



## 2008 Human Rights Report: Mauritania

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

[2008 Country Reports on Human Rights Practices](#)

February 25, 2009

Mauritania, with an estimated population of 3.4 million, is a highly centralized Islamic republic governed by a military junta known as the High State Council (HSC). The HSC is led by General Mohammed Ould Abdel Aziz, who also claims the title of Head of State. The HSC assumed power on August 6, when several military officers overthrew democratically elected president Sidi Ould Cheikh Abdallahi in a bloodless coup. The HSC formed a new government under the new Prime Minister Moulaye Ould Mohammed Laghdaf, but did not dissolve parliament. The military coup followed a multiparty March 2007 presidential election and parliamentary elections in 2006 and February 2007; both elections were deemed free and fair by international observers. Until the August 6 coup, civilian authorities maintained effective control of the security forces.

Following the August 6 coup, several prominent civil society organizations reported deterioration in the human rights situation. The coup abridged citizens' right to choose their government. Prison conditions remained harsh. There were arbitrary arrests and political detainees, including President Abdallahi and Prime Minister Yahya Ould Ahmed El Waghef. Mistreatment and torture of detainees and prisoners, and lengthy pretrial detention occurred. There were limits on freedom of the press and assembly with instances of police beating demonstrators. Slavery and slavery-like practices persisted, particularly in rural areas. Restriction on freedom of religion continued. Corruption was a problem. Long-term problems of discrimination against women, female genital mutilation (FGM), child labor, and political marginalization of largely southern-based ethnic groups persisted.

Prior to the August 6 coup, the democratic government supported nationwide sensitization on a new antislavery law and increased public discussion on taboo issues, such as ethnic divisions and social injustices. The democratic government also supported national reconciliation efforts regarding the country's 1989–91 expulsion of Afro-Mauritanians through the launch of a repatriation program in coordination with the Office of the UN High Commissioner for Refugees (UNHCR). The HSC stated these efforts would continue, but some nongovernmental organizations (NGOs) reported that nothing had been done by the military government to further raise awareness. However, repatriation efforts continued.

### RESPECT FOR HUMAN RIGHTS

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

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

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

##### b. Disappearance

There were no reports of politically motivated disappearances.

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

Although the constitution and law prohibit such practices, there were credible reports that police beat and mistreated detainees and prisoners. Those who lacked money or influential family or tribal ties reportedly were most likely to be mistreated. According to a December 3 Amnesty International (AI) report, security forces used torture as a method of investigation and repression, and perpetrators acted with impunity. Security forces tortured detainees to extract confessions, with incidents of torture increasing under the military junta. Torture methods included electric shocks, burnings, beatings, pulling out of hair, and sexual violence. According to AI, there were no known cases where authorities investigated reports of torture or abuse or took action against perpetrators.

As of May 26, police had detained 39 suspected terrorists allegedly involved in the December 2007 Aleg murders of four French citizens and the February 1 attack against the Israeli Embassy in Nouakchott. Police reportedly tortured and held the suspects incommunicado in military detention prior to transferring them in August to a civilian prison. At year's end, there had been no progress on these cases.

On May 29, lawyers for suspected terrorists Abdel Kerim Ben Veraz El Baraoui, Ahmed El Moctar Ould Semane, and Cheikh Ould Salem claimed that police tortured their clients by hanging them by their feet and burning cigarettes on their bodies. There were no reports of authorities investigating the matter by year's end.

Prison and Detention Center Conditions

Prison conditions were harsh and the government's capacity to administer detention facilities remained poor. One of Nouakchott's two prisons was rebuilt and reopened as a high-security prison in September. Funds to improve prison conditions remained inadequate. As in the previous year, prisoners at the Nouadhibou prison protested poor conditions on July 9, as did prisoners in Nouakchott on October 3. Serious overcrowding and inadequate sanitation facilities in some prisons contributed to diseases such as tuberculosis, diarrhea, and skin ailments. Medical supplies remained insufficient in all prisons. Prisoners with high-level connections or families to bring them food and medicines fared better than the less privileged or foreign prisoners.

There were credible reports of torture, beatings, and abuse in police detention centers, several prisons throughout the country, and gendarmerie and military facilities.

Women and minors were held in two separate facilities. Sexual violence reportedly occurred in the women's prison, which 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. International NGOs, such as Noura Foundation, Caritas, and Terre des Hommes provided educational and economic opportunities for current and former juvenile and female detainees. Overcrowding was reportedly due to the high number of pretrial detainees, the majority of whom were juveniles. As a result pretrial detainees were frequently held with convicted prisoners. Pretrial terrorist suspects were held in separate areas from the general prison population in Nouakchott's central prison. Many prisoners were unable to leave their extremely crowded cells or breathe fresh air for months or years at a time.

The government permitted prison visits by NGOs, diplomats, and international human rights observers. The International Committee of the Red Cross (ICRC) had access to prisons and conducted multiple prison visits in accordance with its standard modalities, including visits to terrorism suspects.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, and the democratic government generally observed

these prohibitions. However, during and after the August coup, the military arrested a number of political figures without charge or hearings.

#### Role of the Police and Security Apparatus

The National Police, under the Ministry of the Interior, is responsible for law enforcement and maintaining order in urban areas. The National Guard, also under the Ministry of Interior, performs police functions throughout the country in areas in which city police are not present. The gendarmerie, a specialized paramilitary group under the Ministry of Justice and Ministry of the Interior, is responsible for maintaining civil order in and outside metropolitan areas.

The police were unprofessional, unresponsive, and lacked equipment and training. Corruption was a serious problem. Police regularly demanded bribes at illegal roadblocks in Nouakchott. Police in some regions arrested former criminals and demanded bribes for their release, and some indicted detainees were released before trial without explanation. The government rarely held security officials accountable or prosecuted them for abuses. There were no prosecutions of police during the year.

#### 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; however, the police can extend the period for an additional 48 hours, and a prosecutor or court can detain persons for up to three weeks in national security cases. Only after the prosecutor submits charges does a suspect have the right to contact an attorney. Attorneys for the indigent are provided at state expense. While one article of the law provides detainees 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. NGOs reported that respect for these timelines deteriorated over the course of the year. There was no functional bail system.

In October the government arrested seven individuals for alleged ties to terrorist groups. Four of them were released without charge and three were formally charged (one with the additional charge of possession of explosives) within the prescribed time. There were no developments reported in these cases by year's end.

#### e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary; however, it was not independent in practice. The executive branch continued to exercise significant influence over the judiciary through its ability to appoint and pressure judges. In addition, poorly educated and trained judges were susceptible to social, financial, and tribal pressures which limited judicial fairness. International donors funded training for prosecutors and judges during the year to increase judicial efficiency.

There is a single system of courts consistent with modified principles of Shari'a 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 10,000 ouguiya (approximately \$37) and family issues, including domestic, divorce, and inheritance cases. A total of 13 regional tribunals accepted appeals in commercial and civil matters from the departmental tribunals and heard misdemeanor 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 High Court of Justice (HCJ) also lacks independence because its members are elected from both parliamentary houses. The HCJ reviews decisions and rulings made by the courts of appeal to determine their compliance with law and procedure. It also has jurisdiction to hear cases of abuse or corruption by high government officials.

Constitutional review was within the purview of a six-member High Constitutional 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. In December the council exercised its limited oversight in rejecting the National Assembly's proposed amendments to its internal procedures. These amendments were drafted by procoup parliamentarians and designed to force the ouster of National Assembly President Messaoud Ould Boulkheir.

#### 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. However, this measure was not efficiently enforced during the year. There is a presumption of innocence and the right to appeal. These rights were also extended to minorities. Defendants can confront or question witnesses and present witnesses and evidence in both civil and criminal cases. In theory, defendants have access to government-held evidence, but access has proven difficult in practice. The foregoing rights generally were observed in practice, but did not extend to women.

Shari'a provides the legal principles upon which the law and legal procedure are based; the courts did not treat women as the equals of men in all cases.

A special court hears cases involving 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. The minimum age for children to be tried is 12. Those between the ages of 12 and 18 are tried and, if convicted, sentenced to the juvenile detention center.

#### Political Prisoners and Detainees

Since the August 6 coup, a number of political figures were arbitrarily arrested or detained under house arrest without charges or hearings. They included President Abdallahi, the First lady Khattou Mint Bakhari, Prime Minister Waghef, Interior Minister Mohammed Ould R'Zeizim, the National Pact for Democracy and Development (PNDD/Adil) party Vice-President Ahmed Ould Sidi Baba, the President of the National Agency for the Welcome and Reintegration of Refugees (ANAI) Moussa Fall, the director of the government radio station (Radio Mauritanie) Kabir Ould Hamoudi, Colonel Abderrahmane Ould Boubacar, and Colonel Ahmed Ould Ismael. President Abdallahi and his wife were held incommunicado at times. All the detainees except Abdallahi were released after a few days.

On August 21, former Prime Minister Waghef was again detained while traveling to an antimilitary protest in Nouadhibou. Waghef was subsequently transferred to his home village of Moudjeria, 250 miles east of Nouakchott, and placed under house arrest. On November 13, junta authorities formally arrested Waghef on charges of embezzlement; Waghef remained in prison in Nouakchott at year's end.

On November 13, the HSC authorities transferred President Abdallahi from house arrest in Nouakchott to house arrest in his hometown of Lemden, where he was allowed contact with his family, supporters, and diplomatic representatives. On December 21, authorities released Abdallahi from house arrest and forcibly transferred him to

Nouakchott during the night. Abdallahi chose to return voluntarily to Lemden so he could return to Nouakchott at a time of his own choosing. At year's end, Abdallahi was still in Lemden.

#### Civil Judicial Procedures and Remedies

The Administrative Court has the jurisdiction to hear complaints of human rights violations. NGO representatives stated they collaborated with the court, but that it was not impartial in practice.

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

The constitution prohibits such actions, and the government generally respected these prohibitions in practice.

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

#### a. Freedom of Speech and Press

The constitution provides for freedom of speech and of the press, and the government respected these rights in practice. Individuals could criticize the government publicly or privately; however, police questioned and detained members of the press on several occasions, including the March 25–31 detention of Assiraje newspaper journalist Mohamed Salem Ould Mohamedou for unknown reasons; the June 12–15 detention of Arabic-language weekly Al-hurriya's director of publication, Mohamed Nema Oumar; and the July 21–August 17 detention of Al-hurriya journalist Mohamed Ould Abdellatif. Oumar and Abdellatif were detained and then charged with defamation due to an Al-hurriya article accusing three judges of corruption. After spending nearly a month in prison, they were granted provisional release pending the start of their trial; the trial had not begun by year's end.

In February an appeals court upheld the November 2007 one-year prison sentence of Al-Aqsa newspaper director Abdel Fettah Ould Abeidna, who was convicted of falsely accusing a prominent businessman of involvement in a drug scandal.

On October 8, trade union activists allegedly assaulted Al Jazeera cameraman Mohamed Ould Moustafa due to his film coverage of post-coup opposition activities.

The independent media were active and expressed a wide variety of views with limited restrictions. However, some journalists practiced self-censorship in areas deemed sensitive, including the military, foreign diplomatic missions, corruption, and Shari'a law.

There were approximately 30 privately owned newspapers that were published on a regular basis in both French and Arabic. NGOs and the privately owned press openly criticized the government and its leaders. Two daily newspapers, Horizons (French language version) and Chaab (Arabic language version), were government-owned.

On August 6, immediately following the coup, military authorities blocked the road as a means of protecting the presidential palace. This action prevented several newspapers from publishing that day since the country's only printing press is located on the same road. There were no reports that the government restricted opposition access to the printing press during the year.

All broadcast media remained state owned. Radio France International was rebroadcast locally, and citizens could receive worldwide television broadcasts through satellite receivers and dish antennas.

On June 12, the only private radio program, Radio Citoyenne, was taken off the air when state-run Radio Mauritanie

opted not to renew the program's contract. The governmental justification for not renewing the contract was that Radio Mauritanie was no longer able to provide time slots for Radio Citoyenne's broadcast. The government also suspended other radio and television programs devoted to civic education.

On July 21, then prime minister Waghef opened a multiday conference on the liberalization of the audiovisual sector. The government enacted a law on the liberalization of the audiovisual sector, but the application decree was never passed.

#### Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by electronic mail. Internet access was available in urban areas throughout the country, with home access common among the affluent, and cyber cafes serving the remainder of the population.

#### Academic Freedom and Cultural Events

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

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

##### Freedom of Assembly

The constitution guarantees freedom of assembly. The law requires that organizers apply to the local prefect (hakim) for permission to hold large meetings or assemblies, and permission was generally approved prior to the August 6 coup. Following the coup, public demonstrations with varying levels of violence, both supporting and opposing the coup, were reported around the country with varying levels of violence. There were a number of incidents in which security forces forcefully dispersed opposition demonstrations.

On August 13, police used tear gas to disperse a group of women marching against the coup in front of the National Assembly; one demonstrator was injured. On August 18, police used tear gas to disperse another group of opposition protesters and injured one person.

On August 18, Nouakchott authorities denied a protest permit to the National Front for the Defense of Democracy (FNDD), an opposition party coalition, despite granting a permit to a projunta group on the same day. On the same day, authorities in Aleg also denied protest permits to opposition members.

On August 19, police dispersed a trade union protest in Nouakchott with tear gas and clubs. Police also arrested the union's secretary general, Samory O. Beye, and released him on the same day.

On October 5 and 7, Nouakchott police dispersed with tear gas and use of force an opposition group's anticoup protest after authorities denied the group's permit.

On October 15, opposition groups attempted a public anticoup protest in Nouakchott without approval from authorities. Police again dispersed the crowds with tear gas and the use of force, reportedly injuring two demonstrators.

##### Freedom of Association

The law provides for freedom of association, and the government generally respected this right.

All political parties and local NGOs must register with the Ministry of the Interior, while all international NGOs must register with the Ministry of Economic Affairs and Development. The government encouraged local NGOs to join the Civil Society Platform, a government-sponsored entity implemented in January. NGOs that are members of the platform do not receive government funding. Some NGOs maintained that, after the coup, the platform became a collection of procoup organizations.

The country has approximately 55 registered political parties and numerous NGOs, which generally functioned openly, issued public statements, and chose their own leadership. The government did not prevent unrecognized political parties or NGOs from functioning. However, on August 6, police raided the headquarters of the PNDD/Adil, the party of President Abdallahi. Police also arrested and later released without charge the party's president, former prime minister Waghef, and its vice president, Ahmed Ould Sidi Baba.

#### 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 government continued to prohibit proselytizing by non-Muslims and the printing and distribution of Bibles and other non-Islamic religious materials. However, the possession of Bibles and other Christian religious materials in private homes was not illegal. Bibles and other religious publications were available among the small Christian community, which was composed almost entirely of expatriates. There was a multidenominational church in Nouakchott with a regular schedule of services.

The government did not register religious groups, although NGOs--including humanitarian and development NGOs affiliated with religious groups--had to register with the Ministry of the Interior. The government continued to restrict Protestant groups from meeting in members' homes until they received official recognition.

#### Societal Abuses and Discrimination

A very small number of expatriates practiced Judaism.

On February 1, terrorists affiliated with al-Qa'ida shot at the Israeli Embassy and adjacent buildings. The democratic government under President Abdallahi publicly condemned the attack. Five persons were reportedly injured. Nine suspects were arrested and were still held in prison by year's end without trial.

For a more detailed discussion, see the 2008 International Religious Freedom Report at [www.state.gov/g/drl/irf/rpt](http://www.state.gov/g/drl/irf/rpt).

#### d. Freedom of Movement Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation. The government generally respected these rights, but persons lacking identity cards could not travel freely in some regions. Since the August coup, HSC authorities reportedly restricted international travel of some opposition members.

The government set up roadblocks where gendarmerie, police, or customs officials checked the papers of travelers and often demanded bribes. During the year the government maintained fewer roadblocks and reduced the time taken in questioning and conducting vehicle searches; however, there were periodic reports of more stringent searches in the southern border areas and in the eastern regions where the group al-Qa'ida in the Islamic Maghreb (AQIM) was active.

The law does not prohibit forced exile, and there were no reports that the government used it.

On January 2, President Abdallahi by decree created the agency ANAIR, whose mandate is to ensure the integration of repatriated refugees, provide administration and identification support, and contribute to social and economic development of resettlement areas. The majority of Afro-Mauritanian returnees were unable to obtain identity cards. Although Abdallahi's government worked in good faith to reintegrate refugees, the military junta under General Aziz attempted to create divisions within the refugee community.

The government cooperated with the UNHCR and other humanitarian organizations in providing protection and assistance to internally displaced persons, returning refugees, asylum seekers, stateless persons, and other persons of concern; however, the government lacked resources to effectively support these persons. According to the UNHCR, approximately 4,670 Afro-Mauritanian refugees returned during the year as part of a national repatriation program. These were among the estimated 25,000 to 34,000 Afro-Mauritanians who took refuge in Senegal and Mali during the 1989-91 expulsion.

#### 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 a prior government established a system for providing such protection. In practice the government provided protection against the expulsion or return of refugees to countries where their lives or freedoms would be threatened. The government provided protection to approximately 1,000 refugees during the year.

During the year the government worked to assist the UNHCR, the European Commission, and the government of Spain in returning migrants attempting to enter the Canary Islands by sea to their countries of origin. The government operated a migrant reception center in the Dahklet Nouadhibou region, with assistance of the Mauritanian Red Crescent and Spanish Red Cross, to process returned migrants and to provide nutritional and medical care. The government gave the UNHCR access to returned migrants to determine if they were eligible for refugee status. In view of freedom of movement agreements with the Economic Community of West African States, the government allowed West African migrants to remain, deporting only those found in the act of attempting illegal travel to the Canary Islands.

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

The constitution provides for universal direct and indirect suffrage, a republican government, and the regular election of the president and legislature. However, on August 6, a group of military officers led by General Aziz seized power from democratically elected President Abdallahi in a bloodless military coup. The military authorities, also known as the HSC, supplanted the office of the president while retaining the parliament and appointing a new prime minister. However, the HSC issued a decree in which it reserved the right to exercise legislative authority as well if it deems the legislature ineffective.

#### Elections and Political Participation

The country enjoyed a peaceful transition to democratically elected government for the first time in its history with the March 2007 election of President Abdallahi, who won 53 percent of the vote. National and international observers judged the election as free and fair.

The 95-person National Assembly includes representatives from 12 of the 25 parties that contested the 2006 legislative elections as well as 41 independents.

There were 15 women in the National Assembly and eight women in the Senate. During the year there were four women and seven to 10 ethnic minority members in each of the three successive cabinets. The HSC's cabinet included two women and seven ethnic minorities.

The electoral law requires that legislative candidate lists to be at least 20 percent women, which resulted in the election of approximately that percentage in the National Assembly.

#### Government Corruption and Transparency

The law provides criminal penalties for official corruption; however, the government did not enforce the law effectively, and officials often engaged in corrupt practices with impunity. Corrupt practices were widely believed to exist at all levels of government, and the World Bank governance indicators reflected that corruption was a serious problem. Government officials reportedly received frequent favors from authorities, such as unauthorized exemption from taxes, special grants of land, and preferential treatment during bidding on government projects. Corruption was most pervasive in government procurement, bank loans, fishing license distribution, land distribution, and tax payments. The government did not enforce the requirement for senior officials, including the president, to publicly declare their personal assets. Members of the HSC did not declare their personal wealth during the year. On September 2, parliamentary members elected officials from among themselves to sit on the HCJ, which should be composed of parliamentary members proposed by the president and confirmed by the National Assembly.

#### 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. Government officials were somewhat cooperative and responsive to their views.

Major local human rights organizations included the Mauritanian Association of Human Rights (AMDH), the Mauritanian League of Human Rights (LMDH), SOS Esclaves, and the Mauritanian Association for Maternal and Child Health, all of which were independent NGOs. These NGOs were also members of several networks or coalitions such as the National Forum of Organizations for Human Rights (FONADH) and the National Commission of Human Rights (CNDH). Since the CNDH included government members, it was not fully independent.

The government met with local NGO monitors during the year and cooperated during visits by the UN and ICRC.

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

The constitution and law provide for equality for all citizens regardless of race, national origin, sex, or social status, and prohibits racial or ethnic propaganda; however, the government 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

According to NGOs, the incidence of both reported and unreported rape continued to be high. Reported rapes in Nouakchott increased threefold from 25 in 2007 to 75 during the year. Rape, including spousal rape, is illegal; however, the government did not enforce the law effectively. Several cases were reported of wealthy rape suspects avoiding prosecution or, if prosecuted, avoiding prison time. National statistics on arrests, prosecutions, and

convictions for rape were unavailable.

Human rights monitors and female lawyers reported few cases of domestic violence; however, it is thought such cases go largely unreported. Spousal abuse and domestic violence are illegal; however, the government did not usually 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 on family and community leaders to resolve domestic disputes.

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. Trafficking of Chinese women for brothels catering to foreigners in Nouakchott and Nouadhibou was reported, although no cases of women seeking assistance were reported.

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. Increased government, media, and civil society attention to the problem led to a marked decline in traditional views encouraging female obesity despite the health risks.

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 the personal status code, men are required to request spousal consent before marrying again. Women were encouraged by government awareness programs to obtain a contractual agreement at the time of marriage stipulating that the marriage ends if the husband marries a second wife. This practice was common in Moor society. Nevertheless, women who do not establish a solid contract remain unprotected. In practice, polygamy continued to be rare among Moors but was gaining in popularity. It was common among other ethnic groups. Arranged marriages were increasingly rare, particularly among the Moor population. In theory, the legal marriage age in the country is 18 but the law is rarely enforced and there were reports of child marriages.

Women still faced legal discrimination. According to Shari'a law, 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 had 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 government 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. For example, during the year 35 women were inducted into the National Guard as noncommissioned officers. Women continued to become 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. Women's groups and national and international NGOs organized meetings, seminars, and workshops throughout the year to publicize women's rights. The secretariat, in collaboration with the German NGO GTZ, publicized women's

rights and organized workshops regarding their 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.

School attendance is mandatory for six years, with full implementation of universal primary education. Primary student completion rates increased from 44 percent in 2006-07 to 53 percent in the 2007-08 school year. Public 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. Almost all children, regardless of gender 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 practiced by all ethnic groups and performed on young girls, often on the seventh day after birth and almost always before the age of six months. The child protection penal code states that any act or attempt to damage a female child's sexual organs is punishable by imprisonment and a 120,000-300,000 ougiya (approximately \$460-\$1,153) penalty. The most recent statistics on FGM indicated a decrease in incidence from 71 percent in 2001 to 65 percent in 2007, and the practice decreased overall in the urban sector. Local experts agreed that the least severe form of excision was practiced and not infibulation, the most severe form.

The government and international NGOs continued to coordinate anti-FGM efforts focused on eradicating the practice in hospitals, discouraging midwives from practicing FGM, and educating the population. The government, the UN Population Fund, the UN Children's Fund (UNICEF), and the national Imams' Association joined other civil society members to emphasize the serious health risks of FGM and that FGM was not a religious requirement. Government hospitals and licensed medical practitioners were barred from performing FGM, and several government agencies worked to prevent others from performing the practice. According to several women's rights experts, the campaign against FGM appeared to be changing attitudes towards the practice. In October the National Assembly held a series of provincial meetings, supported by UNICEF, which focused on children's rights and included discussions of FGM.

Local NGOs estimated that there were approximately 400 street children, largely as a result of poverty and the urbanization of formerly nomadic families. The government and at least one NGO worked 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. There were no available estimates on prosecutions or sentencing of traffickers during the year.

Young boys known as talibes were trafficked within the country and from Mali and Senegal for forced begging by religious teachers called marabouts. Children were trafficked by street gang leaders within the country, who forced them to steal, beg, and sell drugs. Girls were trafficked internally and from Senegal and Mali for domestic servitude. There were reports that children were trafficked for forced labor in agriculture, construction fishing, and cattle herding.

The labor code includes criminal penalties for human trafficking in all of its recognized forms.

The country was a source and destination for men, women, and children. There were reports that young girls were trafficked to the Gulf States and held as servants, sex slaves, or prostitutes. UNICEF, the Ministry of Justice, and the government of the United Arab Emirates (UAE) continued collaborative efforts to repatriate and provide compensation for Mauritanian children trafficked to the UAE as camel jockeys. According to UNICEF, the UAE compensated 497 child jockeys between 260,000-1,560,000 ouguiyas (approximately \$1,000-\$6,000) per child. The UAE also provided 260,000,000 ouguiyas (\$1 million) towards a social reinsertion and poverty reduction program for the children and their communities.

According to NGOs, slavery-related practices, and slavery itself, persisted in isolated areas of the country where a barter economy still prevailed (see section 6.c.).

Government assistance and protection services for trafficking victims remained limited, with most resources going towards prevention in the form of training for police, gendarmes, and legal officials to better identify, investigate, and convict traffickers. For at least part of the year, the government and UNICEF continued to jointly fund six centers in Nouakchott that provided care to indigent children, many of whom were talibes. These centers, however, did not operate efficiently. In addition human rights organizations criticized the special police unit established to protect talibes for not enforcing the laws.

The State Department's annual Trafficking in Persons Report can be found at [www.state.gov/g/tip](http://www.state.gov/g/tip).

#### 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 governmental or societal discrimination against persons with disabilities. The government did not mandate preference in employment or education or public accessibility for persons with disabilities, although it did provide some rehabilitation and other assistance for such persons.

#### National/Racial/Ethnic Minorities

Ethnic minorities faced governmental discrimination. The inconsistent issuance of national identification cards, which were required for voting, effectively disenfranchised numerous members of southern minority groups. Racial and cultural tension and discrimination also arose from the geographic and cultural divides between Moors and Afro-Mauritians. The Moors are divided among numerous ethnolinguistic tribal and clan groups and further distinguished as either White Moor or Black Moor, although it is often difficult to distinguish between the two by skin color. White Moor tribes and clans, many of whom are dark-skinned after centuries of intermarriage with Berbers and sub-Saharan African groups, dominated positions in government and business. The Black Moors (also called Haratines or freed slaves) remain politically and economically weaker than White Moors. Afro-Mauritanian ethnic groups, comprising the Halpulaar (the largest non-Moor group), Wolof, and Soninke, are concentrated in the south and urban areas. Afro-Mauritians are 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. The government continued to encourage French and Arabic bilingualism within the school system, as opposed to previous efforts at "Arabization." Neither Afro-Mauritanian national languages nor the local Hassaniya Arabic dialect are used as languages of instruction.

Ethnic rivalry 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-Mauritians continued to be 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 government discrimination directed at practicing homosexuals. Although Shari'a outlaws homosexuality under certain conditions, secular laws do not.

There was no evidence of systematic discrimination by either society or the government against persons with HIV/AIDS; however, taboos and beliefs associated with the disease caused victims in some areas to face isolation or exclusion. Although the official HIV-positive rate was estimated at less than 1 percent, it was likely to be significantly higher because of the stigma related to the disease, the lack of viable health statistics, and the impression that victims are guilty of violating Islamic practices.

## Section 6 Worker Rights

### a. The Right of Association

The law allows workers to form and join unions of their choice without authorization or excessive requirements, and workers exercised this right. The law also provides for freedom of association, 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. 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.

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 has the power to decide whether to recognize a trade union.

The law provides workers with the right to strike, and workers exercised this right during the year. The government can dissolve a union for what it considered an illegal or politically motivated strike; however, no unions were disbanded during the year. Workers must provide advance notice of at least 10 working days for any strike. Workers are not allowed to hold sit-ins, or block nonstriking workers from entering work premises.

### 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.

Laws provide workers with protection against antiunion discrimination; however, national human rights groups reported that authorities did not actively investigate alleged antiunion practices in some private firms owned by very wealthy citizens.

There are no export processing zones.

### c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, men, women, and children were trafficked for purposes of forced labor. The antislavery law criminalizes the practice of slavery and imposes penalties on government officials who do not take action on reported cases; however, no cases were prosecuted during the year. The labor code also includes criminal penalties for contracting to benefit from forced labor and for exploiting forced labor as part of an organized criminal network. Slavery-related practices, typically flowing from

ancestral master-slave relationships, continued in isolated parts of the country where a barter economy existed, education levels were generally low, and a need existed for herding livestock, tending fields, and other manual labor. Some individuals considered themselves either slaves or masters and were unaware that slavery had been abolished. Human rights groups reported that persons in slave-like relationships were persuaded by their masters to deny the relationship to activists.

Voluntary servitude continued, 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. Adult females with children faced greater difficulties and could be compelled to remain in a condition of servitude, performing domestic duties, tending fields, or herding animals.

There were reports that some former slaves 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, it 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 divinely ordained and they feared religious sanction if that bond were broken. Former slaves often performed manual labor in markets, airports, and ports.

#### 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.

The law prohibits all forms of trafficking in persons; however, there were reports that children were trafficked to, from, and within the country for the purpose of forced labor.

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 talibes, nearly all from Halpulaar tribes, begged in the streets as part of an arrangement with marabouts for receiving religious instruction. There were reliable 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. The government continued a program to reduce the number of talibes and partnered with NGOs to provide talibes with basic medical and nutritional care.

Young children in the countryside were commonly employed in herding, cultivation of subsistence crops, such as rice, millet, and sorghum, 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, such as metalworking, carpentry, vehicle repair, masonry, and in the informal sector. Reporting by some human rights NGOs, including SOS-Esclaves, strongly suggested that domestic employment of girls as young as seven, often unpaid, continued to be a 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 regional inspectors and 30 inspector/controllers 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, which was not enforced, was 21,150 ouguiya (approximately \$81), which did not provide a decent standard of living for a worker and family. All workers are covered by the minimum wage law.

The standard, legal, nonagricultural workweek could not exceed either 40 hours or six 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. There are no legal provisions regarding compulsory overtime.

The Labor Directorate of the Ministry of Labor is responsible for enforcement of the labor laws, but there was a lack of effective enforcement due to inadequate funding.

The government set health and safety standards. 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.