fled during 1989-91.

e. Denial of Fair Public Trial

Although the Constitution provides for the independence of the judiciary, in practice the executive branch exercises significant pressure on the judiciary through its ability to appoint and influence judges. In addition poorly educated and poorly trained judges who are susceptible to social, financial, tribal, and personal pressures limit the judicial system's fairness. However, the Government is carrying out a program to improve judicial performance and independence. An education program is ongoing to upgrade judicial personnel and to train them, among other subjects, in the application of the revised commercial laws.

There is a single system of courts with a modernized legal system that conforms with the principles of Shari'a (Islamic law). The judicial system includes lower-, middle-, and upper-level courts, each with specific jurisdictions. Departmental, regional, and labor tribunals are the principal instances at the lower level. The 53 departmental tribunals, composed of a president and magistrates with traditional Islamic legal training, hear civil cases involving sums less than \$49 (10,000 UM) and family issues, for example, domestic, divorce, and inheritance cases. Thirteen regional tribunals accept appeals in

commercial and civil matters from the departmental tribunals and hear misdemeanors. Three labor tribunals, composed of a president and two assessors (one who represents labor and one who represents employers), serve as final arbiters for labor disputes. At the middle level, three courts of appeal, each with two chambers (a civil and commercial chamber, and a mixed chamber) hear appeals from the regional courts and have original jurisdiction for felonies. Nominally independent, the Supreme Court is headed by a magistrate appointed to a 5-year term by the President. The Supreme Court reviews decisions and rulings made by the courts of appeal to determine their compliance with the law and procedure. Constitutional review is within the purview of a six-member Constitutional Council, composed of three members named by the President, two by the National Assembly President, and one by the Senate President. Annual review of judicial decisions is undertaken by the Supreme Council of Magistrates, over which the President presides; the president and senior vice president of the Supreme Court, the Minister of Justice, three magistrates, and representatives from the Senate and National Assembly are members of this Council. The annual review is intended to determine whether courts applied the law correctly and followed proper procedures. The most recent review was used as a basis for evaluating the reform process, providing for retraining of judges, and making reassignments based on their qualifications.

The Constitution provides for due process and the presumption of innocence until proven guilty by an established tribunal. All defendants, regardless of the court or their ability to pay, have the legal right to representation by counsel during the proceedings, which are open to the public. If defendants lack the ability to pay for counsel, the court appoints an attorney from a list prepared by the National Order of Lawyers, who provides defense free of charge. The law provides that defendants may confront witnesses, present evidence, and appeal their sentences, and these rights generally are observed in practice.

Because Shari'a provides the legal principles upon which the law and legal procedure are based, courts do not in all cases treat women as equals of men. For example, the testimony of two women is necessary to equal that of one man. In addition, in awarding an indemnity to the family of a woman who has been killed, the courts grant only half the amount that they would award for a man's death. There are no female magistrates. However, for commercial and other modern issues not specifically addressed by Shari'a, the law and courts treat women and men equally.

With international assistance, the Government continued a program to improve judicial performance and independence, which consists of organizing all laws and statutes into a single reference text and training officials throughout the justice system. Legislation passed on July 24 created separate tribunals for specific types of disputes with a magistrate for each chamber in order to streamline pretrial procedures and improve judicial accountability. A commission consisting of a chairman and 11 members of the concerned departments was established on June 7 by the Minister of Justice to review the prison situation and to seek ways to improve it (See Section 1.c.). Based on legislation passed in June, investment, administration, commerce, civil, and arbitration banking codes are being revised. Government prosecution of security officials during the year mitigated somewhat the persistent popular dissatisfaction with the judicial system and the belief that security officials can commit abuses with impunity.

There were no reports of political prisoners.

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

The law requires judicial warrants in order to execute home searches, but the authorities reportedly often ignore this requirement.

Government surveillance of dissidents and the political opposition is believed to continue, although the extent to which the Government used informants is unknown. An attempt by government prosecutors to enter taped telephone conversations as evidence in the March trial of Ahmed Ould Daddah was ruled inadmissible by the judge because they had been obtained illegally.

There were a number of unconfirmed reports that the Government confiscated the farmland of members of southern ethnic groups in or near the Senegal River valley and redistributed it to members of the dominant White Moor ethnic group, leaving southern farmers landless, forcing a number of them into the cities, and impelling some to flee the country. The Government began implementation of the 1983 land reform law in 1990. The reform aimed at providing land for landless persons, including victims of desertification in the northern and central regions (both White Moors and Black Moors) and also, in recent years, for returning southerners who had been expelled in 1989-91. The reform also aimed to increase the amount of land under cultivation by leasing uncultivated land to those with the means to cultivate it. The unconfirmed reports of confiscations may reflect abuses in the program's implementation; the proper implementation of the land reform does not leave families landless, and the program is not explicitly discriminatory. However, there may have been a net redistribution of land from southerners to Moors under that program, since the south has been less affected by desertification than the more northerly regions historically inhabited by the Moors. There were also some reports that some southerners who had been expelled or fled from the country during 1989-91 were unable either to regain possession of the land they had farmed before 1989 or to gain possession of other land from the Government (see Section 1.d.).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, but the Government continues to restrict these rights through prepublication press censorship by the Interior Ministry. NGO's and the privately owned press openly criticized the Government and its leaders. Antigovernment tracts, newsletters, and petitions circulated widely in Nouakchott and other towns.

The Press Law requires publishers to submit copies of newspapers to the Ministries of Interior and Justice before distributing them. The Ministry of the Interior reviews all newspaper copy prior to publication and usually authorizes sales and distribution within 2 to 3 days. However, the Press Law provides that the Minister of the Interior can stop publication of material that discredits Islam or threatens national security. The authorities seized eight individual issues of different journals and suspended one (*Le Calame*) for 3 months from April 6 to July 5. In April the Government suspended the accreditation and censured the journal of a correspondent for the British Broadcasting Corporation and *El Hayat*. The Government provided no specific reasons for the seizures or the censure other than to cite Article 11 of the Constitution, which prohibits materials that undermine

national sovereignty, territorial integrity, or national unity.

On August 11, police detained Sidi Mohamed, the editor of a local newspaper, and held him in the civil prison in Nouakchott for several hours for questioning regarding an anonymous article published the previous day that was critical of recent decisions by the Supreme Council of Magistrates. This was the first detention of a journalist in the country.

All newspapers must register with the Ministry of the Interior. There are over 400 journals and newspapers registered with the Ministry of the Interior, a third of which do not publish regularly, some never having issued an edition. However, there are only around 20 privately owned newspapers that publish on a regular basis, including 7 new French language newspapers and 4 new Arabic publications. These journals are weeklies and reach limited audiences. There is also one French language magazine that registered during the year but has yet to appear. The Government issues press cards to journalists and requires that they show this identification for participation in official press events. Private journals reported openly and critically on both the opposition and the Government and published party declarations and tracts without government censure or restraint during the municipal elections. Publications are exempt from all taxes on materials used to produce newspapers, journals, or books for the private press. On August 9, President Taya met with representative journalists from three major press associations to discuss press issues.

All broadcast media (radio and television) and two daily newspapers, Horizons and Chaab, are government-owned and operated. Radio is the most important medium in reaching the public, and the official media strongly support government policies. During the January municipal elections campaign, the Government provided all candidates with equal access to its two newspapers and to the electronic media, allowing citizens to hear and read criticism of the Government in these media in addition to in the private press. Opposition parties' access to government radio broadcast facilities at other times is limited. Citizens can receive foreign television broadcasts including from France and from Arab countries. The Government continued to deny private applications to establish domestic radio stations. However, the Government allowed domestic FM rebroadcasting of Radio France International programming, including news about the country that often covers opposition parties.

There are five domestic Internet servers, which operate without governmental restrictions. Connections were upgraded and service was expanded to Nouadhibou, the major commercial center, and to five regional capitals.

Academic freedom generally is respected, and there were no cases when the Government prevented research or publication or censored lectures. The one university is government funded and operated.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly, and the Government generally respects this right; however, there was one occasion when it restricted public gatherings. In November it refused a permit to the opposition FPO, which sought to protest upgrading relations with Israel. The law requires that all recognized political parties and NGO's apply to the local prefect for permission for large meetings or assemblies. Permission

generally is granted freely, and there were no reports during the year that the Government restricted such gatherings.

Peaceful although unauthorized demonstrations in Nouakchott on January 11 to protest the arrest of opposition leaders Ahmed Ould Daddah, Mohamedden Ould Ichidou, and Mohameden Ould Babah led to the detention for 2 hours of several participating lawyers, university professors, students, journalists, artists, and human rights activists on the grounds that they were inciting intolerance and violence and disturbing order, peace, and public safety. Although the demonstration was authorized, the participants ultimately proceeded to a different location that was not authorized.

The Constitution provides for freedom of association; however, the Government circumscribes the efforts of some groups by denying them official recognition. All political parties must register with the Ministry of the Interior. The number of political parties, labor unions, and NGO's continued to increase. Some 22 political parties and a wide array of NGO's, many of them highly critical of the Government, functioned openly, issued public statements, and chose their own leadership. The Government has not yet granted some NGO's official standing but did not prevent them from functioning. Among these are the Mauritanian Association for Human Rights (AMDH) and SOS-Esclaves (an antislavery NGO), which the Government claims are potentially divisive in that they appeal to specific ethnic groups, namely the southern and Black Moor communities respectively.

Following diplomatic confrontation with Iraq, resulting from Mauritania's opening full diplomatic relations with Israel, the Government accused Iraq of undertaking subversive action against it, fomenting violent antigovernment demonstrations, and financing the Taliaa (Vanguard) political party. The Government disbanded the Taliaa party, whose officials had been meeting with Iraqi Ba'ath party representatives, citing constitutional prohibitions against "cooperation with a foreign party; accepting foreign funds for political propaganda and carrying out illegal acts."

The Government recognizes three trade union confederations, in addition to independent federations and a number of nonaffiliated unions (see Section 6.a.).

Since September 1998, the Government has recognized 75 new NGO's and associations, bringing the total of such organizations to over 600.

Freedom of Religion

The Constitution established Mauritania as an Islamic republic and decrees that Islam is the religion of its citizens and the State, and the Government accordingly limits freedom of religion.

All but a small number of citizens are Sunni Muslims and are prohibited by their religion from converting to another religion. Shari'a law, proclaimed under a previous government in 1983, includes the Koranic prohibition against apostasy, but it has never been enforced. The small number of known apostates from Islam suffered no social ostracism, and there were no reports of societal or governmental attempts to punish apostates.

Although the Government provides a small stipend to the imam of the Central Mosque in

the capital city of Nouakchott, mosques and Koranic schools normally are supported by their members and other donors.

In addition to privately-run Koranic schools that nearly all children attend, the public schools include classes on religion. These classes teach both the history and principles of Islam and the classical Arabic of the Koran. Although attendance of these religion classes is nominally required, many students, the great majority of whom are Muslims, decline to attend these classes for diverse ethno-linguistic and religious reasons. They are nevertheless able to advance in school and ultimately to graduate with diplomas, provided that they compensate for their failure to attend the required religion classes by their performance in other classes.

Although there is no legal codification of a prohibition against proselytizing by non-Muslims, in practice the Government prohibits proselytizing by non-Muslims under Article 11 of the Press Act, which bans the publication of any material that is against Islam or contradicts or otherwise threatens Islam. The Government views any attempts by Christians to convert Muslims as undermining Mauritanian society. There are no known non-Muslim groups engaged in proselytizing; foreign Christian NGO's limit their activities to humanitarian and development assistance.

Christian churches have been established in Nouakchott, Atar, Zouerate, Nouadhibou, and Rosso. The expatriate community of Christians and the few citizens who are considered Christians from birth practice their religion openly and freely in these churches. The possession of Bibles and other Christian religious materials in private homes is not illegal.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for freedom of movement and residence within all parts of the territory, and provides for the freedom to enter and leave. Historically there were few restrictions on travel in Mauritania's nomadic society. With urbanization and automobile travel, the Government set up regular road checkpoints where the Gendarmerie checks the papers of travelers, and reportedly often solicit bribes. The Government imposed no nighttime curfews. Early in the year, in response to civil society complaints, the Government reduced the number of official Gendarmerie checkpoints.

Of the approximately 70,000 members of largely southern-based ethnic groups who were expelled by Mauritania or fled to Senegal and Mali during the 1989-91 crisis, and of those born abroad since then, the UNHCR documented 33,248 returnees to four provinces along the Senegal River. Both the UNHCR and the Government agree that many others have returned on their own to the larger towns and cities. Many more returnees among nomads, who are difficult to document, and urban dwellers are not included in UNHCR's figures. Informed observers estimate that the actual number of returnees ranges between 40,000 and 65,000. Many entire villages as well as almost all Peulh (nomadic herders of the Halpulaar ethnic group) have returned. The Government has stated since 1993 that any Mauritanian outside the country may return. However, the Government, the countries of asylum, and the UNHCR have signed no tripartite repatriation agreement. Under the UNHCR-funded, 2-year "Special Plan for Rapid Integration" (PSIR), which began to assist returnees in mid-1996, the Mauritania Red Crescent, the UNHCR, and NGO's have undertaken 223 small agriculture, water, health, education, and construction projects in

130 villages to assist returnees. Considering its mission completed, the UNHCR terminated its Rapid Integration program for refugees at the end of December. The UNHCR estimates that there are 15,000 to 20,000 Mauritanian refugees remaining in Senegal. They still formally are under UNHCR protection but no longer are provided assistance since the UNHCR sees no impediment to their return to Mauritania. The UNHCR terminated its program at the end of 1998.

Cooperation by local authorities in addressing restitution and citizenship matters varies greatly, depending on individual officials and the returnee's region (see Sections 1.d. and 1.f.). Repatriation efforts have achieved greater results in the Trarza and Brakna regions than in Gorgol and Guidimaka to the east. However, observers noted that the situation in Gorgol has improved considerably. Many returnees received their original homes, some property, and all or a portion of their land. Timely restoration of identity papers has varied, and some of those repatriated who returned in 1995 have not yet received identification cards. In some regions, persons lacking identity cards could not travel freely.

The law provides for the grant of refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government grants such status in accordance with these provisions and on the basis of UNHCR recommendations. There is, however, no legislation providing for this practice. The Government, which has cooperated with the UNHCR and other humanitarian organizations in assisting refugees since 1989 signed a headquarters agreement with the UNHCR in May. In recent years, the Government has provided first asylum to refugees from neighboring countries. The Government also has accepted the UNHCR's registration of some 200 asylum seekers, mostly from Sierra Leone and Liberia. There were no reports of refugees being forced to return to a country where they feared persecution.

Mauritania is host to over 50,000 nationals of other West African countries who seek refuge and employment, primarily in Nouakchott and Nouadhibou. An estimated 60 percent of Mauritania's small craft fishermen are Senegalese. There is a population of approximately 300 Sierra Leoneans living in Nouakchott. Some arrived more than 10 years ago and are fully employed. Approximately 225 of these have been granted refugee status and receive UNHCR assistance. The Sierra Leoneans held protest demonstrations at the U.N. compound on several occasions throughout the year demanding increased assistance and refugee status for all of them.

About 2,000 Malian former refugees who could repatriate have remained in the country and largely have integrated with the local population. Nearly all these Malian refugees are Moors. The UNHCR no longer considers them refugees.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government, but the Government circumscribes it in practice. The 1992 multiparty election of a civilian president ended 14 years of military rule, but both the opposition and international observers concluded that the elections were fraudulent. Although civilians fill all ministerial-level positions, some members of the Military Council that ruled from 1984 to 1992, in addition to President Taya, remained in positions of power within the executive branch, the National Assembly, the armed forces, and government-owned enterprises. The

armed forces continued to provide potentially critical support to the regime. The Government denied elements of the opposition the opportunity to receive full access to government media and to compete on an equal footing.

The country's first multiparty legislative elections were held in 1996. Only 1 opposition and 6 independent candidates were elected to the 79-member National Assembly; candidates of the ruling PRDS party won the remaining 72 seats. The outcome of the elections was marred by fraud on all sides and pervasive government intervention to support candidates from the ruling PRDS party. After the Government announced that presidential elections would take place on December 12, 1997, the anniversary of the 1984 coup, a coalition of five opposition parties announced on June 26, 1997, that it intended to boycott the election unless certain demands were met. These requirements included enhanced media access, an opposition role in election preparation, creation of an independent electoral commission, enlarging the commission charged with electoral list revision, and provision of official copies of the voting report from each polling station to representatives of each candidate. The Government granted the opposition full access to its media but did not meet the other demands, and four opposition parties declined to participate in the election. However, five individuals, including for the first time a Halpulaar, ran for president. All received equal treatment in the official electronic and print media as well as extensive coverage in the private press. President Taya won an overwhelming victory, although his opponents fared much better in the cities than in the rural areas. The official turnout of 75 percent and the winning percentage of 90 percent were inflated, since many individuals voted more than once. The Government distributed four voter registration cards to some persons, including government employees, instructing them to vote repeatedly for the incumbent. The opposition also distributed multiple voter registration cards to some persons, instructing them to vote repeatedly. The April 1998 Senate elections were boycotted by the opposition. Of the 18 seats up for election, the ruling PRDS gained all but 1, which was won by an independent candidate. Similarly, in the January-February municipal elections, some of the opposition boycotted the elections, which had a very low voter turnout and resulted in overwhelming majorities for the ruling party candidates. The Government determined that there were widespread abuses in several communities and held new elections in those communities. In the second round, fraud was limited but voter turnout remained very low and progovernment candidates virtually swept the races, aided by the continued boycott of some opposition parties.

Elections are held by secret ballot. At polling places on election day, registered citizens receive a package of color-coded cards, containing one card for each candidate. Each citizen votes by depositing into a sealed ballot box, alone inside a closed booth, an envelope containing one of these cards. The unused cards are discarded on the floor. Although voters could in theory take the unused cards out of the polling place with them, the ready availability of many unused cards on the floor makes unused cards worthless as evidence of how a voter has voted and effectively eliminates the potential for abuse in such a multiple ballot system. A countrywide census, taken at the end of 1998, which was aimed at registering all citizens and standardizing the current complex system of names, also was aimed in part at providing the basis for free and fair elections. Tabulation of the results of the census, which are to form the basis of identity cards and voter registration, was not expected to be completed until 2000.

The country is divided into 12 provinces that are divided further into prefectures. The

Government appoints the Walis (governors) and Hakems (prefects). Municipal councils are elected by general ballot and they elect their mayors, usually the head of the majority party's list. Most government services are provided by the central government. The elected councils are responsible for some public services, such as sanitation, and have fiscal autonomy and taxing power. Their administrative staff is independent of the Government. The councils elect the national Senate.

Women have the right to vote, and formed the majority of voters in the 1997 presidential election, but are underrepresented in government. Women occupy some senior government positions, including three cabinet posts, one secretary-general, two senior presidential advisors (including a Halpulaar), and four senior advisors to ministers. Women are well represented in the Secretariat of Women's Affairs, including a number of Halpulaar women. There are three female members of the National Assembly (including one Haratine and one Soninke from the Forgeron caste, a caste of lower status than the former slave caste), but there are no female senators.

Haratines, Halpulaars, Soninkes, and Wolofs are underrepresented in senior government positions. Of the Government's 20 ministerial posts, 4 incumbents are Haratine, 2 are Halpulaar, 1 is Soninke, and 1 is mixed White Moor/Soninke; the remaining 12 are of either White Moor or mixed White Moor/Haratine ethnicity (see Section 5). The full 28-member Cabinet, including secretaries of state, has 4 Haratines, 3 Halpulaars, 1 Soninke, and 1 mixed White Moor/Soninke. The 56-member Senate has 3 Haratines, 4 Halpulaars, 3 Soninkes, and the remaining 46 are of either White Moor or mixed White Moor/Haratine heritage. The 79-member National Assembly has 2 Haratines, 7 Halpulaars, 2 Soninkes, and 1 Wolof.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

There is an increasing number of human rights organizations. Some operate with official government registration, but others do not have this authorization. The oldest is the Mauritanian League for Human Rights, an independent, government-recognized body. A second organization, the Mauritanian Human Rights Association (AMDH), is still unrecognized (see Section 2.b.). While not affiliated with the opposition, it has many opposition members. The AMDH has been more critical of the Government than the League, particularly on the unresolved abuses of the 1989-91 period.

Other organizations, including 14 unregistered associations, also address human rights issues. The pan-African organization, International Study and Research Group on Democracy and Economic and Social Development in Africa (Gerddes-Africa), established a branch in Mauritania in 1994. Two other groups, SOS-Esclaves and the National Committee for the Struggle Against the Vestiges of Slavery in Mauritania, focus their efforts on overcoming the country's vestiges of slavery (see Section 6.c.). SOS-Esclaves was particularly active in claiming that slavery remains pervasive and appealing to national and international audiences to contribute to its eradication. SOS-Esclaves leader Boubacar Ould Messoud traveled freely abroad in June and made such claims during a speaking tour. He returned to the country in July without incident. SOS-Esclaves also has intervened effectively in the past with government authorities to push resolution of some of the cases, in particular child custody and inheritance cases, brought to the organization by former slaves.

Attention to the events of 1989-91 resurfaced following the arrest on July 3 of Captian Ely Ould Dah in France. Ould Dah, who had been undergoing training at the French Army College, was accused by two Mauritians resident in France of torturing them in 1990. He was arrested under the International Convention Against Torture despite a general amnesty passed by the Parliament in 1993. The Government reacted strongly to what it considered an infringement on its sovereignty by a French court and refused entry to a French prosecutor who sought to gather information to support the charges. The arrest sparked public debate on ways to further national reconciliation (see Section 1.c.).

The Committee of Solidarity with the Victims of Repression in Mauritania is concerned with the plight of the 1989 expellees. The Consultative Group for the Return of the Refugees was founded to promote the return of the remaining Mauritanian refugees in Senegal. The Collective of Worker Victims of the 1989 Events seeks redress for government employees who lost their jobs in the events of 1989. The Committee of the Widows and the Collective of Survivors focus on the sufferings of the victims of the 1990-91 military purge and their families. The Collective of Survivors of Political Detention and Torture was established in 1996 to seek redress for abuses committed during the 1986-87 period. These, and other groups of individuals with common concerns, function openly and actively, but their efforts are circumscribed somewhat because they are not recognized officially (see Section 2.b.). The Coalition of Human Rights NGO's is an umbrella organization for 12 of these organizations; it represents the group in various forums, including representations to foreign embassies. It includes all the organizations previously mentioned.

The only international association concerned with human rights to visit the country during the year was the International Committee of the Red Cross.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides for equality before the law for all citizens, regardless of race, national origin, sex, or social status, and prohibits racial or ethnic propoganda. In practice the Government often favors individuals on the basis of ethnic and tribal affiliation, social status, and political ties. Societal discrimination against women, strongly rooted in traditional society, is endemic, although the situation is improving.

Women

Human rights monitors and female lawyers report that physical mistreatment of women by their husbands is rare. The police and judiciary occasionally intervene in domestic abuse cases but women in traditional society rarely seek legal redress, relying instead upon family and ethnic group members to resolve domestic disputes. The incidence of reported rape is low. It occurs, but newspaper accounts of attacks are rare.

Women have legal rights to property and child custody, and, among the more modern and urbanized population, these rights are recognized. By local tradition, a woman's first marriage, but not subsequent marriages, requires parental consent. In accordance with Shari'a, marriage and divorce do not require the woman's consent, polygyny is allowed, and a woman does not have the right to refuse her husband's wish to marry additional wives. In practice polygyny is very rare among Moors but common among other ethnic

groups. Arranged marriages are also increasingly rare, particularly among the Moor population. Women frequently initiate the termination of a marriage, which most often is done by husband or wife by repudiation rather than divorce. It is also common in Moor society for a woman to obtain, at the time of marriage, a contractual agreement that stipulates that her husband must agree to end their marriage if he chooses an additional wife. The rate of divorce among Moors is estimated to be 37 percent and the remarriage rate after divorce is 72.5 percent.

Women still face some legal discrimination. For example the testimony of two women is necessary to equal that of one man and the value placed on women's lives in court-awarded indemnities is only half the amount awarded for a man's death (see Section 1.e.). However, women do not face legal discrimination in areas not specifically addressed by Shari'a. The Secretariat for Women's Affairs works with many NGO's and cooperatives to improve the status of women. A booklet published late in 1996 advises women of their rights. On October 6, the Council of Ministers ratified the U.N. Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The Government entered reservations over requirements of CEDAW that contradict the Shari'a, such as in inheritance cases in which women receive half the portion of a man.

There are no legal restrictions on the education of girls and women. Girls constituted 48.8 percent of all children enrolled in school in 1998. Some 84 percent of school-age girls attended elementary school in 1998-99, up from 44.8 percent in 1990 (compared with 88 percent for boys, up from 58.3 percent). At the secondary level, female students constituted 37.4 percent of those enrolled. Despite the increases, enrollment in eastern Mauritania, the Brakna, and along the Senegal River remained at a lower level. The Government introduced a special countrywide program in 1995-96 to boost female enrollment at the elementary level. Women made up 17 percent of the university's 1998-99 enrollment, compared with 9 percent in 1990. Women also constituted 30.5 percent of students enrolled in technical schools, compared with 2 percent in 1990. The literacy rate for women is 36 percent compared with 50 percent for men.

The Government seeks to open new employment opportunities for women in areas that traditionally were filled by men, such as health care, communications, police, and customs services. Women became more involved in the fishing industry and established several women's fishing cooperatives. For the first time, women were hired by the army to serve as police inspectors and customs officials.

The law provides that men and women receive equal pay for equal work. While not universally applied in practice, the two largest employers, the civil service and the state mining company, respect this law. In the modern wage sector, women also receive generous family benefits, including 3 months of maternity leave.

Children

The Government does not require attendance at school, primarily because it lacks the financial resources to provide educational facilities and teachers throughout the country, especially in remote areas. However, the Government has made universal primary education a priority and has targeted the year 2000 to achieve that goal. The Government has doubled the percentage of its budget devoted to education in the past 10 years and has increased the rate of primary school attendance from 45 percent in 1986 to 86 percent in

1999. In addition almost all children, regardless of sex or ethnic group, attend Koranic school from the ages of 5 to 7 and gain at least rudimentary skills in reading and writing Arabic in addition to memorizing Koranic verses.

The law makes special provision for the protection of children's welfare, and the Government has programs to care for abandoned children. However, these programs are hampered by inadequate funding. Local NGO's estimate that there are over 150 street children. The Government relies on foreign donors in such areas as child immunization. Moreover, it does not enforce existing child labor laws, and children perform a significant amount of labor in support of family activities (see Section 6.d.). Following public criticism and government action against families that send their young sons to work abroad as camel jockeys, there were no reports of this practice during the year.

Traditional forms of mistreatment of females continue, mostly in isolated rural communities, but these practices appear to be on the decline. Such mistreatment consists of forced feeding of adolescent girls (gavage) and female genital mutilation (FGM), which is widely condemned by international health experts as damaging to both physical and psychological health. Experts previously estimated that between 60 and 70 percent of women experienced gavage, but now conclude that less than 25 percent of Moor women have experienced gavage, which is practiced only among the Moors. The change in figures appears to reflect both prior overestimation and a decline in the practice in recent years. The Government continued intensive media and educational campaigns against FGM and gavage during the year.

FGM is performed most often on young girls, often on the seventh day after birth and almost always before the age of 6 months, and it is practiced among all ethnic groups except the Wolof. A March 1996 report by the United Nations Population Fund and a study published in 1997 by Jeune Afrique Economie cited Mauritania as a country in which 25 percent of the women undergo FGM. Among Halpulaar women, over 95 percent undergo FGM. A broad, foreign-funded study still is underway to obtain more precise data. The Government projects the study's completion by the end of 2000. Preliminary results of the foreign-funded study indicate that 66 percent of those who perform FGM recognize that the practice is detrimental to women's health, and 54 percent of imams agree that the practice is dangerous. Local experts agree that the least severe form of excision is practiced, and not infibulation, the most severe form of FGM. The practice of FGM has decreased in the modern urban sector.

It is the clear public policy of the Government, through the Secretariat of Women's Affairs, that FGM should be stopped, and the Government bars hospitals from performing it. Public health workers and NGO's educate women to the dangers of FGM and to the fact that FGM is not a requirement of Islam. For example a 1996 officially produced Guide to the Rights of Women in Mauritania (with religious endorsement) stresses that Islam does not require FGM and that if medical experts warn against it for medical reasons, it should not be done. The campaign against FGM appears to be changing attitudes towards the practice, according to several women's rights experts.

A 10-day seminar in May conducted by NGO's and the Government for approximately 50 police, judges, and sociologists was aimed at sensitizing them to the rights of children and the special consideration necessary when detaining juvenile suspects.

People with Disabilities

The law does not provide specifically for the disabled, and the Government does not mandate preference in employment or education or public accessibility for disabled persons. However, it does provide some rehabilitation and other assistance for the disabled. Nongovernmental organizations have become increasingly active in raising public awareness of issues affecting the disabled.

National/Racial/Ethnic Minorities

Ethnic minorities and low-caste individuals among all ethnic groups confront societal discrimination. Ethnic and cultural tension and discrimination arise from the geographic and cultural line between traditionally nomadic Arabic-speaking (Hassaniya) Moor herders and Peuhl herders of the Halpulaar group in the north and center, and sedentary cultivators of the Halpulaar (Toucouleur), Soninke, and Wolof ethnic groups in the south. Although culturally homogeneous, the Moors are divided among numerous ethno-linguistic clan groups and are racially distinguished as Beydane and Haratine, or White Moors and Black Moors, though it is often difficult to distinguish between the two groups by skin color. The majority of what are known as Black Moors are Haratine, literally "one who has been freed," although some Black Moor families never were enslaved. The Halpulaar (the largest non-Moor group), the Wolof, and the Soninke ethnic groups are concentrated in the south. "White" Moors, large numbers of whom are dark-skinned after centuries of intermarriage with members of Sub-Saharan African groups, dominate positions in government and business. The southern Halpulaar, Soninke, and Wolof ethnic groups are underrepresented in the military and security sectors.

A number of accounts indicate that redistribution of southern farmland to Moors since the acceleration of desertification in the 1970's has contributed to tensions between Moors and southern-based ethnic groups. Although much of the government's redistribution of land has been from southerners to southerners, some Moors have been resettled in the south. Ethnic tensions surfaced dramatically in the mass expulsions of southern-based ethnic groups--mostly Halpulaars--in 1989-90 and the purge of Halpulaars from the military in 1991. Few regained their positions.

The Constitution designates Arabic along with Pulaar, Soninke, and Wolof as Mauritania's national languages. However, successive governments--both civil and military--have pursued various policies of "Arabization" in the schools and in the workplace. Non-Arabic-speaking ethnic groups have protested this policy, as have Arabic-speaking groups that want their children to obtain a bilingual Arabic-French education.

In April the National Assembly approved educational reforms to replace the separate track Arabic-French system of education, which had been in place for the past 20 years, with a unified system for all citizens in which both French and Arabic would be the language of instruction for all students. Under the separate track system, Moors generally attended Arabic language schools, while Halpulaars, Soninke, and Wolof attended French-language schools. The Government concluded that the separate track system had contributed to ethnic divisions. Reversion to the previous unified system, with all students attending the same schools, is expected to promote social cohesion. The reform also provides for English and civics to be introduced at an early stage. The promotion of other

national languages, previously included at the elementary level, was moved to the university level.

Ethnic divisions and tensions contribute significantly to political divisions and tensions. Some political parties tend to have readily identifiable ethnic bases, although political coalitions among them are increasingly important. An acceleration of desertification during the 1970's that destroyed much of the traditional economic basis of Moorish society, and an upsurge of Arab nationalism among White Moors during the 1980's, contributed to explosive ethnic violence precipitated by a dispute with Senegal during 1989-91; this violence entailed the expulsion or flight of many non-Moors living in the south and occupation of much of their land by Moors, including Black Moors. Interethnic bitterness and hostility persists, and continues to be aggravated by climatic, land, and population pressures.

A number of accounts suggest that some members of the long-dominant White Moor community, which traditionally enslaved a darker skinned groups, may continue to expect or desire servility on the part of members of the generally darker Black Moors and southern ethnic groups, and that such attitudes may impede efforts to build a nondiscriminatory society and to eliminate the vestiges and consequences of slavery, goals to which both the Government and major opposition parties are committed. There are indications that racism on the part of some White Moors may have contributed both to the persistence of vestiges and consequences of past White Moor enslavement of Black Moors, and to the expulsions and reported dispossession of members of darker southern ethnic groups with no tradition of servility to White Moors. However, southern-based ethnic groups and Black Moors have manifested little racial solidarity socially or politically, and racial differences did not contribute either to historical slavery or to the persistence of its vestiges and consequences among southern-based ethnic groups.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides for freedom of association and the right of citizens to join any political or labor organization. All workers except members of the military and police are free to associate in and establish unions at the local and national levels.

Prior to the 1993 amendment of the Labor Code, which repealed provisions restricting trade union pluralism, the government-controlled labor confederation, the Union of Mauritania Workers (UTM), was the only labor confederation allowed by law. Since 1993 seven new trade union organizations have been recognized, including two confederations and four federations. The oldest of the three confederations, the Union of Mauritanian Workers (UTM), still is viewed by many workers as closely allied with the Government and the ruling Parti Republicain Democratique et Sociale (PRDS). It has lost ground to The General Confederation of Mauritanian Workers (CGTM), which was recognized in 1994 with 23 member unions, and the Free Confederation of Mauritanian Workers (CLTM), which was founded in 1995 and recognized in 1998. The CGTM is not affiliated with any party, although most of its members tend to favor the opposition. The CLTM is associated with the opposition party, Action for Change.

The Government provides funds to the confederations in proportion to their memberships.

All three confederations supplied representatives to the country's four labor tribunals, and were included in most government deliberative or consultative bodies. Several independent trade unions, in particular three for teachers at the elementary, secondary, and university levels, also were active. The three confederations continued to hold seminars under foreign embassy and other sponsorship to educate their members on responsible trade unionism and democratic labor relations, and then replicating them in more remote areas of the country. Discussions at the seminars were open, and sometimes were critical of the Government, which facilitated the seminars by providing logistical support and participating in opening and closing sessions.

The bulk of the labor force is in the informal sector, with most workers engaged in subsistence agriculture and animal husbandry; only 25 percent are employed in the wage sector. However, nearly 90 percent of industrial and commercial workers are organized. The law provides workers with the right to strike, and there were several strikes and partial work stoppages. Most strikes were settled quickly due to limited worker and union resources. In 1997 authorities arrested secondary school teachers who threatened to strike and later cut their salaries. The law provides for tripartite arbitration committees composed of union, business, and government representatives. Once all parties agree to arbitration, the committee may impose binding arbitration that automatically terminates any strike.

International trade union activity increased. The Government included CGTM, UTM, and CLTM representatives in its delegation to the International Labor Organization (ILO) in June, and the ILO conducted an extensive series of training workshops in which the confederations participated as they did in 1997.

Unions are free to affiliate internationally. The UTM participated in regional labor organizations. The CGTM and UTM are both members of the International Confederation of Free Trade Unions (CFTU). The UTM has been accepted into the Organization of African Trade Union Unity (OATUU), but the CGTM's application was not accepted, as the OATUU only accepts one member union from each country.

In recognition of the steps the Government has taken to afford internationally recognized worker rights, the U.S. Government on September 1, restored to Mauritania preferential tariff benefits under the GSP, which had been suspended in 1993.

b. The Right to Organize and Bargain Collectively

The law provides that unions freely may organize workers without government or employer interference. General or sectoral agreements on wages, working conditions, and social and medical benefits are negotiated in tripartite discussion and formalized by government decree. Wages and other benefits also can be negotiated bilaterally between employer and union and the results of such negotiations are filed with the Directorate of Labor.

Laws provide workers with protection against antiunion discrimination and employees or employers may bring labor disputes to three-person labor tribunals administered jointly by the Ministries of Justice and Labor with the participation of union and employer representatives.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The Government prohibits forced and bonded labor, including by children, but does not enforce this prohibition effectively in specific cases (see Section 5).

Mauritanians continue to suffer the effects and consequences of the practice of slavery over generations and of caste distinctions including the traditional existence of a slave caste in both Moor and Southern communities. Slavery was abolished officially three times in Mauritania, most recently by the post-independence government in 1980. Even before 1980, the practice of slavery among the traditionally pastoralist Moors had been greatly reduced by the accelerated desertification of the 1970's; many White Moors dismissed their former Black Moor slaves because the depletion of their herds left them unable either to employ or to feed slaves. However, widespread slavery was also traditional among ethnic groups of the largely nonpastoralist south, where it had no racial origins or overtones; masters and slaves alike were black. The South has suffered less from desertification, and some reports identify it as the region in which vestiges and consequences of slavery may persist most strongly.

A system of officially sanctioned slavery in which government and society join to force individuals to serve masters does not exist. There has been no open trading in slaves for many years. However, there continue to be unconfirmed reports that slavery in the form of forced and involuntary servitude may persist in some isolated areas. Unofficial voluntary servitude persists, with some former slaves continuing to work for former masters in exchange for monetary or nonmonetary benefits such as lodging, food, or medical care. Many persons, including some from all ethnic groups, still use the designation of slave in referring to themselves or others. The reasons for the persistence of such practices appear to be economic, psychological, and religious, although they vary widely and may be quite different among pastoralist or formerly pastoralist Moors from what they are among the southerners and the less numerous nonpastoralist Moors. Poverty, persistent drought, and a weak economy provide few economic alternatives for many and leave some former slaves vulnerable to possible exploitation by former masters. There are reports that some former slaves in some sedentary communities have continued to work for their former masters or others in order to retain access to the land they traditionally farmed, although the law provides for distribution of land to former slaves and this law has been enforced in many cases. In addition to their usual compensation, some former slaves, who continue to work for former masters also receive gifts on important family occasions such as births, marriages, and deaths. Deeply embedded psychological and tribal bonds also make it difficult for many individuals who have generations of forebears who were slaves to break their bonds with former masters or their tribes. Finally, because of religious instruction in the past, some individuals continue to link themselves to former masters for fear of religious sanction if that bond is broken.

Adults cannot be obliged by law to remain with former masters nor can they be returned if they leave. However, adult females with children may have greater difficulties and may be compelled by pressures other than physical force to remain in a condition of servitude. For example, in some cases, especially where the former master claims to be the father, former masters refuse to allow children to accompany their mothers. In other cases, the greater economic responsibility of supporting a family may be the principal impediment

to a woman seeking a new life. Children's legal status is more tenuous than that of adults. There have been no reports of sales or "transfer" of children or other individuals from one employer or master to another since 1996, when there were occasional confirmed cases of transfers; however, reports of sales are rare, cannot be confirmed, and are confined to past years.

The legacy of caste distinctions continues to affect the status and opportunities available to various groups. In some groups, for example, individuals of a higher caste who seek to marry someone of a lower caste may be barred by the community, and in Soninke communities members of the slave caste cannot be buried in the same cemetery as other castes.

NGO positions on the existence of slavery are not uniform. For example, SOS-Esclaves in an April 1997 report characterized slavery as a persistent social reality, whose occurrence among disadvantaged classes is far from negligible. The Organization of African Unity's (OAU) African Commission on Human and People's Rights report issued in June 1997 disputed the conclusions of the April 1997 SOS-Esclaves report. While allowing for the possibility of isolated cases of slavery in the remote countryside, the Commission concluded that slavery does not exist as an institution, and the persistence of vestiges of slavery was the more convincing explanation of social relations. Anti-Slavery International has stated that there is insufficient evidence one way or the other to conclude whether or not slavery exists, and that an in-depth, long-term study was required to determine whether the practice continues.

Problems related to the vestiges and consequences of slavery usually enter the public domain in judicial cases, most often in the form of child custody and inheritance disputes, between former masters and former slaves or their descendants. However, court adjudication of such cases is rare. Several inheritance disputes between Haratines and the descendants of their former master were adjudicated in court in recent years. Most such disputes were decided in accordance with the law, as the courts ruled that the descendants of the former slaves should inherit their property. However, in some cases involving land tenure, courts reportedly did not uphold the property rights of former slaves. No further action is known to have been taken on such a 1994 land case in which a court ruled against a Black Moor of slave background in favor of a White Moor former master.

In a 1995 case, the Supreme Council of Magistrates removed a magistrate from the bench because he ruled, contrary to the law, that a former master, rather than the former slave's descendants, should inherit the possessions of a former slave. In December 1996, the Supreme Council of Magistrates removed the magistrate in Kankossa from the bench because he refused to accept the provisions of the 1980 law abolishing slavery. The Government censured for a human rights-related cause at least one of the other three judges removed at the same time. The removal of these magistrates reinforced for other judges that the provisions of the 1980 law apply.

A case involving a former master, who was awarded custody of three children in early 1997 because he was deemed to be the father was resolved by mediation during the year with the children living with their mothers in Nouakchott. Determination of such cases is problematic in a country where there are polygyny, "secret" marriages, no written records, and divorce by repudiation. The courts are prepared to pursue the concept of genetic testing to determine paternity, but no such cases have yet been brought.

Three NGO's, SOS-Esclaves, the National Committee for the Struggle Against the Vestiges of Slavery in Mauritania, and the Initiative for the Support of the Activities of the President, had as their focus issues related to the history of slavery in Mauritania. Of these, SOS-Esclaves was particularly active in bringing to public attention cases in which it found the rights of former slaves to have been abridged and in assisting former slaves in their difficulties with former masters. Other human rights and civic action NGO's also follow this issue closely. The independent press, which includes journals that are published by Haratines and southern-based ethnic groups who emphasize issues of importance to these ethnic groups, is also quick to report any incident that comes to its attention in which the rights of former slaves have not been respected.

The Government focuses on education, literacy, and agrarian reform as the main means to eradicate the vestiges of slavery and deal with its consequences. The Government has raised the level of primary school attendance from 45 percent in 1986 to 85 percent this year. Classes are fully integrated, including boys and girls from all social and ethnic groups. In recent years, the Government's record in cases in which an individual's civil rights were adversely affected because of status as a former slave was weak. When complaints were filed with the Government to remedy cases involving detention of individuals against their will, the Government intervened in accordance with the law, although sometimes only after considerable prodding and passage of time. On May 21, the Government created a new cabinet post, the Commissariat for Human Rights, Poverty Alleviation, and Integration. A major focus of the commissariat is to address the vestiges and consequences of slavery.

d. Status of Child Labor Practices and Minimum Age for Employment

The Labor Code states explicitly that children must not be employed before the age of 14 in the nonagricultural sector unless the Minister of Labor grants an exception due to local circumstances. The Government has a functional labor inspectorate empowered to refer violations directly to the appropriate judicial authorities. The Government lacks sufficient resources to enforce existing child labor laws (see Section 5). The Government prohibits forced and bonded labor by children but does not enforce this prohibition effectively in certain specific cases (see Sections 5 and 6.c.).

Education is not compulsory and, for financial and other reasons, 15 percent of elementary school-age children do not regularly attend government schools. Labor law specifies that no child under the age of 13 may be employed in the agricultural sector without the permission of the Minister of Labor, nor under the age of 14 in the nonagricultural sector. The law states that employed children between the ages of 14 and 16 should receive 70 percent of the minimum wage, and that those between the ages of 17 and 18 should receive 90 percent of the minimum wage.

Young children in the countryside commonly pursue herding, cultivation, fishing, and other significant labor in support of their families' activities. In keeping with longstanding tradition, many children serve apprenticeships in small industries and in the informal sector. There is no child labor in the modern industrial sector.

e. Acceptable Conditions of Work

The minimum monthly wage for adults is \$48.36 (9,872 ouguiya). It is difficult for the

average family to meet minimum needs and maintain a decent standard of living at this salary.

The standard, legal, nonagricultural workweek may not exceed either 40 hours or 6 days without overtime compensation, which is paid at rates that are graduated according to the number of supplemental hours worked. Domestic workers and certain other categories work 56 hours. The Labor Directorate of the Ministry of Labor is responsible for enforcement of the labor laws, but in practice inadequate funding limits the effectiveness of the Directorate's enforcement.

The Ministry of Labor is also responsible for enforcing safety standards but does so inconsistently, due to inadequate funding. In principle workers can remove themselves from hazardous conditions without risking loss of employment; in practice, they cannot.

Trafficking in Persons

The law prohibits trafficking in persons, and there were no reports that persons were trafficked in, to, or from the country.

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