

[Home](#)[Issues & Press](#)[Travel & Business](#)[Youth & Education](#)[About State Department](#)

## Mauritania

### Country Reports on Human Rights Practices - [2005](#)

Released by the Bureau of Democracy, Human Rights, and Labor  
March 8, 2006

Mauritania is a highly centralized Islamic republic dominated by a strong presidency, with an estimated population of three million. The constitution provides for a civilian government composed of a dominant executive branch, a Senate, and a National Assembly. Former president Maaouiya Ould Sid'Ahmed Taya headed the ruling Republican Social Democrat Party (PRDS) and governed since 1984. Taya was reelected president in 2003. Opposition candidates alleged widespread fraud but chose not to contest the election's results via available legal channels. On August 3, for president Taya was deposed in a bloodless coup. Military commanders led by Colonel Ely Ould Mohammed Fal seized power while Taya was abroad. Colonel Fal established the ruling Military Council for Justice and Democracy (MCJD) to run the country. The council dissolved the parliament and appointed a transitional government. Following national consultations with political parties and civil society in October, the junta and transitional government released an election timeline culminating in presidential elections in March 2007, and the junta has announced that it will relinquish power by May 2007. Both the former and transitional governments refused to officially recognize several political parties. Civilian authorities generally maintained control of the security forces until the August 3 military coup, when the military leadership seized control of the security apparatus.

Both the former and transitional government's human rights records remained poor; although there were some improvements in a few areas, serious problems remained. Human rights were negatively impacted by the many problems facing the country, including persistent drought, widespread desertification, flooding, and the effects of the massive locust invasion in 2004. The country suffered from rapid urbanization, extensive unemployment, pervasive poverty, and a burdensome foreign debt. The concentration of much of the country's wealth in the hands of a small elite, as well as a lack of transparency and accountability in certain areas of governance, impeded economic growth and created a permissive environment for human rights abuses. The following human rights problems were reported:

- citizens' inability to change their government
- impunity
- harsh prison conditions
- arbitrary arrest and detention and prolonged pretrial detention
- illegal searches
- executive influence in the judiciary
- restrictions on freedom of speech, the press, and assembly
- limits on freedoms of association and religion
- widespread public perception of governmental corruption and lack of access to government information
- government refusal to officially recognize some nongovernmental organizations (NGOs) and human rights organizations
- discrimination against women and female genital mutilation (FGM)
- trafficking in persons
- ethnic and racial tensions continued and the under representation of largely southern based ethnic groups in political life
- slavery in the form of involuntary servitude persisted, particularly in remote regions of the country
- child labor in the informal sector

### RESPECT FOR HUMAN RIGHTS

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

##### a. Arbitrary or Unlawful Deprivation of Life

During the year, neither the former nor the transitional government or its agents committed politically motivated killings; however, security forces killed persons during the year.

On June 21, Mamadou Salui Diallo, a 58-year-old Guinean fisherman, died from injuries he sustained while in police custody. His family reported that police beat him to death; however, police claimed he committed suicide by throwing himself into a wall at a Nouakchott police station. Both local and foreign NGOs condemned the incident as an example of a police killing. The former government's internal investigation allegedly supported the police version of the incident.

During the year, police forcibly dispersed demonstrations during the year, which resulted in a death (see section 2.b.).

The trial of the two policemen charged with the 2003 killing of Amadou Kane began in 2004. The trial continued at year's end.

There were no developments in the 2003 drowning of Taleb Boubacar on the Nouakchott beach or in the official investigation into the killing of a teenager in Kaedi.

#### b. Disappearance

There were no reports of politically motivated disappearances.

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

Although the law prohibits such practices there were credible reports that police routinely beat and tortured suspects in custody, which resulted in at least one death (see section 1.a). There were instances of torture in prisons. Alleged police torture techniques included beating, hanging, burning with cigarettes, electric shock, and cutting. According to reports, those who lacked money or influential family or tribal ties were the most likely to be tortured.

Prisoners released under a May amnesty reported repeated beatings, in particular at the Ouad Naga and police school prisons (see section 1.d.). Prisoners cited a March 15 beating when forces, under the command of gendarmerie lieutenant H'Moudy Ould Taya, attacked the group, beat them and stole their possessions and clothing.

On September 29, the *Nouakchott Info*, a local daily newspaper, reported the torture of several Islamists including Ismael Issa, arrested by the former government during the year; Issa remained in prison. The article included a graphic photo of Issa's legs, which bore severe wounds reportedly inflicted by police during various interrogations (see section 1.d.).

#### Prison and Detention Center Conditions

Prison conditions remained harsh, although prison administration continued to show improvement. In some prisons, serious overcrowding persisted, and sanitation facilities remained inadequate, reportedly contributing to diseases such as tuberculosis, diarrhea, and dermatological ailments. Medical supplies, mainly provided by an international NGO, remained insufficient in all prisons. Budget allocations to improve prison conditions remained insufficient in all prisons. Physical conditions in Nouakchott's Central Prison improved because of construction projects that began during the year and were ongoing at year's end. Prisoners with high-level connections and with families to bring them food, medicines, and reading material fared better than the less privileged or citizens from other countries.

Guard force management generally enforced regulations against beatings and torture; however, there continued to be credible reports of beatings and torture of detainees at several prisons throughout the country.

The nationwide prison capacity was 800, and, as of December the prison population was an estimated 815. The prison population in Nouakchott was approximately 435 persons, with 394 men, 6 women, and 35 minors; women and minors were held in two separate facilities. During the year the transitional government began construction of a new central prison north of Nouakchott to hold sentenced male prisoners.

The women's prison employed both male and female guards. Children of female prisoners remained with their mothers, or the Ministry of Justice gave temporary custody of the children to another family member. The Noura Foundation, an NGO working in the prisons, provided education and domestic training to the female prisoners. UN Children's Fund, in collaboration with the Catholic NGO CARITAS and the Noura Foundation, provided services such as job training, gardening instruction, and sport activities in the juvenile detention center. Pretrial detainees in all detention facilities were frequently held with convicted prisoners as a result of overcrowding.

The former and transitional governments permitted prison visits by NGOs, diplomats, and international human rights observers. During the year foreign diplomats visited some prisons during the year. The International Committee of the Red Cross (ICRC) had access to prisons and conducted multiple prison visits during the year. The ICRC visited prisoners both before and after the August 3 coup. By year's end their findings were not reported.

#### d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention; however, there were frequent reports that the police arbitrarily arrested and detained citizens.

#### Role of the Police and Security Apparatus

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.

The police, who are under the control of the Ministry of the Interior, lacked equipment and training, which often weakened attempts to enforce the law. Corruption was believed to be endemic at all levels of the police. Police generally acted with impunity. The former and transitional governments often did not hold security officials accountable or prosecute security officials for abuses.

On August 3, former chief of the national police, Colonel Ely Ould Mohammed Fal, overthrew former president Maouiya Ould Sid'Ahmed Taya in a bloodless coup (see section 3).

#### Arrest and Detention

The application of constitutional safeguards continued to vary widely from case to case. The law requires duly authorized arrest warrants, but they were not commonly used. 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 can 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. While one article of the law provides detainees with the right to prompt judicial determination of the charges against them, an older law allows the government to detain persons for up to 30 days without a judicial determination. The former and transitional governments frequently adhered to the older law, the former government particularly during politically turbulent periods. A provision for granting bail exists but was rarely used.

The former government arrested journalists during the year (see section 2.a.).

There were reports of political detainees. From March to July, the former government detained approximately 80 Islamists, including Islamist leaders Cheikh Mohamed El Hacen Ould Dedew and Moctar Ould Mohamed Moussa, who it claimed were tied to terrorism. On May 28, the former government charged 37 with membership in unrecognized groups or for inciting violence and making harmful political statements at mosques. The former government released 14 others, leaving 66 in prison (37 of whom had been charged). A majority of the arrests appeared to be based on alleged political activities rather than religious beliefs. The transitional government released 21 of the 66 Islamists soon after assuming power, and on September 2 released an additional 24 for lack of evidence, leaving 21 in prison. The transitional government stated that it had sufficient evidence to hold the remaining 21, and was making its case against them at year's end. The ICRC visited them numerous times during the year.

According to some neutral observers, police in some regions arrested former criminals and demanded bribes for their release. Pretrial detention was a common practice. Some indicted detainees were released before trial without explanation. There were credible reports of persons remaining in pretrial detention months or in some cases years.

#### Amnesty

All prisoners tried in January for attempts to overthrow the Taya government, including 129 connected to the June 2003 coup attempt, were released from prison. The former government released all but 32 after their cases were dismissed or their time was served. In September the transitional government released through a general amnesty the remaining 32 who were convicted of coup plotting and related crimes (see section 1. c.).

#### e. Denial of Fair Public Trial

Although the law provides for the independence of the judiciary in practice the executive branch exercised significant influence over the judiciary through its ability to appoint and pressure judges. In addition, poorly educated and poorly trained judges who were susceptible to social, financial, and tribal pressures limited the judicial system's fairness.

Prior to the coup, the former government worked on judicial system reform, which included creating specialized appeals courts and training judges, prosecutors, and police on procedures for applying the country's laws, particularly those laws concerning human rights and trafficking in persons. The transitional government continued with these reforms. In August the transitional government formed an inter-ministerial committee to propose judicial reforms with an emphasis on establishing magisterial independence. The committee's report, released in November, listed several themes for judicial reform, including ensuring the independence of the judiciary, improving human resources and training for legal officials, and modernizing the justice system. The transitional government made minor staff changes to the judicial structure, including appointing a new minister of justice, Ould Bettah.

There is a single system of courts consistent with modified principles of Shari'a (Islamic law). Departmental, regional, and labor tribunals are the courts of first instance at the lower level. The 53 departmental tribunals, composed of a president and magistrates with traditional Islamic legal training, heard civil cases involving sums less than \$39 (10 thousand ouguiya) and family issues, such as domestic, divorce, and inheritance cases. A total of 13 regional tribunals accepted appeals in commercial and civil matters from the departmental tribunals and heard misdemeanors cases. At the middle level, three courts of appeal, each with seven chambers (civil, commercial, administrative, and penal chambers, as well as criminal, minors, and labor courts) heard appeals from the regional courts and have original jurisdiction for felonies.

The Supreme Court was nominally independent and was headed by a representative appointed to a five-year term by the president. The Supreme Court reviewed decisions and rulings made by the courts of appeal to determine their compliance with the law and procedure. Constitutional review was 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. The Supreme Council of Magistrates, over which the president presided, undertook annual review of judicial decisions; the president and senior vice president of the Supreme Court, the minister of justice, three magistrates, and representatives from the Senate and National Assembly were members of this council. The annual review was intended to determine whether courts applied the law correctly and followed proper procedures. Reviews also served as a basis for evaluating the reform process and reassigning judges based on their qualifications.

#### Trial procedures

The law provides for due process. Defendants have a right to a public trial, but juries are not used. All defendants, regardless of the court or their ability to pay, have the legal right to representation by counsel during the proceedings. If defendants lacked the ability to pay for counsel, the court appointed an attorney from a list prepared by the National Order of Lawyers, which provided a defense free of charge. There is a presumption of innocence and the right to appeal. The foregoing rights generally were observed in practice.

Shari'a provides the legal principles upon which the law and legal procedure are based, and courts did not treat women as the equals of men in all cases (see section 5).

The minimum age for children to be tried was 12. Those between the ages of 12 and 18 were tried and, if convicted, sentenced to the juvenile detention center. There was a special court to hear the cases of children under the age of 18. Children who appeared before the court received more lenient sentences than adults, and extenuating circumstances received greater consideration in juvenile cases.

In January the trial of the 181 men who were charged with either participating in the 2003 coup attempt or with plotting other coups, although reportedly politically influenced and with many irregularities, ended with lighter than expected sentences and no death penalties.

#### Political Prisoners

There were no reports of political prisoners.

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

The law requires judicial warrants to execute home searches; however, the former government authorities reportedly often ignored this requirement. There were no reports regarding the transitional authorities' adherence to this requirement by year's end.

Former government surveillance of dissidents and the political opposition was believed to continue; however, the extent to which they used informants was unknown. Although there were no reports, the transitional government likely continued this practice.

There were no reports that former or transitional government officials misappropriated land under the land reform system. The transitional government has taken no steps to cure past misappropriations, asserting that this is an issue best dealt with by an elected government. There were no reports of misappropriations during the year.

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

#### a. Freedom of Speech and Press

The law provides for freedom of speech and of the press, but the former and transitional governments continued to restrict these rights through prepublication press censorship by the Ministry of the Interior and domination of broadcast media. In a few cases, media groups were refused access to public forums or censored for criticizing the former government.

All newspapers must register with the Ministry of the Interior; registration was routine. Two daily newspapers, *Horizons* and *Chaab*, were government owned. There were approximately 25 privately owned newspapers that published on a regular basis, in both French and Arabic. NGOs and the privately owned press openly criticized the former government and its leaders, while little criticism was directed at the transitional government. Former antigovernment tracts, newsletters, and petitions circulated widely in Nouakchott and other towns. Newspapers, journals, and privately published books were exempt from all taxes on materials used to produce them.

Radio was the most important medium for reaching the public, and the official media strongly supported the former and transitional governments' policies. Except for the radio broadcast of Radio France International, all broadcast media (radio and television) were government owned and operated. The former government continued to deny, or simply not respond to, private applications to establish domestic radio stations. In December the transitional government allowed RFI to resume radio broadcasts. At year's end the transitional government's position on establishing domestic radio stations was not known.

Using satellite receivers and dish antennas, citizens could receive worldwide television broadcasts.

During the year several journalists were arrested by the former government. On May 19, Mohamed Mahmoud Abou Al Maaly, director of the regular weekly Arabic newspaper, *Akhbar Nouakchott*, was arrested and released two days later. Prior to his arrest, Maaly wrote articles against the former government's crackdown on Islamists, including one article which included an interview with the Islamic leader Jemil Mansour, who at the time was in hiding from the government.

On July 12, police arrested and reportedly abused Mohamed Fadel OULD Ahmed Vall. Prior to his arrest, he had been filming the Thieb Thieb market, a well known black market in Nouakchott. Police released Vall the same day but confiscated his tape.

Two newspaper employees were arrested during the year by the transitional government. On October 19, police arrested journalist Adil Ould Sijad and director Moulay Najem of the regular weekly French-language newspaper, *Points Chauds*, after the paper ran a story on a pornographic film reportedly made in Nouakchott's central prison. Najem was released the following day, but Sijad remained in prison until late November.

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 reviewed all newspaper copy prior to publication and usually authorized sales and distribution within two to three days. The Press Law; however, provides that the minister of the interior can stop publication of material that discredits Islam or threatens national security.

The former Ministry of the Interior censored two editions of independent newspapers during the year. On March 15, the 46th edition of the Arabic-language newspaper, *Al Marsad*, was suspended for no reported reason. On April 6, the 482nd edition of the French-language newspaper *Le Calame* was suspended reportedly for attempting to publish a story regarding a disagreement among high-level military officers.

During the year transitional government censored one newspaper. The August 16 edition of the French-language newspaper *Le Mehariste* was censored, reportedly for attempting to publish a story on slavery. The Ministry of the Interior on two occasions delayed papers for several days but later allowed their publication. The moves appeared less an attempt at censorship than an internal bureaucratic mistake.

The Arab-language private newspaper, *Ar-Raya* closed by the former government in 2003 as a result of its links with Islamist political leader Jemil Mansour, remained closed during the year.

The Arab-language private newspaper, *Al Jawahir*, closed by the former government in 2004 as a result of its alleged financial links to Libya, remained closed during the year.

Opposition parties' access to government radio and television broadcast facilities was extremely limited prior to the August 3 coup. These groups received greater access after the coup but were still subjected to occasional censorship. On October 3, a televised program in which political parties discussed sensitive issues of repatriating displaced Afro-Mauritians was censored from broadcast on a public television station.

The former and transitional governments did not restrict access to the Internet or academic freedom.

#### b. Freedom of Peaceful Assembly and Association

##### Freedom of Assembly

The law provides for freedom of assembly, and, while the former government sometimes restricted this right in practice, the transitional government has largely respected it; however, police dispersed at least two pro-Taya demonstrations, a human-rights demonstration, and a sit-in protesting the return of refugees on the pretext they did not have permits.

The law requires that all recognized political parties and NGOs apply to the local prefect for permission to hold large meetings or assemblies, and permission was generally approved. During the months of May through August, police regularly used force, and in some instances tear gas, to disperse demonstrators or crowds that formed in Nouakchott. These crowds often gathered in front of the Central Prison, either to protest the former government's treatment of Islamists, or to request the release of friends and relatives. There were credible reports that persons were injured during these police actions. Zeinabou Mint Youssef, a seven-months' pregnant woman, died on June 2 from injuries received when police forcibly dispersed a crowd of protesters on May 28. Zeinabou and others protested in front of the Central Prison against the arrest of several Islamists opposed to former president Taya. Police and former government officials denied any involvement in her death.

##### Freedom of Association

The law provides for freedom of association; however, the former and transitional governments limited this right in practice and circumscribed the efforts of some groups by denying them official recognition. The former government recognized three human rights NGOs but refused to recognize the major political party, The Party of Democratic Convergence (PDC) (see section 4). In October the transitional government also refused recognition to the PDC. In December the transitional government recognized the political party, Democratic Renewal.

All political parties must register with the Ministry of the Interior. Organized political parties (29 under the former government and 30 under the transitional government) and a wide array of NGOs, many of them highly critical of the former government, functioned openly, issued public statements, and chose their own leadership. The former and transitional governments did not grant certain NGOs official standing but did not prevent them from functioning (see section 4). Groups were often refused recognition under laws which prohibited the formation of racially or religious-based organizations. These laws were used by the former and transitional governments to ban Islamist political parties.

The former and transitional governments continued to ban the political parties Action for Change, Union of Democratic Forces-New Era , An-Nouhoud, and Taliaa (Vanguard).

#### c. Freedom of Religion

The constitution establishes the country as an Islamic republic and decrees that Islam is the religion of its citizens and the state; the former and transitional governments limited freedom of religion. Christians in the foreign community and the few Christian citizens were usually permitted to practice their religion openly and freely. In April police told four small West African Protestant groups, which held prayer sessions in members' homes, to stop meeting and encouraged them to relocate their activities to the compound of the Catholic Church,

where the Catholic Church and the Evangelical Church held regular meetings.

The former and transitional governments did not register religious groups, although NGOs had to register with the Ministry of the Interior (see section 2.b.). There included humanitarian and development NGOs affiliated with religious groups.

The government arrested numerous suspected Islamists during the year (see section 1.d.)

Although there is no specific legal prohibition against proselytizing by non-Muslims, in practice; the former and transitional governments prohibited proselytizing by non-Muslims through use of the press act, which bans the publication of any material that is against Islam or contradicts or otherwise threatens Islam. There were no reports that the former governments punished persons for violating this provision during the year. In December transitional government authorities arrested a British subject and held him for several days for reportedly distributing a cassette tape with Christian content. The former and transitional governments viewed any attempts by Christians to convert Muslims as undermining society; however, the former and transitional governments also restricted suspected Islamic extremists. There were no known non-Muslim groups engaging in proselytizing, and foreign Christian NGOs limited their activities to humanitarian and development assistance.

Under the press act, the government may restrict the importation, printing, or public distribution of Bibles or other non-Islamic religious literature, and in practice Bibles were neither printed nor publicly sold in the country. The possession of Bibles and other Christian religious materials in private homes, however, was not illegal, and Bibles and other religious publications were available among the small Christian community.

#### Societal Abuses and Discrimination

A very small number of expatriates practiced Judaism. In May citizens conducted several public protests against the former government's continued recognition of Israel, and during the protests made derogatory statements against Jewish persons.

For a more detailed discussion, see [the 2005 International Religious Freedom Report](#).

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

The law provides for these rights, and while the former and transitional governments generally respected them, in some regions, persons lacking identity cards could not travel freely. The former and transitional governments set up roadblocks where gendarmerie, police, or customs officials checked the papers of travelers and often demanded bribes. During the year the former and transitional governments generally maintained fewer roadblocks and reduced the time taken in questioning and conducting vehicle searches. In the weeks following the coup, there was an increased security posture. There were fewer reports of more stringent searches in the southern border areas.

The law does not prohibit forced exile, and the former government used it during the 1989-91 crisis; however, there were no reports that the transitional government used it.

The office of the UN High Commissioner for Refugees (UNHCR) estimated that there were between 15 thousand and 20 thousand refugees from the 1989-91 crisis remaining in Senegal, although refugees have continued to return independently in small numbers and have benefited from small-scale agro-forestry, health, and sanitation projects continued by NGOs and humanitarian workers. Cooperation by local authorities in addressing restitution and citizenship matters varied greatly, depending on individual officials and the returnee's region. Many returnees received their original homes, some property, and all or a portion of their land. Throughout the Chemama or the Senegal River Valley region, returnee communities were reestablishing their agricultural production; however, recovery of land titles remained the primary issue. Timely restoration of identity papers varied, and some of those who returned in 1995 have not yet received identification cards.

#### Protection of Refugees

The law does not provide for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees or its 1967 protocol, or the 1967 African Union Convention on the Status of Refugees, but the former government has established a system for providing such protection. In practice the former and transitional governments provided protection against *refoulement*, the return of persons to a country where they feared persecution, and granted refugee status or asylum.

The former and transitional governments continued to provide temporary protection to individuals who may not qualify as refugees under the 1951 convention and the 1967 protocol and during the year provided it to approximately 400 persons.

The former and transitional governments cooperated with the office of the UNHCR and other humanitarian organizations in assisting refugees or asylum seekers. The former and transitional governments also accepted the UNHCR's registration of approximately 600 asylum seekers, mostly from Sierra Leone and Liberia.

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

The law provides citizens with the right to change their government; however, this right was abridged during the year due to the overthrow of former president Taya in a bloodless coup. The former government circumscribed citizens' rights to change their government in practice. The transitional government, following "National Consultations" with over 500 political parties, NGO's, and public figures, released a timeline for a

transition to democracy calling for presidential and parliamentary elections no later than March 2007. The timeline was agreed to by the European Union (EU) during formal talks in Brussels in November. At the end of these talks the EU also declared that it was "prepared to give its support to the implementation of" 24 commitments made by the transitional government, including guaranteeing all Mauritanian citizens the full exercise of their basic rights and freedoms, including the freedoms of speech, movement, and assembly. The transitional government also requested and received assurances for UN elections preparation assistance. In December the UN dispatched an advance elections team to the country. The UN imposed two requirements for electoral assistance: having an independent electoral commission and revised voter lists. The transitional government complied with both demands. The UN advance team was providing technical advice on budget, organizing the new registration of voters, and assisting on other matters at year's end.

#### Elections and Political Participation

In the former government, although civilians occupied all ministerial-level positions, some members of the Military Council that ruled from 1984 to 1992, in addition to former President Taya, remained in positions of power within the executive branch, the National Assembly, the armed forces, and government-owned enterprises.

Former President Taya won the 2003 elections with 67 percent of the vote amid reports of fraud, particularly in the south. The former government did not invite international and local diplomatic observers to observe the voting process, although it did permit one international organization to visit the country during the elections. The leading opposition candidate, Mohamed Haidallah, was arrested the day before the election, released, and rearrested the day after the election. Opposition candidates alleged that the former government conducted a fraudulent election but chose not to contest the election's results via available legal channels, reportedly because the leading opposition candidate's imprisonment immediately following the elections prevented him from taking any legal action.

In 2004 and while in power during 2005, the former government arrested and tried 181 persons, mostly military officers, including Major Saleh Ould Hanenna, the leader of the "Knights of Change," for their involvement in three separate attempts to stage a coup to overthrow former president Taya. The trial resulted in lighter than expected sentences, with no persons sentenced to death. Many of the 181 were released by the former government during the year, after having their cases dismissed or having completed their sentences, and the final 32 were released by the transitional government following the declaration of a general amnesty in September.

The former government reportedly harassed the sons of former president and opposition leader Mohamed Khouna Ould Haidallah on several occasions during the year, allegedly in connection with criminal activity

On August 3, President Taya, who had ruled the country for 21 years, was deposed in a bloodless coup. Military and other security officers, led by the chief of the national police, Colonel Ely Ould Mohammed Fal, seized power while Taya was aboard. Colonel Fal established the ruling MCJD to run the country, and assumed the position of president of the MCJD. The MCJD dissolved the parliament, suspended parts of the constitution, adopted a constitutional charter allowing it to rule by decree, and appointed a transitional government to replace the Taya government.

In October this transitional government (the MCJD and the council of ministers) held national consultations with over 500 political parties, NGO's, and public figures to debate the roadmap to democracy. Following the consultations, the transitional government released a timeline for a transition to democracy culminating in presidential elections in March 2007.

Until August, when parliament was dissolved, three women held positions in the 81-seat National Assembly and 6 women in the 56-seat Senate. Three of the 15 members of the Executive Bureau of the former ruling PRDS party were women, and a woman heads the Union for Democracy and Progress party, a part of the former ruling coalition. Women occupied some senior former and transitional government positions: three cabinet-level posts including the minister of labor, two secretaries of state, the deputy director of the president's cabinet, and the president's minister-counselor. Women were well represented in the Secretariat of Women's Affairs, including a number from minority ethnic groups. Three of the 26 transitional government ministers are women and 2 of the 15 members of the National Independent Electoral Commission are women.

Prior to the dissolution, the 56-member Senate had 3 Black Moors, 4 Halpulaars, 3 Soninkes, and the remaining 46 were of either White Moor or mixed White Moor/Black Moor heritage. The 81-member National Assembly had 9 Black Moors, 8 Halpulaars, 2 Soninkes, and 2 Wolof. Minorities such as the Black Moors, Halpulaars, Soninkes, and Wolofs were underrepresented in senior former and transitional government positions. Sghair Ould M'Bareck, however, was appointed as the country's first Black Moor prime minister in 2003, and the first Black Moor woman to occupy a ministerial level position was appointed minister of public records in 2003. Of the former government's 22 ministerial posts, 2 incumbents were Black Moor, 2 were Halpulaar, and 1 was Soninke; the remaining 14 were of either White Moor or mixed White Moor/Black Moor ethnicity (see section 5). The full 26-member cabinet, including secretaries of state, had 2 Black Moors, 3 Halpulaars, and 1 Soninke. Of the transitional government's 26 ministerial posts, 2 incumbents were Haratines, 3 were Pular, and 1 was Soninke. Of the seventeen members of the MCJD, there was 1 Haratine, 1 Pular, and 1 Soninke.

#### Government Corruption and Transparency

There was a widespread public perception of corruption in all levels of the former government, and a widespread belief that corruption and poor fiscal management contributed to the country's significant fiscal problems. The former government did not conduct any audits during the year. The transitional government continued to investigate corruption and fiscal mismanagement by the former government at year's end. The public perception of the transitional government's level of corruption could not be determined by year's end; however, it was widely believed that some corruption continued as the transitional government inherited from the former government a patronage system that fostered corruption.

There were no laws permitting public access to government information, by either citizens or noncitizens. Requests for such access were routinely refused, usually without a specific reason being given.

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

Several domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Former and transitional government officials were somewhat cooperative and responsive to their views. The former government officially recognized three NGOs but refused recognition of several others and denied them the ability to deal with government officials, as well as the opportunity to request government assistance.

There were four NGOs concerned with overall human rights issues. The oldest was the Mauritanian League for Human Rights, a government-recognized body with a strong track record of defending former government policies. In May the former government recognized the Mauritanian Association for Human Rights, the International Study and Research Group on Democracy and Economic and Social Development in Africa, and anti-slavery NGO SOS-Esclaves. SOS Esclaves' president, Boubacar Ould Messaoud, had been a longstanding and vocal critic of the former government, and the recognition of this and the other two NGOs was seen as a significant positive step by the former government.

In August 2004 the UN-based Committee for the Elimination of Racial Discrimination reported that slavery, FGM, and racial discrimination remained ongoing problems in the country.

#### Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law provides for equality for all citizens regardless of race, national origin, sex, or social status, and prohibits racial or ethnic propaganda; however, the former and transitional governments often favored individuals on the basis of racial and tribal affiliation, social status, and political ties. Societal discrimination against women, trafficking in persons, and racial and ethnic discrimination were problems.

##### Women

Human rights monitors and female lawyers reported that domestic violence was rare, particularly among the Moor population. Abuse and domestic violence are illegal; however, the government did not always enforce the law effectively. Penalties included imprisonment, but convictions were very rare. The police and judiciary occasionally intervened in domestic abuse cases, but women in traditional society rarely sought legal redress, relying instead upon family and ethnic group members to resolve domestic disputes.

According to NGO reporting, the incidence of unreported rape was high. Rape, including spousal rape, is illegal; however, the government did not enforce the law effectively. Penalties included imprisonment, but convictions were very rare, and there were no known convictions under this law during the year. A 2000 study by a credible local NGO's found approximately 330 cases of rape in Nouakchott. Of the 330 cases, 140 had been reported as rape to medical staff. The remaining 190 had not been reported as rape, but the NGO concluded that the cases fit the medical profile for violent sexual assault. The study added that 46 percent of these 330 assaults were group assaults.

There were also reports that female slaves were raped and abused during the year. For example, in April there were several international media reports that Sghaira Mint Tesh, a woman who claimed to have grown up as a slave in a rural area of the country, was frequently beaten, raped, and underfed by her master. Tesh had three children as a result of being raped. Tesh, who left with her children, stated she intended to bring charges against her former master and to pursue the release of her enslaved mother and siblings but had not done so by year's end.

In November the SOS Esclaves reported the cases of Khadama (approximately 14-years old) and her older niece M'barka (approximately 17). According to SOS Esclaves' report, Khadama was given by her mother at a young age to a family that agreed to continue her education and pay her for cleaning work. The family reportedly did neither, instead forcing her to work as a house servant. M'barka was also forced into domestic servitude. Khadama subsequently escaped. M'barka claimed the head of household's nephew raped her, and she became pregnant. M'barka was charged with sexual misconduct for being pregnant and unwed; no action was taken against the nephew. The State Prosecutor's Office investigated the claim of slavery and determined that the girls were not slaves. The trial had not begun by year's end.

Although prostitution is illegal NGO reporting indicated that it was a growing problem in some urban areas, particularly among Afro-Mauritanian and Black Moor women.

Traditional forms of mistreatment of women continued, mostly in isolated rural communities, but these practices appeared to be declining. One form of such mistreatment was the forced feeding of adolescent girls (gavage) prior to marriage, which was practiced only among White Moor tribal groups. While there was no law prohibiting gavage, the former and transitional governments made it a policy to end the practice. Reports during the year indicated that very few women currently subjected to gavage.

FGM was practiced among all ethnic groups, most often on young girls, often on the seventh day after birth and almost always before the age of six months. According to the most recent internationally sponsored study in 2001, three-fourths of all women between the ages of 15 and 49 had been subjected to FGM. Local experts agreed that the least severe form of excision was practiced and not infibulation, the most severe form. The practice of FGM has decreased in the modern urban sector.

There is no law explicitly prohibiting FGM; however, there is a law protecting children, which "prohibits acts that could harm children," and some legal scholars believe this can be interpreted to outlaw FGM; however, it had not yet been so used by year's end. The former and

transitional governments and international NGOs continued to coordinate anti-FGM efforts. These efforts focused on eradicating the practice in hospitals, discouraging midwives from practicing FGM, and educating populations. The High Islamic Council of Mauritania, the Islamic Scholar Association, and the National Forum for Women's Rights continued to emphasize the serious health risks of FGM and that FGM was not a religious requirement. The former government conducted intensive media and educational campaigns against FGM during the year. Government hospitals and licensed medical practitioners were barred from performing FGM, and several government agencies worked to prevent others from carrying on this practice. According to several women's rights experts, the campaign against FGM appeared to be changing attitudes towards the practice; however, there were reports during the year that midwives performed FGM in local hospitals in violation of the former government's ban.

Women have legal rights to property and child custody, and, among the more modern and urbanized population, these rights were recognized. By local tradition, a woman's first marriage requires parental consent. In accordance with Shari'a as applied in the country, 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 was very rare among Moors but was common among other ethnic groups. It was common in Moor society for a woman to obtain at the time of marriage a contractual agreement that stipulated that her husband must agree to end their marriage if he chose an additional wife. Arranged marriages also were increasingly rare, particularly among the Moor population. Women frequently initiated the termination of a marriage, which most often was done by repudiation of husband or wife rather than divorce. The reported rate of divorce among Moors remained 37 percent, with a remarriage rate of 72.5 percent. In July 2004 the National Assembly voted against a proposal to provide women the same rights for a divorce that are available to men.

Women still faced legal discrimination. The testimony of two women was necessary to equal that of one man. The courts grant only half the amount of an indemnity to the family of a woman who has been killed that they award for a man's death. Formulas applied to property distribution varied widely from case to case. In addition the validity of and right to establish prenuptial agreements was not always respected. The Personal Status Code provides a framework for the consistent application of secular law and Shari'a-based family law, but the code has yet to be implemented.

Women did not face legal discrimination in areas not addressed specifically by Shari'a. The law provides that men and women should receive equal pay for equal work. While not applied universally in practice, the two largest employers, the civil service and the state mining company, observed this law. In the modern wage sector, women also received family benefits, including three months of maternity leave.

The former and transitional governments sought to open new employment opportunities for women in areas that were traditionally 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.

The Secretariat for Women's Affairs worked with many NGOs and cooperatives to improve the status of women. The former and transitional governments, women's groups, and national and international NGOs organized meetings, seminars, and workshops throughout the year to publicize women's rights.

## Children

The law makes special provision for the protection of children's welfare, and there were government programs to care for abandoned children; however, inadequate funding hampered these programs. Education continued to receive the largest share of the national budget at 19 percent. The former and transitional governments relied on foreign donors in such areas as child immunization.

Attendance was required at school for six years, but full implementation of universal primary education was not scheduled to be completed until at least 2007, primarily because of lack of financial resources needed to provide educational facilities and teachers throughout the country, especially in remote areas. The 2002-03 official attendance rate was steady at 92 percent. Education was free through university level. Classes were fully integrated, including boys and girls from all social and ethnic groups. Children of slave families were allowed to attend school. There were no legal restrictions on the education of girls. An estimated 90 percent of school-age girls attended elementary school in 1998 and 1999 compared with 88 percent of boys. At the secondary level, female students constituted 44 percent of those enrolled. Despite these increases, enrollment in the southern and eastern parts of the country remained at a lower level. During the 2002-03 academic year female students made up 21.5 percent of university enrollment, up slightly from 21.2 percent in 2001-02. Female technical student enrollment rose to 31.1 percent in 2002-03 from 30.5 percent in 2001-02. The official literacy rate for women remained at 32 percent, compared with 52 percent for men. Almost all children, regardless of sex or ethnic group, attended Koranic school between the ages of five and seven and gained at least rudimentary skills in reading and writing Arabic.

FGM was commonly performed on young girls (see section 5, Women).

Trafficking in children occurred (see section 5, Trafficking).

Child labor was a problem, particularly in the informal sector (see section 6.d.).

Local NGOs estimated that there were up to 400 street children, largely as a result of poverty and of the urbanization of formerly nomadic families. The former government implemented a program to assist families with street children and to encourage their school attendance.

## Trafficking in Persons

The law prohibits all forms of trafficking in persons; however, there were reports that persons were trafficked to, from, and within the country. The former and transitional governments did not prosecute or sentence anyone under this law during the year. The Ministry of Justice and

the Commissariat for Human Rights, Poverty Alleviation, and Integration were responsible for dealing with trafficking

The country was a source and destination for men, women, and children trafficked for the purpose of forced labor. Multiple NGO reports suggested that forced labor took several forms (see section 6.c.). Slavery-related practices, and possibly slavery itself, persisted in isolated areas of the country where a barter economy still prevailed. Several reports suggested that young girls from remote regions, and possibly from western Mali, worked as unpaid housemaids in some wealthy urban homes. An unknown number of young boys (talibes), nearly all from Pulaar tribes, begged in the streets as part of a "work-study" arrangement with some "marabouts," or religious teachers, for receiving religious instruction. There were unconfirmed reports that a small number of marabouts forced their Talibes to beg for over 12 hours a day and provided them with insufficient food and shelter.

There were no reports that former or transitional governments officials participated in, facilitated, or condoned trafficking. There was no government assistance or protection services for trafficking victims, but one NGO provided limited assistance to Talibes.

The former and transitional governments took measures to improve border security to combat trafficking in persons. Although no traffickers were apprehended, these measures resulted in arrests for alien smuggling.

#### Persons with Disabilities

The law prohibits discrimination against persons with disabilities in education, employment, or the provision of other state services, and there were no reports of former or transitional governments or societal discrimination against persons with disabilities. Neither government mandated preference in employment or education or public accessibility for persons with disabilities although they did provide some rehabilitation and other assistance for such persons. NGOs have become increasingly active in raising public awareness of issues affecting persons with disabilities. The school for the deaf and the blind in Nouakchott operated 10 classrooms and enrolled 127 students during the year, up from 67 students in 2004. The school lacked sufficient trained staff, having only two permanent and three part-time teachers.

#### National/Racial/Ethnic Minorities

Racial and ethnic minorities faced societal discrimination. Racial and cultural tension and discrimination arose from the geographic and cultural divides between Moor and Black African. The Moors were divided among numerous ethno-linguistic tribal and clan groups and further distinguished racially as either White Moor or Black Moor, although it often was difficult to distinguish between the two by skin color. White Moor tribes and clans, many of whom were dark-skinned after centuries of intermarriage with Berbers and sub-Saharan African groups, dominated positions in government and business. The Black Moor subgroup remained politically and economically weaker than the White Moor subgroup. Concentrated in the south, the Halpulaar (the largest non-Moor group), the Wolof, and the Soninke ethnic groups were underrepresented in the military and security sectors.

The constitution designates Arabic as the official language and Arabic, Pulaar, Soninke, and Wolof as the country's national languages; however, successive governments--both civil and military--have pursued various policies of "Arabization" in the schools and in the workplace.

Ethnic rivalry significantly contributed to political divisions and tensions. Some political parties tended to have readily identifiable ethnic bases, although political coalitions among them were increasingly important. Black Moors and Afro-Mauritanians are also underrepresented in mid to high-level public and private sector jobs.

#### Other Societal Abuses and Discrimination

There was no evidence of either societal violence or systematic former or transitional governments' discrimination directed at practicing homosexuals. Although Shari'a outlaws homosexuality under certain conditions, secular laws did not. The former and transitional governments did not arrest or prosecute any homosexuals during the year.

There was no evidence of systematic discrimination by either society or government against persons with HIV/AIDS; however, taboos and beliefs associated with the disease caused victims in some areas to face isolation or exclusion.

#### Section 6 Worker Rights

##### a. The Right of Association

The law provides for freedom of association and the right of citizens to join any labor organization, and workers exercised this right in practice. All workers except members of the military and police were free to associate in and establish unions at the local and national levels. To be legally recognized, a union must have the authorization of the public prosecutor who can provisionally suspend a trade union at the request of the Ministry of the Interior if it believes that the union has not complied with the law. The government, however, has the power to decide whether to recognize a trade union (see section 6.b.).

The majority of the labor force was in the informal sector, with most workers engaged in subsistence agriculture and animal husbandry; only 25 percent were employed in regularly paid positions. Nearly 90 percent of industrial and commercial workers, however, were unionized.

Laws provide workers with protection against antiunion discrimination; however, the former government in particular did not generally enforce these laws. 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.

#### b. The Right to Organize and Bargain Collectively

The law provides that unions may organize workers freely without government or employer interference, and workers exercised this right in practice. General or sector agreements on wages, working conditions, and social and medical benefits were negotiated in tripartite discussion and formalized by government decree. Wages and other benefits could also be negotiated bilaterally between employer and union, and the results of such negotiations were filed with the Directorate of Labor. Although the directorate has the ability to change the negotiated settlement between labor and business, there were no known cases of such action during the year. There were no export processing zones.

The law provides workers with the right to strike, and workers occasionally exercised this right during the year. On December 12, members of the Mauritanian Doctors' Union, began a 24-hour strike to protest against the arrest of Brahim Ould Hamad, a doctor who was accused of refusing to perform an autopsy on a man who had been shot. Strikes in the private sector must be preceded by submission of a non-conciliation or negotiation-breakdown report. Once a referral is made to arbitrate a dispute, the tripartite arbitration committee may automatically terminate any strike. Some unions believed the new code rendered strikes ineffective by requiring advance notification. Some trade union representatives stated that there was little social dialogue except in response to worker actions in a dispute.

The government can dissolve a union for what it considered an "illegal" or "politically motivated" strike; however, no unions were disbanded during the year.

The former government ratified an updated labor code in 2004 that included significant improvements in health-care entitlements, including the introduction of maternity leave; an improved paced-arbitration system; and a series of laws prohibiting forced labor in any form.

#### c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children, but the law only applies to relations between employers and workers; there were credible reports such practices occurred (see section 5 and 6.d.). Slavery is illegal although there were still areas where the attitude of master and slave prevailed and slavery was practiced

The updated labor code, which came into effect in July 2004, includes criminal penalties for human trafficking in all of its recognized forms and includes increased criminal penalties for contracting to benefit from forced labor and for exploiting forced labor as part of an organized criminal network.

In May the International Labor Organization issued a report from their May 2004 country visit to investigate allegations of the persistence of forced labor. The report concluded that the country continued to face challenges in combating forced labor, particularly in the form of forced domestic servitude, but praised the former government's efforts to address the issue. The report cited laws passed in 2003 and 2004 that expanded the definition of forced labor and increased the penalties for those found guilty of profiting from it. The report also acknowledged the former government's efforts to raise public and judicial awareness concerning forced labor. The report made several recommendations, including allowing for an in-depth and independent investigation into forced labor, reinforcing the Ministry of Public Records and Labor, and giving labor inspectors greater resources and autonomy.

Citizens continued to suffer from the country's heritage of slavery. Slavery has been officially abolished. The practice of chattel slavery was once a tradition. Numerous reports suggested that some members of the long-dominant White Moor community continued to expect or desire the servitude of Black Moors. The nature of these reports also suggested that such attitudes impeded the goal of eliminating all remnants of slavery and related practices, a goal to which the former and transitional governments and major opposition parties were committed. Slavery-related practices, and reports of slavery, persisted most strongly in those remote regions of the east and southeast where a barter economy existed, where education levels were generally low, and where a greater need existed for manual labor in work such as herding livestock and tending fields.

A system of officially sanctioned slavery, in which government and society joined to force individuals to serve masters, did not exist. However, there continued to be reports that slavery in the form of forced and involuntary servitude persisted in some remote areas.

SOS-Esclaves publicized several accounts of newly escaped slaves during the year. These reports strongly suggested that slavery and related practices persisted mainly among a few nomadic groups and small villages in remote rural regions.

Voluntary servitude also persisted, with some former slaves and descendants of slaves continuing to work for former masters in exchange for some combination of money, lodging, food, or medical care. The reasons for the persistence of such practices varied widely among the different ethnic groups; however, a barter economy, poverty, and persistent drought provided few economic alternatives for many and left some former slaves and descendants of slaves vulnerable to exploitation by former masters. There were reports that some former slaves in some sedentary communities continued to work for their former masters or others without remuneration to retain access to land they traditionally farmed. Although the law provides for distribution of land to the landless, including to former slaves, this law has been enforced in only a few cases. Deeply embedded psychological and tribal bonds also made it difficult for many individuals who had generations of forebears who were slaves 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 religiously ordained and they feared religious sanction if that bond were broken.

Adult females with children faced greater difficulties and could be compelled to remain in a condition of servitude.

Unlike in the previous year, there were no reports of court cases relating slavery to issues of child custody and inheritance. Human rights NGOs stated that the absence of such cases was attributable to judges' strong preference for out-of-court arbitration to avoid entering slavery-based allegations in the official record.

The Commissariat for Human Rights, Poverty Alleviation, and Integration focused on addressing the consequences of slavery. The former and transitional governments focused on education, literacy, and agrarian reform to remedy the economic consequences of slavery-related practices. When persons who were held against their will filed complaints with the government, their complaints were addressed only after considerable pressure and time. In November the transitional government conducted an investigation involving two alleged slaves (see section 5).

#### d. Prohibition of Child Labor and Minimum Age for Employment

The law provides that children cannot be employed before the age of 14 in the nonagricultural sector or under age 13 in the agricultural sector unless the minister of labor grants an exception due to local circumstances; however, child labor in some parts of the informal sector was common and a significant problem, particularly within poorer inner-city areas. 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 were commonly employed in herding, cultivation, fishing, and other significant labor in support of their families' activities. Young children in urban areas often drove donkey carts and delivered water and building materials. In keeping with longstanding tradition, many children served apprenticeships in small industries and in the informal sector. Reporting by some human-rights NGOs, including SOS-Esclaves, strongly suggested that domestic employment, often unpaid, of girls as young as seven in wealthier homes was a growing problem. There was no child labor in the modern industrial sector.

There was a labor inspectorate with the authority to refer violations directly to the appropriate judicial authorities but the eight inspectors lacked the basic resources, such as transport and office equipment, needed to enforce existing child labor and other labor laws.

#### e. Acceptable Conditions of Work

The nationally mandated minimum monthly wage for adults was \$78 (21 thousand ouguiya) but was not enforced, and in any case it did not provide a decent standard of living for a worker and family.

The standard, legal, nonagricultural workweek could not exceed either 40 hours or 6 days without overtime compensation, which was paid at rates that were graduated according to the number of supplemental hours worked. Domestic workers and certain other categories could work 56 hours per week. Employees must be given at least one 24-hour period of rest per week. The Labor Directorate of the Ministry of Labor is responsible for enforcement of the labor laws, but in practice inadequate funding limited the effectiveness of the Directorate's enforcement.

The government set health and safety standards, and the Ministry of Labor was responsible for enforcing these standards, but did so inconsistently, due to inadequate funding. In principle workers could remove themselves from hazardous conditions without risking loss of employment, but in practice they could not.

[Updates](#) | [Frequent Questions](#) | [Contact Us](#) | [Email this Page](#) | [Subject Index](#) | [Search](#)



The Office of Electronic Information, Bureau of Public Affairs, manages this site as a portal for information from the U.S. State Department. External links to other Internet sites should not be construed as an endorsement of the views or privacy policies contained therein.

[FOIA](#) | [Privacy Notice](#) | [Copyright Information](#) | [Other U.S. Government Information](#)