

Mauritania

Response to Information Request Number:	MRT00001.ZCH
Date:	12 January 2000
Subject:	Mauritania: Information on the treatment of male homosexuals
From:	INS Resource Information Center
Keywords:	Mauritania / Death penalty / Discrimination on account of sexual orientation / Freedom of association / Freedom of expression / Gay rights / Right to protection / Right to security of the person / Same-sex couples

Query:

- 1) Are homosexuals (in particular, Arab or "White Moor" male homosexuals) at risk of harm in Mauritania?
- 2) If so, what types of mistreatment do they face?
- 3) If so, are homosexuals at risk of harm by government actors or others?
- 4) Can homosexuals avail themselves of the protection of the government?

Response:

Information on specific incidents in Mauritania of the mistreatment of homosexuals, and of White Moors particularly, was not available among the sources consulted by the RIC. Nor were any consulted sources able to provide statistics on punishments carried out for homosexual behavior.

From the information gleaned, the country's attitude toward homosexuality is negative. Discussing sexual matters is taboo. Sexual relations are believed to be the preserve of marriage between a man and a woman (*Africa News Bulletin-BIA*, 15 March 1999). Because there is no societal recognition of the existence of homosexuality, there is no visible public support for gay rights (*The Third Pink Book* 1993, 304).

Of the six ethnic groups, White Maure or Moors are considered the socially dominant class. In the White Maure social order, Black Africans are linked with the legend of their servile past and excluded from Maure hierarchy (*Mauritania: A Country Study* 1990, 52-56). Black Africans, in turn, consider "...Maures (especially white Maures) to be ignorant, lazy, and inefficient..." (*Mauritania: A Country Study* 1990, 66). They further believe that shari'a law discriminates in favor of white Maures (*Mauritania: A Country Study* 1990, 131).

Before Mauritanian independence in 1960, punishment for homosexual activity was limited to a maximum of three years in prison and a fine of one million francs (*ILGA*, 1999). This was superseded by shari'a law which was established after 1980 (*Mauritania: A Country Study* 1990, 131). In Islamic countries governed by shari'a, sodomy is a crime against the Koran's divine will, subject to divine retribution. (*AI* 1997, 46) In Mauritania, male Muslims convicted of homosexual acts are eligible for the death sentence under the revised Islamic penal code (*AI* 1997, 48). Most Mauritians are Sunni Muslims subject to Islamic law

(*Mauritania: A Country Study* 1990, 58).

This response was prepared after researching publicly accessible information currently available to the RIC within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

References:

"Africa News Bulletin-BIA. 15 March 1999. *ANB-BIA Supplement Issue No. 364*. [Internet] <http://www.peacelink.it/anb-bia/nr364/e03.html> [Accessed 5 January 2000]

Amnesty International (AI) United Kingdom Gay and Lesbian, Bisexual and Transgender Network. 1997. *Breaking the Silence: Human Rights Violations Based on Sexual Orientation*. (London: Amnesty International UK)

International Lesbian and Gay Association (ILGA). 1999. *World Legal Survey*. [Internet] http://www.ilga.org/Information/legal_survey/africa/mauritania.html [Accessed 29 December 1999]

Mauritania: A Country Study. 1990. Edited by Robert E. Handloff. (Washington DC: Library of Congress)

The Third Pink Book: A Global View of Lesbian and Gay Liberation and Oppression. 1993. Edited by Aart Henriks, Rob Tielman and Evert van der Veen. (New York: Prometheus Books)

Attachments:

"Africa News Bulletin-BIA. 15 March 1999. *ANB-BIA Supplement Issue No. 364* [Internet] <http://www.peacelink.it/anb-bia/nr364/e03.html> [Accessed 5 January 2000]

Amnesty International (AI) United Kingdom Gay and Lesbian, Bisexual and Transgender Network. 1997. *Breaking the Silence: Human Rights Violations Based on Sexual Orientation*. (London: Amnesty International UK)

International Lesbian and Gay Association (IGLA). 1999. *World Legal Survey*. [Internet] http://www.ilga.org/Information/legal_survey/africa/mauritania.html [Accessed 29 December 1999]

The Third Pink Book: A Global View of Lesbian and Gay Liberation and Oppression. 1993. Edited by Aart Henriks, Rob Tielman and Evert van der Veen. (New York: Prometheus Books)

Other Sources Consulted:

Human Rights Watch (HRW). Telephone Interview with Africa Desk Officer. 30 December 1999

International Lesbian and Gay Association (ILGA). Telephone Interview with Researcher. 5 January 2000

Lesbian and Gay Immigration Rights Task Force (LGIRTF). Telephone Interview with Legal Researcher. 5 January 2000

U.S. Department of State (DOS). Mauritania Country Desk. Telephone Interview with Desk Officer. 3 January 2000

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