



## Mauritania

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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, which was contested by four opposition candidates but boycotted by the five-party Opposition Front coalition, was regarded widely 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. Senate elections held in April generally were considered free and fair by international observers; however, some opposition parties boycotted the election, and only the governing party and the parties associated with it presented candidates. The elections resulted in the one sitting opposition member being reelected along with three independents. 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, which has 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. 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 remained 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 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 abuses were sanctioned during the year. Prison conditions remained harsh and unhealthy; however, a new men's prison was completed in Nouakchott which improved overcrowding and unsanitary conditions. Pretrial detention continued; however, the length of pre-trial detentions were shorter due to improved organization of the courts. The Government continued its program of judicial reform and training; however, the executive continued to exercise significant pressure on the judiciary, and in practice the right to a fair trial was not always realized. At times the Government restricted freedom of speech. While the Government tolerates a critical independent press, it continued to censor individual editions. The Government restricted freedom of assembly and used excessive force in breaking up

demonstrations by the major opposition party. In May during a period of widespread public unrest, the Government banned all public demonstrations. The Government limited freedom of assembly and religion. The Government continued to refuse to recognize officially some nongovernmental organizations (NGO's) and human rights organizations. Discrimination against women continued, and female genital mutilation (FGM) 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. 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 reports that slavery in the form of forced and involuntary servitude persists in some isolated areas, or that unofficial, voluntary servitude persists and that former slaves continue to work for former masters or others for food, shelter, and clothing, although they were under no legal compulsion to do so.

## 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 or other extrajudicial killings.

#### 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 continued on occasion to beat criminal suspects while in custody. Police used undue force in controlling public crowds and breaking up peaceful demonstrations (see Section 2.b.). In April authorities forcibly disrupted political opposition demonstrations in Nouakchott and Nouadhibou and beat some demonstrators protesting the detention of an opposition leader (see Sections 1.d and 2.b.). On June 17 and 18, police used excessive force in breaking up demonstrations by Black Moors protesting land redistribution, which resulted in some demonstrators being beaten and injured (see Sections 1.d., 1.f., and 2.d.). The Government sanctioned the Governor and the head of police by removing them from their posts.

In 1999 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. These visits reportedly were successful. 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.

In July 1999, 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 events in 1990 and 1991. 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). While awaiting trial in France, Ould Dah forfeited bail and returned to Mauritania on April 4, apparently with the aid of the Government of Mauritania.

In past years, the National Guard has fired on fish poachers causing at least one injury. In July the Government signed an agreement with the Government of Senegal to allow and regulate through licensing the fishing of small craft fishermen in each others' waters. Since the agreement, there have been no further incidents of police shootings.

Prison conditions remained harsh; however, conditions in Nouakchott's prison continued to improve due to the opening of a newly constructed section of the men's prison, which put an end to serious overcrowding. The former men's prison is used to provide space for educational and sports programs for children. In other prisons, overcrowding persisted and 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 in all prisons. 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 citizens 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 overall prison capacity is 700 and the prison population was 1,352 in 1999. The prison population in Nouakchott was 567, a decrease of 100 from 1998 as a result of shorter pretrial detention. There were 517 men, 24 women and 26 minors; minors are held in separate facilities. In May 1999, female prisoners were moved to a new upgraded facility that contained a communal garden. Children of female prisoners remain with their mothers or the Ministry of Justice gives temporary custody of the children to another family member. The Noura Foundation, an NGO working in the prison, continued to provide a program of education and microenterprise projects to the female prisoners. UNICEF in collaboration with the French organization CARITAS has been providing increased services including training and sports in the juvenile detention centers. The Government cooperated with an NGO to provide training for female guards to replace the male guards currently at the women's prison; in March the Ministry of Justice appointed 15 women to serve as prison guards in the women's prison as a protective measure for female prisoners. 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; however, last year's budget funding for increased expenditures per prisoner for improved food and nutrition, medical services and supplies, and new bedding and cleaning supplies was not met.

The Government permits prison visits by domestic and international diplomats and human rights monitors. Foreign diplomats visited some prisons during the year. The International Committee of the Red Cross (ICRC) has access to prisons, but did not conduct prison visits during the year.

#### 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 continued to show improvement; however, pretrial detention after arraignment often is prolonged. An estimated 15 to 20 percent of those in prison have not yet been tried, or were awaiting sentencing following their trials. In May the Government and an NGO sponsored a 10-day seminar for 50 police officers 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.

Security forces continued to use arbitrary arrest, detention, and intimidation against the banned opposition party. Police detained Ahmed Ould Daddah, leader of the banned opposition party Union of Democratic Forces-New Era (UFD-A) and held him for 5 days in April; police arrested Ould Daddah again in December and held him incommunicado for 3 days before releasing him (see Section 2.b). Ould Daddah never was charged, but was questioned by the Government about his contacts with foreign and local political groups. Other party leaders and members in Nouakchott and Nouadhibou protesting his detention in April were beaten and detained (see Sections 1.c. and 2.b.).

There continued to be occasional reports of arbitrary arrest and detention by security forces against those protesting the redistribution of land and against returned refugees in communities in the south along the Senegal River (see Section 1.f and 2.d.) The reform has met with resistance from those who had part of their traditional landholdings that had lain fallow confiscated. On June 18, police arrested and beat 13 people in the Brakna region, who protested the redistribution of their traditionally held land to relatives of the Wali (Governor); they were released 2 weeks later (see Section 1.c.). The Governor and the head of police were removed from their posts in September. At year's end, the land still had not been restored to its original owners. In some cases the fallow land was granted to wealthy Moors who developed commercial agricultural enterprises (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 from 1989 to 1991.

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.

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 \$41 (10,000 UM) and family issues, such as 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 minimum age for children to be tried is 12. Those between the ages of 12 and 18 are tried and sentenced to the juvenile detention center (see Section 1.c.). In April a special court to hear the cases of children under the age of 18 became operational. Children appearing before the court received more lenient sentences than did adults, and extenuating circumstances were considered.

In March the Government continued its education program to upgrade the qualifications and training of judicial personnel. In September the Government convened a Congress under the auspices of the Minister of Justice for government and non-governmental lawyers, magistrates, and other judicial professionals. Thirty judicial personnel, out of a total of 224, received overseas training to qualify them for one of the specialized courts: Children, civil, administrative, commercial, or correctional.

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, which 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.

Shari'a Islamic law provides the legal principles upon which the law and legal procedure are based, and because of the manner in which Shari'a is implemented in the country, courts do not in all cases treat women as the equals of men (see Section 5). 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. 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. Separate tribunals established in 1999 for specific types of disputes held court sessions more frequently, and in July, as a result of dropping of the requirement to have three judicial personnel present for each trial, pre-trial detention periods generally were shorter. The Government continued to hold security officials accountable and prosecuted officials for abuses. This has improved the public perception of the judicial system.

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; however, 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.

There were a number of reports that some Government officials were misappropriating land under the land reform system, confiscating the land of southern ethnic groups or the land traditionally held by Haratines, and distributing it to their own friends and family (see Section 6.c.). The Government began implementation of the 1983 land reform law in 1990. The reform aimed at providing land for rural 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 from 1989 to 1991. 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 confiscation 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 and Haratines to White Moors under that program, since the south has been less affected by desertification than the more northerly regions historically inhabited by the Moors. There also were some reports that some southerners who had been expelled or fled from the country from 1989 to 1991 were unable either to regain possession of the land they had farmed before 1989 or to gain possession of other land from the Government, although other reports indicate that all those previously on the land were granted some land rights (see Sections 1.d. and 6.c.).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, 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. During the year, the authorities seized 13 individual issues of different journals and, on December 16, banned the weekly newspaper *Al Alam*. In November the GIRM suspended the accreditation of a Middle East Information Agency representative. The Government provided no specific reasons for the seizures, the censure or the banning other than to cite Article 11 of the Constitution, which prohibits materials that undermine national sovereignty, territorial integrity, or national unity.

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. There only are approximately 20 privately owned newspapers that publish on a regular basis. These journals are weeklies and reach limited audiences. 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.

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 April senatorial election 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; however, in October the Government requested that the Government of Qatar discontinue its *Al Jazeera* broadcast in the country, which had aired several

programs highly critical of the GIRM. In November the Government also discontinued broadcasts of Radio France International for the same reason. The Government continued to deny private applications to establish domestic radio stations.

There are five domestic Internet servers, which operate without governmental restrictions. Internet connections exist in Nouadhibou, the major commercial center, and five other regional capitals.

Academic freedom generally is respected, and there were no cases in which the Government prevented research or publication or censored lectures. The country's one university is government-funded and operated.

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

The Constitution provides for freedom of assembly; however, the Government restricted this right in practice and forcibly dispersed some demonstrations by the opposition (see Sections 1.c and 1.d.). The law requires that all recognized political parties and NGO's apply to the local prefect for permission for large meetings or assemblies.

In April authorities forcibly disrupted demonstrations by the political opposition protesting increased prices in Nouakchott and Nouadhibou. Authorities used teargas and batons to forcibly disperse demonstrators and injured three people in Nouakchott and two in Nouadhibou (see Section 1.c. and 1.d.).

Beginning in May, in response to widespread demonstrations on price increases and the situation in the Middle East, the Government banned all public demonstrations and dispersed some demonstrations. The Government also refused to grant permits to demonstrators.

Citizens in the southwest demonstrated on June 17 and 18 to protest land redistribution policies in their region. Police forcibly disrupted the demonstrations and detained and beat 13 persons (see Sections 1.c., 1.d., and 1.f.).

A number of public marches in November and December protesting violence in the Middle East became violent. The authorities used force, injured protestors, and prohibited all further public demonstrations.

The Constitution provides for freedom of association; however, the Government limited this right in practice and circumscribed 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 23 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. Since September 1998, the Government has recognized 75 new NGO's and associations, bringing the total of such organizations to more than 600. 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. However, in October the Government dissolved the major opposition party, the Union of Democratic Forces (UFD), claiming it threatened security by inciting violence.

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."

#### 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, and the Government accordingly limits freedom of religion.

There is no religious oath required of government employees or members of the ruling political party, except for the President and the members of the 5-person Constitutional Council and the 10-person High Council of Magistrates presided over by the President. The Constitutional Council and the High Council of Magistrates advise the President in matters of law and the Constitution. The oath of office includes a promise to God to

uphold the law of the land in conformity with Islamic precepts.

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

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 society. There are no known non-Muslim groups engaged in proselytizing; foreign Christian NGO's limit their activities to humanitarian and development assistance.

Christians in the foreign community and the few Christian citizens practice their religion openly and freely. Under Article 11 of the Press Law, the Government may restrict the importation, printing, or public distribution of Bibles or other non-Islamic religious literature, and in practice Bibles are neither printed nor sold publicly in the country. However, the possession of Bibles and other Christian religious materials in private homes is not illegal, and Bibles and other religious publications are available among the small Christian community.

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 at these religion classes is ostensibly required, many students, the great majority of whom are Muslims, decline to attend these classes for diverse ethno-linguistic and religious reasons. They nevertheless are 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.

#### 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, and the Government generally respects these rights in practice. Historically there were few restrictions on travel in Mauritania's nomadic society. With urbanization and automobile travel, the Government has set up regular road checkpoints where the Gendarmerie checks the papers of travelers, and reportedly often solicits bribes. During the year, the Government reduced the number of road checkpoints, and reduced the time taken in questioning and conducting vehicle searches; however, there were reports that searches conducted in the southern border areas continued to be more stringent.

Of the approximately 70,000 members of largely southern-based ethnic groups who were expelled by the Government or fled to Senegal and Mali during the 1989-91 crisis, and of those born abroad since that time, the U.N. High Commissioner for Refugees (UNHCR) documented 33,248 returnees to four provinces along the Senegal River. Both the UNHCR and the Government agreed 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. 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 citizen outside the country may return; however, the Government, the countries of asylum, and the UNHCR have signed no tripartite repatriation agreement. The UNHCR terminated programs to help returnees at the end of December 1998. The UNHCR estimated that there are 15,000 to 20,000 Mauritanian refugees remaining in Senegal, although refugees have continued to return independently in small numbers and have benefited from small-scale agroforestry, health and sanitation projects continued by NGO's and humanitarian workers.

Cooperation by local authorities in addressing restitution and citizenship matters varies greatly, depending on individual officials and the returnee's region. Repatriation efforts 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 improved considerably. Many returnees received their original homes, some property, and all or a portion of their land (see Section 1.f.). Timely restoration of identity papers varied, and some of those who returned in 1995 have not yet received identification cards. In some regions, persons lacking identity cards could not travel freely.

The law does not contain provisions for the granting of refugee or asylee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol; however, in practice the Government accepts UNHCR recommendations on the granting of asylum and refugee status. The Government, which has cooperated with the UNHCR and other humanitarian organizations in assisting

refugees since 1989 signed a local headquarters agreement with the UNHCR in May 1999. In recent years, the Government has provided first asylum to refugees from neighboring countries including Liberia, Sierra Leone, Senegal, Ivory Coast, Mali, and Guinea Bissau. The Government also has accepted the UNHCR's registration of some 200 asylum seekers, mostly from Sierra Leone and Liberia.

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 members of the group, including those with full-time employment, and resettlement in the West.

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

There were no reports of refugees being forced to return to a country where they feared persecution.

### 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; however, the Government circumscribes this right in practice. The 1992 multiparty election of a civilian president ended 14 years of military rule; however, 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 avoided involvement in politics during the year; by law members of the military must resign if they wish to participate in partisan politics. Except during the election campaign, 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 and the ruling PRDS party won by an overwhelming majority; subsequent elections are scheduled to be held every 5 years. President Taya won an overwhelming victory in the 1997 presidential elections, 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 outcome of the elections was marred by fraud on all sides including pervasive government intervention to support candidates from the ruling party. The 1997 Presidential elections were boycotted by a coalition of four opposition parties that had demanded enhanced media access, an opposition role in election preparation, creation of an independent electoral commission, enlargement of the commission charged with revision of the electoral list, and provision of official copies of the voting report from each polling station to representatives of each candidate. During the election campaigning, the Government granted the opposition equal access to the official media, but did not meet the other demands.

One-third of the Senate is elected by the indirect balloting of municipal councils every 2 years; the latest elections were held on April 17. The elections generally were well-organized and were considered free and fair by international observers. However, four parties of the Political Opposition Front boycotted the national elections. As a result, only the governing party and parties affiliated with the governing party presented candidates. The ruling parties gained 14 of 18 seats being contested with one independent retaining his seat and three members of the ruling PRDS gaining seats as nominal independents. The first female candidate was elected to the Senate.

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 entering a booth where they place the card of their candidate of choice into a sealed envelope. Voters then deposit the envelope into a sealed ballot box in front of observers from each political party. 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, designed to register all citizens and standardize the current complex system of names, also was aimed in part at providing the basis for free and fair elections. In April the Government began the distribution of identity cards which is intended to form the basis for voter registration in future elections.

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; however, women are underrepresented in government and politics. Women occupy some senior government positions: Four cabinet level posts including the cabinet-level post in charge of informatics, one secretary-general post, 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 from minority ethnic groups. There are four female members of the National Assembly, and one newly elected Senator. Three of the 14 members of the Executive Bureau of the ruling PRDS are women, and a woman heads the UDP party, a part of the ruling coalition.

Haratines, Halpulaars, Soninkes, and Wolofs are underrepresented in senior government positions. Of the Government's 20 ministerial posts, 3 incumbents are Haratine, 2 are Halpulaar, 1 is Soninke, and 1 is mixed White Moor/Soninke; the remaining 13 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 are three human rights organizations concerned with overall human rights issues, only one of which operates with official government registration. The oldest is the Mauritanian League for Human Rights (LMDH), 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, the AMDH has many opposition members. The AMDH has been more critical of the Government than the LMDH, particularly on the unresolved abuses of the 1989-91 period. The International Study and Research Group on Democracy and Economic and Social Development in Africa (GERDDES-Africa) established a branch in Mauritania in 1994 that has not been officially recognized. The Government has not responded to the applications of these organizations, on the grounds that they are ethnically based organizations that are in violation of the law and divisive; however, the unrecognized organizations continued to carry out their activities unimpeded.

Other organizations, including 14 unregistered associations, also address human rights issues. Two groups, SOS-Eslaves 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-Eslaves is particularly active in claiming that slavery remains pervasive and appealing to national and international audiences to contribute to its eradication. SOS-Eslaves leader Boubacar Ould Messoud traveled abroad freely in 1999 and made such claims during a speaking tour; however, during the year, Messoud did not conduct speaking tours and there were no reports of SOS-Eslaves activities.

Attention to the events of 1989 through 1991 resurfaced following the arrest on July 3 of Captain Ely Ould Dah in France and his subsequent return on April 4 to the country. 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 (see Section 1.c.). He was arrested under the International Convention Against Torture despite a general amnesty passed by 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. Ould Dah was released on bail in September 1999 and was awaiting trial when he returned illegally on April 4 to Mauritania. The arrest and Dah's subsequent return engendered 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 groups 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.

The only international association concerned with human rights to visit the country during the year was the ICRC, which makes routine annual visits. In July after consulting with international developmental NGO's, both houses of the Parliament passed legislation governing the procedures and conditions under which international NGO's can conduct business in the country. The Executive signed the legislation in July, and at year's end legislation was awaiting a decree that would put it into force. This legislation would facilitate the legal right for NGO's to conduct their work by providing for duty free imports, licensing of vehicles, and other provisions. International development NGO's have been working without governing legislation.

#### 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 propaganda. 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 continued to improve.

#### Women

Human rights monitors and female lawyers report that physical mistreatment of women by their husbands is rare, particularly among the Moor population. 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 (Islamic law) as applied in the country (see Section 1.e.), 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. The Government, women's groups, and national and international NGO's organized meetings, seminars, and workshops throughout the year to publicize women's rights.

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. In 1999 for the first time, women were hired by the army to serve as police inspectors and customs officials. In June the first female Acting Police Commissioner was appointed in the capital; she was also serving as Chief Investigator in the same police station at year's end. Seventy jurists and female lawyers established an association of female jurists and, under the auspices of the Ministry of Justice, organized their first national congress dedicated to the legal concerns of women.

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 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, education receives the largest share of the national budget at 11.3 percent. The Government has made universal primary education a priority; however, there was no increase in attendance from the previous year, in which the school enrollment rate was 86 percent. There are no legal restrictions on the education of girls. 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 and 1999, 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 these 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 and 1996 to boost female enrollment at the elementary level. Female students made up 17 percent of the university's 1998-99 enrollment, compared with 9 percent in 1990. Female students 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. 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 (see Section 2.c.)

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 253 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 the informal sector in support of family activities (see Section 6.d.).

Traditional forms of mistreatment of females continue, mostly in isolated rural communities, but these practices appear to be on the decline. One form of such mistreatment is the forced feeding of adolescent girls (gavage) which is practiced only among the Moors. Experts previously estimated that between 60 and 70 percent of women experienced gavage but now conclude that very few Moor women continue to experience gavage. The change in figures appears to reflect both prior overestimation and a significant decline in the practice in recent years. While there is no law prohibiting gavage, the Government has made it a policy to end the practice. The Government continued intensive media and educational campaigns against gavage during the year in the Government print and broadcast media and through public seminars.

Female genital mutilation, which is widely condemned by international health experts as damaging to both physical and psychological health, is practiced among all ethnic groups except the Wolof. It is performed most often on young girls, often on the seventh day after birth and almost always before the age of 6 months. A March 1996 report by the United Nations Population Fund and a study published in 1997 by Jeune Afrique Economie cited the country as one in which 25 percent of women undergo FGM. Among Halpulaar women, over 95 percent undergo FGM. Preliminary results of a 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.

The Government continued intensive media and educational campaigns against FGM during the year. It is a clear public policy of the Government, through the Secretariat of Women's Affairs, that FGM should be eliminated, 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.

#### 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. NGO's have become increasingly active in raising public awareness of issues affecting the disabled. In 1974 the Government opened the first school for the deaf and the blind in Nouakchott. It became more active in 1986, and during the year it operated 6 classrooms and enrolled 35 students (20 girls and 15 boys); however, they lack trained staff. During the year, the school obtained the services of a volunteer expert who provided professional training for the staff.

There is no societal discrimination against 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 those known as Black Moors are Haratine, literally "one who has been freed," although some Black Moor families never were enslaved. "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 Halpulaar (the largest non-Moor group), the Wolof, and the Soninke ethnic groups are concentrated in the south and 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 and 1990 and the purge of Halpulaars from the military in 1991. Few regained their positions; however, tensions have lessened.

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 1999, the National Assembly approved educational reforms to replace the separate track Arabic-French system of education, which had been in place for 20 years, with a unified system for all citizens in which both French and Arabic would be the languages 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 rivalry contributed significantly to political divisions and tensions. Some political parties tend to have readily identifiable ethnic bases, although political coalitions among them are increasingly important. The 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 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. However, there are now three labor confederations; the Union of Mauritanian Workers (UTM), the General Confederation of Mauritanian Workers (CGTM), and the Free Confederation of Mauritanian Workers (CLTM). There are also four unaffiliated professionally based labor unions. The oldest of the three confederations, UTM, still is viewed by many workers as closely allied with the Government and the PRDS. It has lost ground to the CGTM, which was recognized in 1994 with 23 member unions, and the 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 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. It also 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. There were no strikes or work stoppages during the year. In September a dockers' union of the CLTM threatened a strike during negotiations, but a settlement was reached before the date set for the 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. The national syndicates continued to organize training workshops for their memberships throughout the country.

Unions are free to affiliate internationally. The UTM participates 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.

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

The law provides that unions may organize workers freely 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 law prohibits all forms of slavery and forced and bonded labor; however, the Government does not enforce this prohibition effectively. Citizens 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 also was 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 continued 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 the landless including to former slaves, and this law has been enforced in many cases (see Section 1.f.). 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 the belief that their slave status had been religiously ordained, 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 when the mother leaves the master. In most cases involving custody disputes between former masters and former female slaves the courts have been instructed by the Minister of Justice to rule in favor of the women, and in virtually all custody cases the courts have ruled for the women. 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 appear to be 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 their families or 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 (see Section 4). The Organization of African Unity's (OAU) African Commission on Human and People's Rights issued a report in June 1997 that 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 that 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. In June the land of several Black Moor families, some of whom were former slaves, in the Dar El Barka and Boghe communes was confiscated by the Wali (Governor) for redistribution to his relatives and supporters. The Haratines held protest demonstrations during which several of them were beaten and detained by the police (see Sections 1.c., 1.d., and 1.f.). The Government sanctioned the Governor by removing him from his post. The new Governor was considering returning the land to the Haratine communes, but had not done so by year's end.

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 in 1999, with the children living with their mothers in Nouakchott. The determination of such cases is problematic in a country where there is 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-Eslaves, 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-- focused on issues related to the history of slavery in Mauritania. Of these SOS-Eslaves 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 in 1999. 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. In May 1999, 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.

The law prohibits forced and bonded labor by children and, unlike in the previous year, there were no reports that it occurred.

#### 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).

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.

On July 12, the Government signed ILO Convention 182 against the worse forms of child labor; the Convention was ratified in December by the Parliament. The Government organized a national campaign in August to publicize the rights of children including pertinent labor regulations and the objective of universal education.

The Government prohibits forced and bonded labor by children, and, unlike in the previous year, there were no reports that it occurred.

#### 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 also is 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.

#### f. Trafficking in Persons

The law prohibits trafficking in persons, and there were no reports that persons were trafficked through, to, or

within the country.

[End.]