

ISLAMIC REPUBLIC OF MAURITANIA  
*Honour – Fraternity – Justice*

OFFICE OF THE COMMISSIONER FOR HUMAN RIGHTS AND HUMANITARIAN ACTION



**10<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup> and 14<sup>th</sup> Periodic Reports of the Islamic Republic of Mauritania on the implementation of the provisions of the African Charter on Human and Peoples' Rights**

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## Abbreviations and acronyms

<b>ACERWC</b>	African Charter on the rights and welfare of the Child
<b>ACHPR</b>	African Charter On Human And Peoples' Rights
<b>ANAIIR</b>	<i>Agence Nationale d'Accueil et d'Insertion des Réfugiés</i> / National agency for refugee assistance and reintegration
<b>ANRPTS</b>	<i>Agence Nationale du Registre des Populations et des Titres Sécurisés</i> / National population and secure title registration agency
<b>CDHAH</b>	Office of the Commissioner for human rights and humanitarian action
<b>CEDAW</b>	Convention on the Elimination of all forms of Discrimination Against Women
<b>CFPE</b>	<i>Centre de Formation pour la Petite Enfance</i> / Training Centre for early childhood development
<b>CFPF</b>	<i>Centre de Formation pour la Promotion Féminine</i> / Training centre for women's empowerment
<b>CNDH</b>	<i>Commission Nationale des Droits de l'Homme</i> / National human rights commission
<b>CNDH</b>	<i>Commission Nationale des Droits de l'Homme</i> / National human rights commission
<b>CNLS</b>	National AIDS control committee
<b>CPISE</b>	<i>Centre de Protection et d'Intégration Sociale des Enfants</i> / Centre for the social protection and integration of children
<b>CRC</b>	Convention on the Rights of the Child
<b>CRC</b>	UN Convention on the Rights of the Child
<b>CRPD</b>	International Convention on the Rights of Persons with Disabilities
<b>CS</b>	Civil Society
<b>CSA</b>	<i>Commissariat à la Sécurité Alimentaire</i> / Food Security Commission
<b>CSP</b>	<i>Code du Statut Personnel</i> / Personal Status Code
<b>EFA</b>	Education For All
<b>ENVEF2011</b>	Enquête Nationale sur la Violence à l'Egard des Femmes en Mauritanie 2011 / National survey on violence against women in Mauritania, 2011
<b>EPCV</b>	<i>Enquête Permanente sur les Conditions de Vie des Ménages</i> / Continuous survey on the living conditions of households
<b>FGM</b>	Female Genital Mutilation
<b>GBV</b>	Gender-Based Violence
<b>HR</b>	Human Rights
<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>MASEF</b>	<i>Ministère des Affaires Sociales, de l'Enfance et de la Famille</i> / Ministry of Social Affairs, Children and Family
<b>MDG</b>	Millennium Development Goal

<b>NGO</b>	Non-Governmental Organization
<b>OHCHR</b>	Office of the UN High Commissioner for Human Rights
<b>ONS</b>	<i>Office National de la Statistique</i> / National statistics agency
<b>OPPE</b>	<i>Ordonnance Portant Protection Pénale de l'Enfant</i> / Ordinance on the judicial protection of minors
<b>PNC</b>	Pre-Natal Consultation
<b>PNDSE</b>	<i>Programme National de Développement du Secteur Educatif</i> / National development programme of the education sector
<b>PoNC</b>	Post Natal Care
<b>PP</b>	<i>Pouvoirs Publics</i> / Public authorities
<b>SCAPP</b>	<i>Stratégie de Croissance Accélérée et de Prospérité Partagée</i> / National strategy for accelerated growth and shared prosperity
<b>SNGM</b>	<i>Stratégie Nationale de Gestion de la Migration</i> / National strategy on migration control
<b>SNIG</b>	<i>Stratégie Nationale d'Institutionnalisation du Genre</i> / National strategy on gender mainstreaming
<b>SNPS</b>	<i>Stratégie Nationale de Protection Sociale</i> / National strategy on social protection
<b>SOPS</b>	<i>Système Opérationnel des Procédures Standard de lutte contre les violences</i> / Standard operating procedures to combat violence
<b>SPRF</b>	Strategic Poverty Reduction Policy Framework
<b>TFP</b>	Technical and Financial Partners
<b>UNHCR</b>	Office of the UN High Commissioner for Human Rights
<b>UNICEF</b>	United Nations Children's Fund



## **Introduction**

This report is submitted in accordance with Article 62 of the African Charter on Human and Peoples' Rights. It has been drawn up in accordance with the State party reporting guidelines of the African Commission on Human and Peoples' Rights.

It combines the 10<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup> and 14<sup>th</sup> periodic reports to be presented by Mauritania over the 2006 to 2014 period.

The delay in the presentation of this report is due to institutional and political changes which occurred in 2005 and 2009 resulting in the exclusion of the country from African Union policy organs.

Despite this situation, the Government continued its efforts to promote and protect human rights.

The report comprises three sections: The first section provides general information on the country, the second deals with the implementation of the provisions of the African Charter on Human and People's Rights, and the third section relates to the additional protocol to the African Charter on the rights of women, referred to as the Maputo Protocol.

It shall be noted that this report was prepared following consultations initiated in 2015 with the various stakeholders. Data was collected from the relevant departments and institutions.

## **PART I: General information on the Islamic Republic of Mauritania**

### **General data:**

#### **A. Demographic and socio-economic characteristics**

##### **1. Demographic data**

Mauritania is a multi-ethnic and multicultural country. Arabs make up the majority of the population, which also includes *Pulaar*, *Soninke* and *Wolof* minorities. It has a population of 3,537,628 inhabitants (RGPH 2013) of which 27.1% reside in Nouakchott, the capital city<sup>1</sup>.

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<sup>1</sup> Source: National statistics agency

Table 1: Population distribution based on gender and age group

Age group	1977			1988			2000			2013		
	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total
00 – 04	110261	106526	216787	154 808	150 305	305 113	218087	208370	426457	316 217	298 475	614 692
05-09	113809	105397	219206	154 546	144 263	298 809	186741	175736	362477	263 263	256 839	520 102
10-14	81141	71524	152665	114 455	104 288	218 743	154508	148164	302672	212 838	216 667	429 505
15 – 19	67504	70770	138274	92 683	96 807	189 490	131240	138512	269752	176 116	185 288	361 404
20 – 24	52776	58542	111318	74 901	86 562	161 463	100667	114292	214959	144 478	157 962	302 440
25 – 29	40969	48060	89029	67 126	77 870	144 996	86990	100554	187544	121 586	135 767	257 353
30 – 34	33043	40681	73724	56 457	60 691	117 148	72906	81525	154431	99 834	113 691	213 525
35 – 39	28905	32804	61709	44 513	45 159	89 672	64465	70887	135352	83 578	95 379	178 957
40 – 44	32665	36021	68686	34 802	38 077	72 879	53010	53129	106139	72 108	79 228	151 336
45 – 49	23807	24036	47843	27 593	28 108	55 701	48653	50408	99061	60 297	64 516	124 813
50 – 54	22688	24432	47120	30 023	31 908	61 931	32649	33165	65814	50 739	51 751	102 490
55 – 59	16911	17487	34398	16 847	14 875	31 722	23010	21638	44648	41 075	40 645	81 720
60 – 64	12754	14508	27262	20 190	20 603	40 793	25093	24467	49560	31 660	30 459	62 119
65 – 69	6979	7593	14572	11 518	11 131	22 649	16062	15582	31644	24 120	23 055	47 175
70 – 74	7708	10706	18414	10 812	12 968	23 780	13773	13425	27198	18 167	17 129	35 296
75 and older	6441	11382	17823	11 901	17 446	29 347	13858	16593	30451	26 998	27 443	54 441
<b>Total</b>	<b>658361</b>	<b>680469</b>	<b>1338830</b>	<b>923175</b>	<b>941061</b>	<b>1864236</b>	<b>1241712</b>	<b>1266447</b>	<b>2508159</b>	<b>1 743 074</b>	<b>1 794 294</b>	<b>3 537 368</b>

## 2. Socio-economic data

Mauritania adopted a Strategic Framework for Poverty Alleviation (CSLP) for the 2001-2015 period. Implementation of the CSLP contributed to lowering poverty from 51% in 2001 to 31% in 2014. Economic growth recorded over the same period rose to an average rate of 4.3% despite unfavourable economic conditions.

Efforts were deployed to develop human resources and expand basic services. In the basic education sector: (i) the gross enrolment rate (GER) in 2012/13 was 99.3%; (ii) the GER for girls in 2012/13 was 102.5% against 95.9% for boys (the gender parity index was 1.07 in 2012-2013 –girls benefitted most from enrolment efforts in 2013 than boys); and (iii) the

retention rate in basic education was 75% in 2012/13 compared to 67.4% in 2011/12 representing a substantial increase.

For secondary education: (i) the GER rose from 24.9% in 2009/10 to 29.5% in 2012/13; (ii) the attendance rate for girls was 47.6% in 2012/2013; and (iii) the graduation rate was 52.7% in 2012/13.

Regarding the health sector, efforts made by the Government to improve the health status of populations through increased quality and access to health services resulted in: (i) the construction, rehabilitation and equipment of health centres; (ii) the extension and rehabilitation of the Bassiknou health centre in Hodh Echarghi; (iii) the construction of nursing schools; (iv) the acquisition of medical equipment; (v) the acquisition of ambulances and 162 four-wheel motorcycles; the recruitment of 582 physicians and paramedics, the training of 440 paramedics, and contracting with 54 foreign medical staff.

The situation of key health indicators is as follows: (i) healthcare coverage is 74% in a 5 km radius; (ii) the mortality rate for children under the age of 5 is 114 for 1,000 live births; (iii) the proportion of one-year old children vaccinated against measles has reached 78%; (iv) the maternal mortality rate is 585 for 100,000 births; (v) the contraceptive prevalence rate is 11.4%; (vi) the HIV/AIDS prevalence rate among 15-24 year olds is 0.7%, kept below the 1% level; and (vii) the proportion of malaria-related deaths among children aged less than five years is 5.1%.

In terms of access to drinking water, infrastructure realized in 2013 and those currently under construction have facilitated access for 58% of the population to higher quality drinking water, including 48% in rural areas and 60% in urban areas. Regarding sanitation, accomplishments have contributed to increasing access to an enhanced sanitation system for populations, from 22% in 2010 to 34.5% in 2013.

The commencement of electrification projects with solar kits and renewable energy has helped to significantly increase universal access to such basic services.

During the third implementation year of CSLP III, good governance and capacity building actions were conducted and significant progress was hence made in all areas of governance (political, democratic, territorial, local, environmental and economic).

At the completion of the CSLP, the Government decided to develop a new strategy for accelerated growth and shared prosperity (SCAPP) covering the period from 2015 to 2030. This strategy aims, inter alia, to promote economic growth which is diversified, inclusive, green and sustainable, reduces inequalities and is geared towards job creation. It also aims to fight against unemployment, strengthen resilience and ensure the fair distribution of wealth.

The Government has enhanced political and democratic governance through: (i) the establishment of a National Independent Electoral Committee, and (ii) the organization of free and fair parliamentary and municipal elections.

## **B. Constitutional and judicial frameworks**

### **1°) Constitutional framework**

The Constitution of 20 July 1991, amended in 2006 and in 2012, provides for the establishment of several institutions including the Constitutional Council, the Economic and Social Council, the Court of Auditors, the Higher Islamic Council, the National Human Rights Commission...

Article 1 of the Constitution stipulates: *“Mauritania is an Islamic, indivisible, democratic and social Republic. The Republic ensures all its citizens equality before the law, without distinction as to origin, race, sex or social condition.”* Article 3 enshrines the principle of democracy: *“sovereignty belongs to the Mauritanian people, who shall exercise it through their representatives or by referendum”*.

The republican State is characterized by the principle of separation of powers. The President of the Republic is elected by direct universal suffrage for a term of five years, renewable once. The President defines national policy, which is implemented by the Government, led by a Prime Minister.

Legislative power is exercised by the Parliament which adopts laws and is responsible for oversight of Government action. The Parliament includes the National Assembly and the Senate.

Administrative organization is decentralized and devolved. Its territory is organized into several administrative levels: wilayas (15), moughataas (58) and districts (218). The various levels of the Administration each contribute to the political, economic and social development of the country.

### **2°) Judicial institutions**

The system of justice is based on the second-hearing principle (the same case may be tried in first and second instance). The system includes trial courts at the level of the moughataas and wilayas, appeal courts and a Supreme Court. A High Court of Justice is entrusted with the trial of the highest authorities in the State (President of the Republic and members of the Government). Constitutional justice is guaranteed by the Constitutional Council. A High Council dealing with fatwas and informal appeals allows users of the justice system to be directed towards solutions which comply with Islamic law.

The Government enhanced the effectiveness of the justice system by bringing the courts closer to the people with the establishment of one appeal court in Aleg, two regional trial courts in North and South Nouakchott, a labour court in Zouerate and three criminal courts specializing in the fight against slavery. Furthermore, it has put in place a national strategy to combat corruption, and sectoral plans are being implemented by public departments to fight this phenomenon in collaboration with civil society, which ensures compliance with national anti-corruption laws.

**Table 2: Activities of courts of first instance (in 2014)**  
**Civil, commercial and administrative cases**

<b>Type</b>	<b>Number</b>
Cases filed	5937
Judgments delivered	1339
Conciliation	2040
Appeals	984
Appeals before the Supreme Court	37
Interim orders	4601
Appeals against interim orders	323
Objection procedures	49

**Activities of criminal courts, magistrates' courts and juvenile courts**

<b>Type</b>	<b>Number</b>
Cases filed	2159
Judgments delivered	1589
Interim orders	565
Appeals	1237
Appeals against interim orders	30
Objection procedures	16

**Activities of investigating chambers (in 2014)**

<b>Type</b>	<b>Number</b>
Cases filed	2414
Defendants	3962
Cases brought before the criminal court	594
Cases brought before the magistrate's court	757
Preliminary enquiries completed	1395
Committal orders	1579
Release orders	421
Orders for release under judicial supervision	915
Order of dismissal	140
Conciliation reports	364
Bail	440
Visits to prisons	689
Rogatory commissions	145
Decision for release on bail	43
Expertise	63
Arrest warrants	297

**Statistics – Prosecutor's Office Nouakchott (2012)**  
**Statistics (Crimes, 2012)**

<b>Type</b>	<b>Number</b>
Robbery	156
Rape	49
Drug possession, sale and importation	56

Sale of alcohol	52
Zina	12
Voluntary manslaughter	22
Forgery and use of forged documents	21
Destruction of another's property	36
Death threat	15
Assault	47
Terrorism	7

## ***II-Offences***

<b>Type</b>	<b>Number</b>
Theft	445
Assault and battery	104
Unintentional injury	105
Involuntary manslaughter	73
Fraud	89
Breach of trust	67
Drug use	49
Use of psychotropic substances	65
Forgery and use of forged documents	21
Bounced cheques	106
Obstruction of justice	10
Insubordination towards parents	12
Public indecency	22
Corruption	10
<b>Type</b>	<b>Number</b>
Threat of aggression	15
Witchcraft and quackeries	15
Gambling	4
Kidnapping	1
Vagrancy	3
Importation of arms	2
Driving without a license	21
Driving without insurance	27
Use of false identities	13
Desertion	12
Escape from jail	4
Arson	1
Other offences	16

## **C – General Framework of Human Rights Promotion and Protection**

### **1°)-Recognition of international human rights standards**

Table 3: Key international human rights instruments ratified by Mauritania

N°	Instruments	Date of adoption	Date Ratified	Reservations or observations
1	Universal Declaration of Human Rights	1948	Preamble to the Constitution of 20 July 1991	Incorporated into the preamble to the Constitution of 20 July 1991
2	United Nations Convention Against Corruption	2003		
3	Convention on the Elimination of all forms of Racial Discrimination	1965	1988	<b>Reservation:</b> <b>Art. 14:</b> Mauritania did not make the declaration under article 14 of the Convention recognizing the competence of the committee to receive and consider communications from individuals
4	Convention on the Elimination of all forms of Discrimination Against Women	1979	1990	<b>Reservations:</b> Art.13, para. (a) Art.16
5	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	1990	2003	
6	Convention on the Rights of the Child	1989	1990	<b>Reservation:</b> Convention approved in its entirety and in each part which is not contrary to Islamic law
7	Convention on the Rights of Persons with Disabilities	2006	2010	
8	International Convention for the Protection of All Persons From Enforced Disappearance	2006	2012	
		1966	1999	<b>Reservations:</b> Art.18, paragraphs 2-3 and 4, and Art.23, para. 4

9	International Covenant on Civil and Political Rights			The Government of Mauritania declared that the Convention will be implemented without prejudice to Sharia law
10	International Covenant on Economic, Social and Cultural Rights	1966	1999	
11	Optional Protocol to the Convention against torture and other cruel, inhuman or degrading treatment or punishment		2012	
12	Optional Protocol to the Convention on the Rights of Persons with Disabilities	2006	2010	
13	Convention against Torture and other cruel, inhuman or degrading treatment or punishment	1984	1999	<b>Reservations:</b> Art. 20, paragraphs 1, 2, 3, 4 and 5 on the competence of the Committee Art. 30, para. 1 on the International Court of Justice

## 2°) – Nature and scope of reservations

### a)-Scope of reservations

Mauritania expressed general or specific reservations on the following conventions:

#### **-Convention on the Elimination of all forms of Discrimination Against women**

Reservations relate to Art. 13 para. (a) and Art. 16.

#### **-Convention on the Rights of the Child**

This Convention is approved in its entirety and in each part which is not contrary to Sharia law

#### **-International Covenant on Civil and Political Rights**

Reservations relate to article 18 paragraphs 2-3 and 4, and article 23 paragraph 4.

#### **-Convention against Torture and other cruel, inhuman or degrading treatment or punishment**

Reservations relate to article 20 paragraphs 1, 2, 3, 4 and 5 on the competence of the Committee and article 30 paragraph 1 on the International Court of Justice.



## **b)-Rationale behind the reservations**

These reservations were considered necessary for they related to provisions which are contrary to Sharia law, the unique source of law in accordance with the Constitution.

## **c)-Impact of reservations**

The provisions to which the reservations refer are not implemented. Other provisions remain in full force and effect as provided for under Article 80 of the Constitution.

## **d)-Follow-up of statements adopted at conferences**

Through its participation in international conferences on human rights, Mauritania has effectively supported statements, recommendations and commitments adopted.

In accordance with statements and recommendations adopted at international conferences, particularly that of Vienna in 1993, Mauritania withdrew its general reservation to the Convention on the elimination of all forms of discrimination against women and intends to do the same with regard to its general reservation to the Convention on the rights of the child.

## **e)-Exceptions, restrictions or limitations**

Other than the reservations expressed on international instruments ratified by the country, there are no exceptions, restrictions or limitations in the implementation of these instruments.

Table 4: Key ILO conventions ratified by Mauritania

<b>N°</b>	<b>Instrument</b>	<b>Date of adoption</b>	<b>Date Ratified</b>	<b>Reservations or observations</b>
1	ILO Convention No. 111 concerning discrimination in respect of employment and occupation	1958	08/11/1963	
2	ILO Convention No. 19 on equality of treatment (accident compensation)	1925	08/11/1963	
3	ILO Convention No.100 concerning Equal Remuneration (agriculture)	1951	03/12/2001	
4	ILO Convention No.118 concerning Equal Remuneration (social security)	1962	15/07/1968	Accepted branches d) to g) and i)
5	ILO Convention No. 105 concerning the Abolition of Forced Labour	1957	03/04/1997	
6	ILO Convention No. 29 concerning Forced or Compulsory Labour	1930	20/06/1961	
7	Maternity protection convention No. 3	1919	08/11/1963	
8	ILO Convention No. 4 on night work (women)	1919	20/06/1961	Denounced by IRM on 02//08/1965
9	ILO Convention No. 41 concerning employment of women during the night	1934	20/06/1961	Denounced following the ratification of Convention No. 89
10	ILO Convention No. 89 on night work (women)	1948	08/11/1963	
11	ILO Convention No.182 on the Worst Forms of Child Labour	1999	03/12/2001	
12	Convention No. 5 on the minimum age (industry)	1919	20/06/1961	Denounced following the ratification of Convention No. 138
13	Convention No. 6 on the night work of young persons	1919	20/06/1961	

14	Convention No. 15 on the minimum age (trimmers and stokers)	1921	08/11/1963	
15	Convention No. 33 on the minimum age (non-industrial employment)	1932	20/06/1961	
16	Convention No. 58 on the minimum age (sea)	1936	08/11/1963	
17	Convention No. 90 on the night work of young persons (industry)	1948	08/11/1963	
18	Convention No. 112 on the minimum age (fishermen)	1957	08/11/1963	
19	Convention No. 138 on the minimum age	1973	03/12/2001	Minimum age specified: 14 years
20	Convention No. 52 on annual holidays with pay	1936	08/11/1963	
21	Convention No. 91 on paid vacations (seafarers)	1949	08/11/1963	
22	ILO Convention No. 98 on the Right to Organise and Collective Bargaining	1949	03/12/2001	
23	Convention No. 101 on holidays with pay (agriculture)	1952	08/11/1963	
24	Convention No. 102 on social security (minimum standards)	1952	15/07/1968	Accepted parts V to VII, IX and X
25	Convention No. 13 on white lead (painting)	1921	20/06/1961	
26	Convention No. 14 on weekly rest (industry)	1921	20/06/1961	
27	Convention No. 17 on workmen's compensation (accidents)	1925	08/01/1963	
28	Convention No. 18 on workmen's compensation (occupational diseases)	1925	20/06/1961	
29	Convention No. 22 on seamen's articles of agreement	1926	08/11/1963	

30	Convention No. 23 on the repatriation of seamen	1926	08/11/1963	
31	Convention No. 26 on the minimum wage-fixing machinery	1928	20/06/1961	
32	Convention No. 53 on officers' competency certificates	1936	08/11/1963	
33	Convention No. 62 concerning safety provisions in the building industry	1937	08/11/1963	
34	Convention No. 81 on labour administration	1947	08/11/1963	
35	Convention No. 87 on freedom of association and protection of the right to organise	1948	20/06/1961	
36	Convention No. 94 on labour clauses (public contracts)	1949	08/11/1963	
37	Convention No. 95 on the protection of wages	1949	20/06/1961	
38	Convention No. 96 on fee-charging employment agencies	1949	31/03/1964	Accepted the provisions of Part II
39	Convention No. 114 on fishermen's articles of agreement	1959	08/11/1963	
40	Convention No. 116 concerning the Partial Revision of the Conventions	1961	08/11/1963	
41	Convention No. 122 concerning employment policy	1964	30/07/1971	

Table 5: Ratified instruments relating to international humanitarian law and refugees

<b>N°</b>	<b>Instrument</b>	<b>Date of adoption</b>	<b>Date of ratification</b>	<b>Reservations or observations</b>
1	Convention relating to the Status of Refugees	1951	1987	
2	Geneva Convention for the amelioration of the condition of the wounded and sick in armed forces in the field	1949	1962	
3	Geneva Convention for the amelioration of the condition of wounded, sick and shipwrecked members of armed forces at sea	1949	1962	
4	Geneva Convention relative to the Treatment of Prisoners of War	1949	1962	
5	Geneva Convention relative to the Protection of Civilian Persons in Time of War	1949	1962	
6	Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol 1)	1977	1980	
7	Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts	1977	1980	
8	Convention relating to the Status of Refugees	1951	1987	
9	OUA Convention governing the Specific Aspects of Refugee Problems in Africa	1969	1972	
10	Protocol relating to the Status of Refugees	1967	1987	
11	Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction	1997	2000	

Table 6: Ratified regional human rights instruments

N°	Instrument	Date of adoption	Date Ratified	Reservations or observations
1	African Charter on Human and Peoples' Rights	1981	1986	Incorporated into the preamble to the Constitution of 20 July 1991
2	Optional Protocol on the establishment of the African Court on Human and Peoples' Rights	1988	2005	
3	African Charter on the Rights and Welfare of the Child	1990	2005	
4	Protocol to the African Charter on Human and Peoples' Rights on the rights of women in Africa	2003	2005	
5	African Charter on Democracy, Elections and Governance	2011	2008	
6	Protocol to the African Charter on Human and Peoples' Rights establishing the African Court on Human and People's Rights	1998	2005	
7	OUA Convention governing the Specific Aspects of Refugee Problems in Africa	1969	1972	

### 3°)-Legal framework of human rights promotion and protection at the national level

#### a)-Constitutional authority

The Constitution of the Islamic Republic of Mauritania guarantees human rights in its preamble as follows: "Building on its spiritual values and its flourishing civilization, the People of Mauritania also proclaims, solemnly, its attachment to Islam and to the principles of democracy as defined by the Universal Declaration of Human Rights of 10 December 1948 and by the African Charter on Human and Peoples' Rights of 28 June 1981 as well as in the other international conventions to which Mauritania is a party". The Constitution guarantees all rights and freedoms set forth in the instruments to which Mauritania is a party.

#### b)-Incorporation of international human rights instruments

Under Mauritania's prevailing monistic system, ratified international human rights instruments form an integral part of the body of national legislation in accordance with Article 80 of the Constitution.

### **c)-Competent authorities in the area of human rights**

These mainly include the Constitutional Council, the Courts, the Office of the Commissioner for Human Rights and Humanitarian Action, the National Human Rights Commission, relevant ministerial departments, and the National mechanism for the prevention of torture. They have national competence on issues which fall within the scope of their respective functions.

### **d)-Invocation before the courts**

All provisions of conventions ratified by Mauritania may be invoked before the courts for mandatory application by the judge.

### **e)-Exercise of remedies**

Administrative and judicial appeals are available and could lead to civil redress, administrative and/or criminal sanctions against the perpetrator.

### **f)-National Human Rights Promotion and Protection Mechanisms**

The Office of the Commissioner for Human Rights and Humanitarian Action is in charge of drafting and implementing the national policy for the promotion, defence and protection of human rights.

The primary missions of the Ministry of social affairs, childhood development and family are to propose projects and programmes to guarantee the promotion of women, their integration in the development process, and the promotion and protection of the rights of children, persons with disabilities and older persons.

The National Human Rights Commission is an independent institution entrusted with the following missions: issuing, at the request of the Government or on its own initiative, a consultative opinion on general or specific questions concerning the promotion and protection of human rights and respect for individual and collective freedoms.

Accredited as an A Status national human rights institution (NHRI) by the International Coordinating Committee of National Human Rights Institutions in May 2011, it was recognized as a constitutional institution in 2012.

It is composed mainly of representatives of civil society organizations and professional bodies with voting rights as well as representatives of the different relevant administrations who act in an advisory capacity. It is funded through the national budget under a separate budget line.

Through the media, workshops and other promotional materials, public authorities and human rights organizations disseminate and popularize the various instruments and conventions to which Mauritania is a party. They ensure the accessibility of these instruments by explaining them in the different national languages where necessary.

The Parliament passes laws and ensures compliance of national legislation with the provisions of ratified international instruments. The parliamentary group in charge of human rights ensures the promotion and popularization of human rights principles as well as their protection.

The national mechanism for the prevention of torture ensures compliance with existing legislation in this area.

The High Council on fatwas and informal appeals also acts similarly in its area of competence.

Associations are governed by Law nr. 64.098 of 9 June 1964 amended by Law nr. 73.007 of 23 June 1973 and by Law nr. 73.157 of 2 July 1973. More than 6,025 national NGOs and 57 international NGOs are in operation. The number of associations rose significantly as of 2008 when there were only 1,106. Associations are active in the areas of human rights, social welfare, development, health, environment, culture, sports, arts, etc. They may, at their request, benefit from tax exemption on materials earmarked for the implementation of their activities. This exemption is legally binding provided that the association is declared to be of public interest.

### **g)-Recognition of the jurisdiction of a regional human rights court or a similar mechanism**

Mauritania recognizes the jurisdiction of the African Court on Human and Peoples' Rights.

### **h)-Dissemination of human rights instruments**

Information and awareness-raising campaigns were organized on several conventions. They include, among others:

#### ***- Convention on the Elimination of all forms of Discrimination Against women***

The following actions were undertaken as part of efforts to disseminate this convention:

- Translation into the four national languages;
- Simplification with the development of a guide and the organization of far-reaching awareness-raising campaigns via the public media (radio and television);
- Outreach campaigns conducted by NGOs; and
- Other programmes supervised by the MASEF's Communication Unit through its regional coordination units.

#### ***- Convention on the Rights of the Child***

This convention was disseminated through:

- Preparation and dissemination of a simplified guide on the convention;



- Establishment of child rights movements in the regions mainly comprising departmental units seeking to advance the rights of the child;
- Organization, on a yearly basis, of awareness-raising campaigns on the rights of the child during celebrations of children's day; and
- Training of civil society actors on the rights of the child.

***- International Convention on the Rights of Persons with Disabilities***

The convention was disseminated through:

- Organization of campaigns in all wilayas in the country;
- Preparation of a simplified guide on the provisions of the convention; and
- Training of several organizations of disabled persons.

***- Convention against Torture and other cruel, inhuman or degrading treatment or punishment***

Several activities were carried out to ensure dissemination of this convention:

- Training and awareness-raising seminars for law enforcement officers on the prohibition of torture and other inhuman, cruel or degrading treatment or punishment;
- Workshops for magistrates and judicial police officers on police custody and the fight against torture;
- It is mandatory for administrative and judicial authorities to systematically initiate investigations as soon as allegations of torture are made;
- If applicable, sanctions are provided for in Law Nr. 2015.033 of 10 September 2015 on the prevention of torture.

All international instruments adopted by treaty bodies and ratified by Mauritania have been published in the Official Journal. **i)-Awareness-raising among public officers and other human rights professionals**

Action plans to raise awareness and train civil servants on respect for human rights were implemented. Seminars were organized for police officers by the Ministry of Justice, the Office of the Commissioner for Human Rights and Humanitarian Action and the National Human Rights Commission, with the technical support of the Office of the UN High Commissioner for Human Rights and the Association for the Prevention of Torture (APT).

**j)-Awareness-raising actions through educative programmes and dissemination of information via “Hygiene, Health and Environment” clubs.**

- Initial training (Basic education teacher training institute; Higher education teacher training institute);
- In-service training (awareness-raising campaigns and specific modules).

### **k)-Human rights awareness-raising actions through the media**

Public and private media are called upon for the dissemination of human rights promotion and protection activities countrywide. Radio and television programmes on human rights are regularly broadcast.

### **l)-Role of civil society**

Civil society, in collaboration with the authorities, implements public awareness programmes on human rights.

### **m)-Budget allocations and developments in this area**

Budgetary resources are allocated each year to ministerial departments, institutions and other agencies and NGOs working in the area of human rights.

### **n)-Cooperation and assistance in the development field**

The Office of the UN High Commissioner for Human Rights, UNDP, UNICEF, UNFPA and other technical partners provide assistance for the promotion and protection of human rights.

## **D- Factors impeding the implementation of international human rights obligations**

Key challenges faced by the country for the full enjoyment of human rights include:

- Lack of human and financial resources of human rights institutions and organizations;
- Low level of specialization of human rights actors.

## **E. Reporting process**

### **1°)-Inter-ministerial committee in charge of drafting State reports on international human rights instruments**

The Government established an inter-ministerial committee in charge of drafting reports and monitoring the implementation of recommendations adopted by treaty bodies and the UPR. This committee includes all ministerial departments, the National Human Rights Commission and the Ombudsman. The Office of the UN High Commissioner for Human Rights in Mauritania attends as an observer.

### **2°)-Transmission of reports to stakeholders before presentation to treaty bodies**

The State report, presented in accordance with the UPR process, was transmitted to parliamentary bodies for comments and observations prior to being submitted to the working group. This practice is applied for all reports to be presented to treaty bodies.

### **3°)-Participation of non-governmental agencies or independent bodies**

The recommendations adopted at consultation and information-sharing workshops with civil society and parliamentary bodies are incorporated into the reports.

### **F-Follow-up of final/concluding observations of international human rights treaty bodies**

The various observations and recommendations are shared and discussed during workshops and the outcomes of these workshops forwarded to the relevant authorities. The same applies to the concluding recommendations of committees for the elimination of all forms of discrimination against women, racial discrimination, the rights of the child, torture, human rights and economic, social and cultural rights. Sector-based plans of action for their implementation are currently being executed. A national plan of action is being prepared with the support of the Office of the UN High Commissioner for Human Rights and relates to recommendations adopted by treaty bodies and the UPR.

### **G-Measures for widespread circulation of observations and recommendations adopted by a treaty body following consideration of a report of the State party**

The inter-ministerial technical committee in charge of preparing reports shares these as well as the final recommendations of treaty bodies and the UPR with members of the Parliament. The media is also mobilized to ensure dissemination.

#### **1°)-Follow-up of international conferences**

Mauritania monitors the implementation of declarations adopted at different world conferences on a regular basis. These mainly include the World Conference held in Vienna in 1993, that of Durban in 2001, and Beijing in 1995, the World Conference on Women... The Government, through its various ministerial departments and institutions, fulfils commitments made at these various conferences.

### **2°)-Information on non-discrimination, equality and effective remedies**

#### **a)-Non-discrimination and equality**

The principle of non-discrimination is enshrined in the Constitution. It is integrated into the legislation and formalized in several areas including equality of all before the taxation system, access to justice, equal pay for equal work, access to public services, etc.

The Constitution guarantees women the right to participation in political and public life. It also recognizes their civil, political, economic, social and cultural rights as proclaimed in the Universal Declaration of Human Rights of 1948 and the African Charter on Human and Peoples' Rights of 1981.

Paragraph 2 of Article 1 of the Constitution stipulates: “The Republic ensures all its citizens equality before the law, without distinction as to origin, race, sex or social condition”. Article 12 stipulates: “all citizens may accede to public office and employment with no conditions other than those prescribed by law”.

Affirmative action and specific temporary measures are applied with regard to elections and elective office. There is a significant increase in the quota for women. Positions are reserved for women in all recruitment processes.

- The Personal Status Code of 2001 sets the age of marriage at 18 years;
- The 2005 Code on the judicial protection of minors prohibits and criminalizes female genital mutilation (Article 12);
- The 2001 law on compulsory basic education sets the school age at 6 to 14 years;
- The Ordinance introducing the organic law on access for women to elective office and electoral mandates sets a 20% quota for women;
- Poor litigants benefit from the law on legal assistance;
- The Ordinance on the protection and promotion of the rights of persons with disabilities provides for privileges for this category.
- The Labour Code and the law governing the civil pensions scheme of the Retirement Fund authorize the payment of pension to the legal heirs of a female civil servant in like manner as a male colleague.
- Payment of pension to the dependents of a deceased female civil servant;
- Harmonization of the retirement age at 60 years for female employees governed by the collective bargaining agreement.

The public authorities have put in place an institutional mechanism ensuring the promotion of women’s rights and gender mainstreaming in public policies. This mechanism includes:

- The Ministry of Social Affairs, Children and the Family entrusted with the mission of promoting and protecting the rights of women, families and children;
- The national group and regional groups on gender monitoring;
- The network of women ministers and parliamentarians;
- The national committee to combat gender-based violence including female genital mutilation;
- Regional and departmental committees to combat gender-based violence;
- Units in charge of dealing with and resolving family disputes – monitoring the implementation of recommendations relating to the Convention on the Elimination of all forms of Discrimination Against women and promoting human rights.

### **b)-Measures to strengthen the participation of women in politics and decision-making**

- Adoption of a national list of 20 women for parliamentary elections;
- Adoption of a national list of 20 seats and another list of 18 seats for the Nouakchott constituency;

- Increase in the number of constituencies with three seats to be filled through the system of proportional representation;
- Financial incentives to political parties which elect a higher number of women;
- Organization of a special competition facilitating access for fifty (50) additional women to enrol at the National School of Administration, Journalism and Judicial Training (ENAJM);
- Creation of eight (08) new female lecturer positions at the university;
- Improvement in the scholarship quota for girls.

#### c)-Principle of non-discrimination and the binding principle

The Constitution of 1991 amended in 2006 and 2012 stipulates: “the freedom, equality and human dignity can only be guaranteed in a society which enshrines the rule of law”. It also guarantees the basic principles of non-discrimination.

#### **d)-Measures to prevent and combat all forms of discrimination**

Several institutions contribute to preventing and combatting all forms of discrimination. These include, among others, ministerial departments in charge of human rights issues, the National agency for the fight against the consequences of slavery, for reintegration and poverty alleviation (Tadamoun), the National Human Rights Commission, the Ombudsman, the High Council on fatwas and informal appeals as well as the courts.

#### **e)-General information on the rights of persons belonging to specific vulnerable groups of the population**

The policy on combatting poverty lays special emphasis on vulnerable groups.

#### **2°)- Specific measures to reduce disparities**

Several measures are planned to reduce economic, social and geographical disparities, particularly with regard to women. These include, inter alia:

- Drafting and implementation of the action plan to combat gender-based violence (2015-2018);
- Implementation of SOPs (standard operating procedures) for an enhanced response and a comprehensive management of survivors of gender-based violence;
- Implementation of an action plan to encourage the abandoning of female genital mutilation in high-prevalence wilayas;
- Dissemination through public and private media of a fatwa on the prohibition of female genital mutilation;
- Organization of campaigns to combat child marriage.

Measures were undertaken to inform and raise public awareness on stereotypes and practices harmful to women, including:

- Celebration of FGM Zero Tolerance Day;
- Implementation of a programme to eradicate FGM;
- Validation of a draft law punishing FGM;
- Organization of several awareness-raising campaigns on other harmful practices (obesity, forced and early marriages...).

### **3°)-Equality before the Law and Equal Protection of the Law**

Mauritania has a judicial system based on the principle of the right to appeal and facilitates access to justice through legal assistance.

### **K-Effective remedy**

Ratified international human rights instruments form an integral part of the body of national legislation in accordance with Article 80 of the Constitution. All provisions of conventions ratified by Mauritania may thus be invoked before the courts for mandatory application by the judge.

## **PART II: Implementation of the provisions of the African Charter on Human and People's Rights**

### **Chapter 1: Measures adopted in response to the Commission's concluding observations made at the consideration of the previous report**

In compliance with the key recommendations of the Commission, the Government adopted the necessary measures for the repatriation of Mauritanian refugees in Senegal (Section 1) and the eradication of the legacy of slavery (Section 2).

#### **Section 1: Repatriation of refugees**

Dealing with humanitarian issues has been one of the Government's main concerns. This was reflected in the voluntary, dignified and organized repatriation of 24,536 Mauritanian refugees (including 5,817 families) in Senegal to 118 sites in five wilayas.

The operation followed the signing of the tripartite agreement on 12 November 2007 between Mauritania, Senegal and the Office of the UN High Commissioner for Refugees (UNHCR). This agreement is based on principles of humanitarian law relating to the voluntary character of repatriation and family unity under circumstances in which human dignity is preserved. Under the terms of the agreement, Mauritania is responsible for taking charge of the returnees by guaranteeing their security and dignity and ensuring that they are reintegrated into the country's economic and social fabric.

Pursuant to its commitments, the Government took the necessary steps to ensure the voluntary and organized repatriation of the refugees and their economic and social

reintegration after arrival. To that end, it set up the National Agency for Refugee Assistance and Reintegration (ANAIR) in 2008 to help receive and reintegrate the returnees.

The agreement has also mobilized central and territorial administrations, which have played a major role in helping returnees to become property owners (homes and agricultural lands and resolution of conflicts involving them).

The Government has also set up a national commission to conduct a census of public employees and State contract workers affected by the events of 1989. The commission compiled an inventory of all the public employees and State contract workers concerned, at home and abroad, with a view to helping them find employment. In this regard, 1,159 public employees and State contract workers received payment in accordance with solutions proposed by the National commission and approved by the representatives of the legal heirs.

The consultation process begun in 2008 between public authorities and beneficiaries led to the resolution of the humanitarian issue in accordance with Mauritanian law, Islamic values and international conventions and treaties. The settlement involved the award of compensation (Diya) to the legal successors, and the invocation by the Government of the duty of memory and forgiveness on the occasion of the Day of National Reconciliation, celebrated on 25 March 2009 at Kaédi (prayer in memory of the victims and speech by the President of the Republic).

## **Section 2: Eradication of the legacy of slavery**

The eradication of the legacy and modern forms of slavery is a priority for the Government. In this regard, it adopted on 6 March 2014, a roadmap for the eradication of modern forms of slavery and established an inter-ministerial committee chaired by the Prime Minister in charge of implementing the recommendations of this roadmap as well as a technical monitoring committee.

The latter is composed of representatives of ministries, the National Human Rights Commission, civil society organizations and the Office of the UN High Commissioner for Refugees in Mauritania as an observer.

An action plan for the implementation of the roadmap was adopted on 30 September 2014 and the following activities carried out:

- Adoption of a law in 2015 repealing and replacing Law nr. 048/2007 criminalizing slavery, punishing slavery-like practices, and granting NGOs the right to file civil suit;
- Institutionalization of a national day on 6 March of each year to combat the legacy of slavery;
- Establishment of a cash transfer system for the education of children from poor families and/or families affected by the legacy of slavery;
- Implementation of a plan of action against child labour;
- Development of school infrastructure (schools, school canteens, etc.) in priority education zones;

- Organization of awareness-raising campaigns on the delegitimization of slavery;
- Organization of workshop for civil society organizations (CSOs) and the media on anti-slavery legislation;
- Pronouncement of a fatwa on 27 March 2015 by the Association of Ulemas on the illegitimacy of slavery practices;
- Establishment of income-generating projects for populations affected by the legacy of slavery.

In 2013, the “TADAMOUN” National Agency received funds from the national budget in the amount of 2.8 billion UM, i.e. US\$ 9.7 million for the implementation of its programmes.

This helped to realize projects relating to education, vocational training, health, water, agriculture, livestock, fisheries, environment, social housing and small businesses especially in priority zones. Moreover, this institution is authorized to file civil suit in cases relating to slavery.

In 2014, the “TADAMOUN” Agency conducted the following key actions for the eradication of the legacy of slavery:

- Construction of 20 complete schools in the wilayas of Hodh Chargui, Hodh El Gharbi, Assaba, Brakna, Tagant, Gorgol, Guidimakha, Trarza and Adrar;
- Construction of 20 school canteens (one canteen for each complete school);
- Construction of 7 mosques and 7 madrasas;
- Construction of 16 boreholes, 9 AEPs;
- Deepening of 14 wells and treatment of river water in the wilayas of Trarza, Gorgol, Brakna and Guidimakha;
- Construction and equipment of 20 health posts and centres in the wilayas of Hodh Charghi, Hodh ElGharbi, Assaba, Brakna, Tagant, Gorgol, Guidimakha and Adrar;
- Construction of 1,159 social housing units in Nouadhibou and 1,000 social housing units in rural areas;
- Procurement of 1,500 animal-drawn ploughs for farmers;
- Construction of 12 dams in the wilayas of Hodh Charghi, Hodh ElGharbi, Assaba, Brakna, Tagant, Gorgol, Guidimakha and Adrar;
- Construction of 500 levees and small dikes in the wilayas of Hodh Charghi, Hodh ElGharbi, Assaba, Brakna, Tagant, Gorgol, Guidimakha, Trarza and Adrar;
- Supply of 46 tons of seeds in the wilayas of Hodh Charghi, Hodh ElGharbi, Assaba, Brakna, Tagant, Gorgol, Guidimakha, Trarza and Adrar;
- Development of 500 ha of land in targeted areas in certain wilayas (excluding Nouakchott);



- Distribution of 2,400 tricycles to economic interest groups in collaboration with the Urban Council and administrative authorities of Nouakchott.

## **Chapter 2: Measures to disseminate recommendations**

Several measures were taken to ensure the wide circulation of the concluding observations adopted following consideration of the report.

### **Section 1: Methodology for presentation and dissemination**

The concluding observations adopted following consideration of the report were presented and disseminated during a series of technical meetings and interviews, and data collection with or from various actors.

The observations generated a great deal of interest from stakeholders who made commitments to facilitate their implementation.

Pursuant to these guidelines, the Government adopted several measures to guarantee the participation of all relevant public institutions and civil society in the implementation of the recommendations contained in the concluding observations.

### **Section 2: Participation of public departments in the drafting of the report**

Conscious of the importance of ACHPR observations in the orientation of programmes and refocusing of policies, the CTIER systematically submits the report to the different ministries and non-governmental organizations and associations for review and analysis.

## **Chapter 3: Civil and political rights (articles 2 to 13)**

### **Paragraph 1: Right to the enjoyment of rights and freedoms guaranteed in the Charter**

Fundamental rights and freedoms are guaranteed at the constitutional and legislative levels. The Constitution guarantees:

- The right to equality;
- Basic human rights and freedoms;
- The right to property;
- Political freedoms and freedom of association;
- Economic and social rights;
- Family-related rights.

Article 10 stipulates: “The State guarantees public and individual freedoms, in particular:

- Freedom of movement and freedom to settle in any part of the territory of the Republic,
- Freedom to enter and leave the national territory,

- Freedom of opinion and thought,
- Freedom of expression,
- Freedom of assembly,
- Freedom of association,
- Freedom to join any political organization or trade union of their choice,
- Freedom of trade and industry,
- Freedom of intellectual, artistic and scientific creation.

This right may be restricted only by law.”

### **Paragraph 2: Equality before the law**

The Constitution reaffirms the principle of equality before the law and the various laws relating to the judicial system uphold this as an essential base for the functioning of the system. The law on legal assistance embodies this right.

The State covers the legal fees and expenses of poor litigants.

### **Paragraph 3: Right to life and to physical and moral integrity**

The Constitution classifies torture and slavery as crimes against humanity. It proscribes all forms of moral or physical violence. The Government has established a national mechanism for the prevention of torture.

Judgments delivered by the criminal courts can be appealed and a de facto moratorium on the death penalty is being observed for decades now.

Consequently, the law criminalizing torture, the Criminal Code and the Act on the status of the national police, prohibit any violation of the physical or moral integrity of the human person.

The Code of Criminal Procedure has made it possible to protect the rights of persons in police custody more effectively through access, immediately upon arrest, to counsel and family, and limits on the custody period, which may only be extended by the public prosecutor.

### **Paragraph 4: Right to a fair trial**

The Code of Criminal Procedure stipulates: “*criminal proceedings shall be fair, adversarial, shall ensure balance of rights between parties and guarantee separation between prosecuting authorities and judicial authorities*”.

Individuals on trial for similar offences are judged by the same standards. The judicial authority guarantees the rights of victims and ensures their information throughout the criminal proceedings.

Any person suspected or being prosecuted is presumed innocent until proven guilty by a decision that has the force of *res judicata* following a fair trial in which all legal safeguards were provided. Doubt is interpreted in favour of the accused. Confessions obtained through torture, violence or coercion are of no value.

With regard to a fair trial, it should be noted that persons being prosecuted benefit from:

- Presumption of innocence;
- Principle of legality of the offence and the punishment;
- Respect for the rights of the defence.

The Code of Criminal Procedure, which establishes the pretrial detention regime, provides that such detention may only be ordered by the investigating magistrate and when it is justified by:

- The gravity of the facts;
- The need to prevent proofs of the offence from disappearing;
- Flight of the accused or commission of new offences.

Once a person has been placed in pretrial detention, the investigating magistrate is obliged to expedite the procedure. The magistrate is responsible, at the risk of being held liable, for any negligence that would have pointlessly slowed down the investigation and prolonged the detention.

#### **Paragraph 5: Freedom of Conscience**

Mauritania is an Islamic Republic and consequently all of its citizens are Muslims. However, foreigners can freely practice their religion.

#### **Paragraph 6: Right to information**

The freedom of association policy adopted by the Government has led to the creation of many associations and political groups. Associations, cooperatives, political parties and non-governmental organizations carry out their work in complete freedom.

Any newspaper or periodical may be published, without prior authorization and without bond, following a simple declaration.

- The total liberalization of means of expression (print, audio-visual or electronic);
- Streamlining of procedures for the creation of media outlets and removal of controls on all press organs;
  - Decriminalization of libel acts.

The removal of prison sentences for journalists in the performance of their duties and Government assistance to the private media contribute to ensuring the effectiveness of the right to information.

The High Authority for the press and audio-visual sector ensures application of regulations relating to the media and communications.

An independent regulatory authority of the print media and the audio-visual sector, its key missions include guaranteeing respect of laws, regulations and procedures relating to the freedom of information and communication.

The role of human rights organizations is taken into consideration in national priorities. The State is therefore carrying out, in cooperation with development partners, programmes aimed at building the capacities of those organizations.

These programmes contribute to the development of a human rights culture.

Debates in the parliament are open to the public and broadcast by the public media.

Political parties and not-for-profit associations may be created and freely carry out their activities provided that democratic principles are complied with and that they do not cause prejudice, due to their purpose or their action, to national sovereignty, integrity, national unity or the republican form of the State.

The following measures were adopted for the realization of the right to information:

- Conversion of public media (radio and television) institutions into public limited companies;
- Establishment of an agency in charge of managing the Mauritanian media support fund;
- Issuance of licenses for the establishment of radio and television stations.

The full realization of these rights is dependent on the availability of financial resources.

## **Chapter 4: Economic and social rights**

### **Paragraph 1: The right to property**

The right to property is guaranteed in the Constitution. Expropriation can only be carried out for public interest with fair and prior compensation.

The Department of Housing, Urban Planning and Land Development implemented the following actions:

- Subsidization of over 6,000 units for the most disadvantaged populations;
- Construction of hundreds of housing units in Zouératt and Nouadhibou (Tarhil) for civil servants;
- Acquisition and servicing of land for housing of the most disadvantaged populations;
- Implementation of a programme to modernize towns and upgrade poor districts, consisting of the sub-division of land in poor districts (GAZRA) with a view to

providing the most disadvantaged populations with serviced plots equipped with all utilities and infrastructure for a living environment that fulfils the required standards for a modern city.

This programme reached:

- 113,621 households in Nouakchott;
- 3,830 households in Rosso;
- 4,285 developed plots in Kaédi;
- 2,308 households in Zouerate;
- 4,867 families in Nouadhibou;
- 1,323 developed plots in Boutilimit and Benichab;
- 1,254 households in Akjoujt;
- 14,869 households in living conditions that meet all requirements for safety, hygiene and well-being.

## **Paragraph 2: Right to employment**

The monistic system adopted by Mauritania gives precedence to ratified and published conventions over national laws.

Mauritania ratified and incorporated into its domestic legislation all basic ILO conventions fundamental to the protection of workers.

It implemented, in collaboration with the ILO, a Decent Work Country Programme (DWCP).

Job creation is a key focus area in the poverty reduction strategic policy framework.

The development of labour-intensive sectors fosters the creation of jobs.

Membership of the social security scheme is mandatory for all salaried employees covering three principal branches (old age, employment injury and family).

The Government, committed to providing salaried workers with health coverage in addition to that provided for employment injury (work-related injuries and occupational diseases), broadened the scope of the National health insurance fund (CNAM) to include all wage earners. The CNSS and CNAM are tasked with providing social coverage for all employees in the formal and informal sectors.

The objective of the Government is to provide universal health coverage by putting in place a national social protection strategy which will pool the current efforts of various stakeholders in this area (National social security fund, National health insurance fund, Department of social affairs, TADAMOUM Agency, etc.). A multisectoral committee has been established to this effect.

Article 191 of the Labour Code clearly states “that for equal working conditions, professional qualifications and output, the salary shall be equal for all workers regardless of their origin, gender, age and status”.

The Labour Code sets a minimum age for employment of children. The law also provides for a compulsory school age.

General conditions for employment of women and children in domestic work are regulated.

Articles 162 and 163 of the Labour Code guarantees adequate and paid maternity leave for women before and after delivery both in the private and public sectors, as well as equal pay and benefits for men and women with the same qualifications and occupational skills.

With regard to the eradication of the legacy of slavery, the Government has initiated major programmes focusing on several areas. These include, among others, the establishment of the National agency (TADAMOON) agency for the fight against the consequences of slavery, for reintegration and poverty alleviation.

In 2013, the TADAMOON Agency received funds in the amount of UM 2,837,720,000, i.e. US\$ 9,768,283 for the implementation of its programmes. This helped to realize projects relating to education, vocational training, health, water, agriculture, livestock, fisheries, environment, social housing and small businesses. Moreover, this institution is authorized to file civil suit in cases relating to slavery.

The determination to eradicate the legacy of slavery was reaffirmed with the creation of a special court in charge of handling cases relating to crimes of slavery.

The roadmap for the implementation of recommendations of the Special Rapporteur on contemporary forms of slavery consolidates this set of measures.

It includes 29 recommendations relating to domestic legislation, the economic and social sectors and public awareness. In terms of legislation, she recommends a review of the Slavery Act to integrate new forms of slavery, measures against discrimination and land reform in order to facilitate access to land. At the economic level, she places emphasis on the establishment of a high-level institution to fight against the consequences of slavery and provide support to victims. The prohibition of forced labour and child labour is also identified as a priority in the roadmap. She also recommends the involvement of civil society in efforts to fight against the legacy of slavery.

The roadmap has thus enhanced effectiveness in the fight against slavery-related practices and allowed victims to benefit from better-adapted mechanisms for the protection of their rights.

Further, the Government has implemented programmes to raise awareness on the illegitimacy of slavery and to disseminate the 2007 Act with the support of religious leaders and the participation of civil society organizations. It has taken part in several activities conducted in this respect by the CNDH and civil society organizations.

Mauritania ratified ILO conventions 29 on forced labour and 105 on the abolition of forced labour and integrated them into its domestic legislation as reflected in the Constitution, the Labour Code and Law nr. 2015/033 criminalizing slavery practices. With this legal arsenal, dozens of cases have been dealt with.

Freedom of association is a tradition enshrined in the Constitution. Mauritania has ratified and integrated into its domestic legislation international conventions 87 (freedom of association) and 98 (right to organize and collective bargaining). There are currently 21 trade unions.

Collective bargaining is customary between social partners. The Government, as part of its efforts to promote this culture of freedom and social dialogue, created a permanent framework for social dialogue to determine trade union representation.

### **Paragraph 3: Family's right to protection**

Protection of the family is a key focus area of the Government both in terms of consolidating its place in society and providing it with adequate support for the performance of its duties.

The right to marriage is an inalienable, natural and basic right of every man and every woman. Future spouses enter into marriage of their own free will. The complementary relationship between men and women to enter into marriage and to freely choose their spouse is enshrined in Article 1 of the Personal Status Code which defines marriage as “a legal contract which joins a man and a woman in lasting matrimony”.

The Personal Status Code provides for the right of each spouse to own assets and affirms the capacity of the woman to manage her assets herself. It describes, in a detailed and standardized manner, the rights and duties of spouses both during marriage and after its dissolution.

Several awareness-raising campaigns were conducted with a view to enhancing the stability of marriages and preventing sexually transmissible diseases.

The Personal Status Code sets the marriage age at 18 years for both men and women stipulating in its Article 6 that: “eligibility to enter into marriage is granted to all persons of sound mind who have reached the age of 18”.

The following measures were implemented in order to give effect to the Personal Status Code (CSP):

- Establishment of units in charge of handling and resolving family disputes in capital cities of wilayas;
- Training of staff at the Department of Family Affairs on the resolution of family disputes;
- Training of staff at the Department of Family Affairs on the provision of psychological care to victims of family disputes;
- Organization of coordination and consultation workshops each year with magistrates;
- Organization of periodic meetings of committees in charge of handling and resolving family disputes which include all relevant ministerial departments and civil society representatives;
- Development of a guide on legal proceedings and social mediation;
- Contracting with a legal expert and a lawyer for the handling of family disputes brought before the courts;
- Development of awareness-raising materials (simplified CSP guide, family guide, audio tape in national languages, sketches, flyers in Arabic and in French);
- Organization of awareness-raising campaigns targeting populations including families in addition to the dissemination of the Personal Status Code in most wilayas in the country;
- Implementation of a media programme broadcast on national television and radio to disseminate the CSP;
- Constant participation in radio and television programmes on the rights of the family.

The MASEF also implemented a series of measures to fight against early marriage:

- Awareness-raising campaigns on the harmful effects of child marriage;
- Training and support to human rights NGOs;
- Commemoration of the National day of the young girl under the theme “child marriage”;
- Support for the education of girls: awareness-raising, awards to girls who win competitions, transportation, scholarships, school kits...
- Vocational training for girls out of school;
- Creation of a children’s parliament including 50% of girls and of municipal councils for children;
- Establishment of family dispute resolution service;
- Setting up of a database on child marriages;
- Organization of weekly radio and television programmes on the harmful effects and the physical, health and psychological consequences of entering marriage before the age of 18;
- Legal assistance to victims of child marriage.



#### **Paragraph 4: Right to food**

The right to protection against hunger is addressed in the CSLP which outlines a set of strategies primarily aimed at combating hunger among the most vulnerable groups (women, young children, older persons without income).

The protection of natural resources against destruction or contamination is provided for in sector-based legislation (Water Code, Mining Act, Livestock Act, Pastoral Act, Agropastoral policy Act).

The Constitution recognizes and guarantees the civil, political and social rights of all citizens, without distinction on the basis of gender, religion or political affiliation, and consequently equal access to food.

Based on the agropastoral policy Act, the Ministry of Agriculture implements an agricultural policy of diversification and sectoral development with the purpose of harnessing and rationalizing the use of natural agricultural resources including water resources, land and farming activities (wheat, corn, sorghum), and local fruit and vegetable production.

Moreover, the Ministry is implementing an agricultural land tenure policy guaranteeing the fundamental right of farmers to own land. Article 1 of Ordinance nr. 83.127 on land reform stipulates: “the land belongs to the State and every Mauritanian, without distinction on the basis of race, gender or religion, may become an owner in part”. This provision has a two-fold impact: the legislator, in the pursuit of equality and justice, recognizes for the first time in the country’s history the right to private ownership of land which was historically reserved for only certain categories of the population (traditional chiefs, masters of the land). This introduction of the right to land ownership in agriculture also aims to ensure the emancipation of population categories which were deprived of this fundamental right (serfs, sharecroppers, women, young people).

In addition, the legislator is also pursuing an economic goal by setting the condition that, for agricultural land to be acquired, it must be developed.

Lastly, agricultural development is a means of combatting poverty and a source of income for rural populations who have access to no other resources than those derived from the land.

The Ministry of Agriculture has adopted measures to protect local markets and producers by encouraging family-based agriculture with the acquisition of local farmlands through GIES (economic and social interest groups) and the sale of their products at competitive prices.

Outreach and counselling activities are also conducted targeting local producers who receive close supervision and training on techniques adapted to their needs.

## **Paragraph 5: Measures relating to education and compulsory basic education**

The Act makes primary education mandatory and establishes the relevant rules, as well as the penalties applicable in the case of failure to respect them. It stipulates that primary education is mandatory for all Mauritanian children “of both sexes, between six (6) and fourteen (14) years of age, for a period of at least six (6) years”.

Under the terms of this Act, the individual responsible for the child (father, mother or legal guardian, or any individual or corporate entity legally responsible for the child’s custody) must enrol the child in school during the 15-day period prior to the start of the school year.

If the child’s guardian fails to respect these provisions, after receiving formal notice to do so within five days, he or she shall be subject to penalties. The penalty shall be a fine of between 10,000 and 30,000 ouguiyas where the individual responsible for the child fails to enrol the child without valid grounds, keeps the child away from school for a period exceeding 15 days during a school term or causes “by his or her influence and actions (...), a temporary or definitive interruption in the child’s schooling”. If the offence is repeated, the fine may be increased to 50,000 or 100,000 ouguiyas.

### **-Academic freedom and institutional autonomy of higher education institutions**

In accordance with legislation on higher education, “universities are autonomous public institutions (EPA) with legal personality and financial autonomy and enjoy pedagogical, scientific and cultural autonomy in the performance of the duties they have been assigned.” University chancellors are appointed at Cabinet meetings after shortlisting of candidate professors by a committee established within the CNESRS.

This committee selects the three best candidates and the Minister may not propose a name that is not included among the three selected by the committee.

Faculty deans are elected exclusively by an electoral college formed within the administration of that faculty and mainly comprising heads of department, themselves elected directly by lecturers in each department.

### **- Equal access to higher education**

According to law “is considered a student in a public or private institution, an individual who holds a Mauritanian *baccalauréat* or an equivalent certificate and is enrolled at the institution in compliance with the established rules and regulations”.

The legislation stipulates: “Everyone is free to enrol in the public or private higher education institution of their choice as well as in the field of their choice based on possibilities available and enrolment conditions determined by the prevailing regulations”.

Affirmative action in favour of women is provided for in the prevailing regulations. A quota for scholarships is reserved for the promotion of girls’ education equivalent to 6% of scholarships awarded abroad.

Specific actions are being tested by the University of Science, Technology and Medicine to further ensure equality among students. Race, gender or language cannot be considered an impediment for access to higher education. Academic services and financial aid  
In general, higher education is free apart from the payment of a nominal fee. The State automatically awards a special scholarship to high school graduates coming from outside of the capital city. National scholarships are awarded each year to all third-year students and social assistance (equivalent to the scholarship amount) is provided to disadvantaged students who did not meet the criteria for award.

Furthermore, a public institution was established in charge of university campus catering, accommodation and transport – the National Centre for Student Affairs (CNOU).

## **Chapter 5: The rights of peoples**

### **Paragraph 1: Equality of peoples (art. 19)**

Equality of peoples is entrenched in the Constitution with references to the UN Charter, the Universal Declaration of Human Rights and the African Charter on Human and Peoples' Rights.

The Constitution stipulates: “Conscious of the need to strengthen ties with brotherly peoples, the Mauritanian people, a Muslim, Arab and African people, proclaims it will strive to ensure the realization of unity within the Greater Maghreb, the Arab Nation and Africa and the consolidation of peace in the world”.

### **Paragraph 2: The right of peoples to self-determination (art. 20)**

Mauritania's attachment to the ideals proclaimed in charters adopted by the UN, African Union and the League of Arab States underpins its diplomatic actions focusing on:

- the principle of respect for States and their sovereignty;
- friendship and cooperation among nations and peoples;
- good neighbourly relations;
- support for just causes.

### **Paragraph 3: The right to freely dispose of wealth and natural resources (articles 21 and 22)**

As a developing country, the Islamic Republic of Mauritania has a vested interest in the construction of a more just and equitable international economic order. It clearly affirms its attachment to the right of States to freely dispose of their wealth and natural resources.

The Government is pursuing a national policy of control over the resources of the country within a liberal economy.

In this regard, clauses to safeguard national interest are included in contracts signed by Mauritania with different multinationals for the harnessing of national resources.

**Paragraph 4: The right of peoples to national and international peace and security (art. 23)**

Mauritania has deployed efforts to consolidate peace and security throughout the world:

- Strengthening of the UN's role in international affairs particularly in the organization of peace-keeping operations. In this regard, Mauritania provides all necessary facilities to the UN Mission for the organization of the referendum in Western Sahara (MINURSO).
- Peace-keeping in Africa including its participation in peace-keeping operations in Côte d'Ivoire and Central Africa.
- Elimination of weapons of mass destruction as well as illicit trade in small arms.

The country's position on these issues is mirrored in its adherence to the international Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and Their Destruction, the amended protocol on conventional weapons and its membership to the International Atomic Energy Agency (IAEA).

**Paragraph 5: The right to a general satisfactory environment favourable to development (art. 24)**

- Right to water and sanitation

Through the Water Code, the Government adopted the required legislative measures to ensure implementation of provisions relating to the right to water and sanitation in accordance with the African Charter on Human and Peoples' Rights.

A national development strategy for the water and sanitation sector was adopted coupled with a programme of actions for widespread access to drinking water and sanitation services.

The Water Code stipulates in its article 2 that "the use of water is a recognized right of all citizens in accordance with applicable laws and regulations". Article 13 states that the Minister in charge of water "ensures, in particular, monitoring and control of the regular supply of drinking water to the populations and ensures the continuity of public water supply".

Regarding access to sanitation, Article 38 specifies that: "If the construction of a collective sewage network is not mandatory, the evacuation of domestic wastewater is carried out by means of individual sanitation systems maintained in good working order.

Article 2 stipulates: "the national policy aims to guarantee access to drinking water for populations". The construction of a modern watering point in each village with more than

150 inhabitants is planned as well as a drinking water system for each district with more than 500 inhabitants with the possibility of individual pipe connections.

-Meeting the obligations set out in paragraphs 92 (4) to (15)

Article 5 of the Water Code stipulates that: “water resources shall be reserved as a priority for drinking water supply of populations”. Article 6 affirms the public ownership of water specifying that: “surface, ground or atmospheric waters, regardless of their location within the boundaries of the national territory, are considered a joint asset and, in this regard, form an integral part of the State’s public domain which is inalienable and imprescriptible”. These provisions indicate that private property or the privatization of water supply services cannot in any way adversely affect the sustainability of water supply.

Article 3 of the Code addresses issues relating to the protection of water resources against all forms of pollution. It stipulates that: “water management shall be conducted in a comprehensive, sustainable and harmonious manner”. “Its purpose is to ensure: (1) quantitative protection of existing resources and exploration of new resources; (2) protection against all forms of pollution; (3) preservation of aquatic ecosystems; (4) fight against waste and over-exploitation...”.

Lastly, Title III of the Water Code is focuses entirely on the protection of resources in their natural environment and combatting water pollution.

### **Paragraph 6: Right to Take Part in Cultural Life (art. 17.2)**

The promotion of cultural rights is among the concerns of the Government. Efforts deployed in this regard can be measured through the establishment of public institutions for the management of the cultural sector and related rights as well as the ratification and development of a normative framework which takes into account these rights.

Cultural rights refer to the entitlement of any individual or group of individuals to respect of their culture, identity and cultural expression, beliefs, their right to education, cultural heritage, both material and immaterial, as well respect for cultural diversity and their modes of expression.

-Normative and institutional framework of cultural rights in Mauritania

Mauritania has ratified key international human rights treaties which include important provisions on cultural rights such as the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions.

Mauritania has implemented several constitutional, institutional and legal reforms in the past decade: major amendments to the Constitution in 2006 and 2012, adoption of the Family Code and establishment of a certain number of institutions for the promotion of cultural rights including the Mauritanian Institute of Music, the Department of Arts and Culture, the Department of Publications and Public Libraries, the Department of Cultural Heritage...

Cultural rights are protected in the Constitution which stipulates that: "... the People of Mauritania recognizes and proclaims its cultural diversity, the backbone of national unity and social cohesion, and its corollary, the right to be different. Arabic, the official language of the country, and other national languages, Fula, Soninke and Wolof, constitute in themselves a joint national heritage of all Mauritians which the State must preserve and promote on behalf of all."

The correlation between "cultural diversity" and "national unity" emphasizes the importance attached to the promotion of cultural rights.

Article 10 of the Constitution stipulates: "The State guarantees public and individual freedoms for all citizens, in particular... freedom of intellectual, artistic and scientific creation."

Article 15 guarantees the right to property, a right which is essential to ensure the realization of certain types of cultural rights such as copyright.

- Assessment of cultural rights

Promotion of cultural rights consists of encouraging creation in all of its forms. It also involves relying on mass communication media including radio and television networks.

Preservation of cultural heritage, both tangible and intangible, remains a priority for the Government.

- Right of access and enjoy cultural heritage

The national tangible heritage includes archaeological sites, historical sites and old cities declared world heritage sites. Significant efforts were deployed to document and promote cultural heritage as a living tradition in the country through the establishment of museums and other related initiatives, and the organization of festivals and cultural weeks throughout the country enabling the population to participate in and access cultural life.

- Support to cultural initiatives and respect of the right to freedom of association

Organization of annual festivals on old cities is an indication of the degree to which public authorities are involved in the safeguard and promotion of cultural rights.

In terms of freedom of association, intrinsically linked to cultural rights, our country opted for a system whereby a declaration is to be made. Associations must submit their

declaration along with supporting documents at the Ministry of Interior which then issues a notice of approval.

This system promotes the right to freedom of association, to receive and use public funds or other contributions for human rights promotion and protection and contribute to the development of cultural expressions in Mauritania.

- Right to education and quality training

The Government has made efforts to guarantee access to education for all. In the field of training, the State took the initiative of providing human rights training for security and law enforcement officers. A module on cultural rights is integrated into all training programmes.

Efforts deployed by the State and civil society to fight against illiteracy are also worth mentioning.

- Participation of women and persons with disabilities in cultural life

The State supports the promotion of women's cultural rights through activities it organizes and support mechanisms in place to ensure their increased participation in cultural matters.

Also, the multi-sectoral approach adopted by the public authorities has made it possible to ensure participation of persons with disabilities in cultural life.

### **Part III: Implementation of the Maputo protocol**

Women make up 50.7% of the national population. They benefit from the rights provided for in the Maputo Protocol. Compliance with the provisions of this protocol are assessed in the present report.

Presented pursuant to Article 26 of the Maputo Protocol, this initial report is prepared in accordance with Part B of the Guidelines for State reporting under the Protocol to the African Charter on Human and Peoples' Rights on the rights of women in Africa (Maputo Protocol).

It comprises:

- The preparation process (I);
- Basic information (II);
- Progress in the implementation of the provisions of the Protocol (III);
- Implementation measures (IV);
- Challenges faced in the implementation of the Protocol and corrective measures taken (V).
- It shall be noted that the Government of the Islamic Republic of Mauritania accepts to implement all provisions of the Protocol which are not contrary to those of Sharia law, the unique source of law in the country. Reservations to provisions of the

Protocol are specified in an official amendment document attached to the present report.

## **I. The preparation process**

An inter-ministerial committee in charge of drafting State reports relating to international human rights instruments (CTIER) was established. It includes all relevant ministries and technical departments and the National Commission for Human Rights. The Office of the UN High Commissioner for Human Rights participates as an observer. It is chaired by the Office of the Prime Minister and representatives of agencies working in the gender sector are also involved.

CSO involvement was ensured through the participation of and exchanges with relevant structures.

## **II. Basic information**

### **A-The legal framework**

Mauritania has adopted several instruments on gender equality and equity and on the empowerment of women:

- Convention on the Elimination of all forms of Discrimination Against Women (CEDAW 1979),
- Dakar Platform for Action (1994),
- Beijing Programme of Action (1995),
- Protocol to the African Charter on Human and Peoples' Rights on the rights of women in Africa (2003),
- Solemn Declaration of African Union Heads of State on Gender Equality in Africa (2004),
- African Union Gender Policy (2008),
- Resolution 1325 on Women, Peace and Security (2000), and
- Related resolutions 1820 (2008), 1888 and 1889 (2009) of the United Nations Security Council.

The Constitution guarantees women the right to participate in political and public life. It also recognizes their civil, political, economic, social and cultural rights as proclaimed in the Universal Declaration of Human Rights and the African Charter on Human and Peoples' Rights.

Paragraph 2 of Article 1 of the Constitution stipulates: "The Republic ensures all its citizens equality before the law, without distinction as to origin, race, sex or social condition". Article 12 stipulates: "all citizens may accede to public office and employment with no conditions other than those prescribed by law". Article 15 of the Constitution guarantees



the right to property (paragraph 1) and the right to inheritance (paragraph 2) for all citizens without distinction.

The principle, enshrined in the Constitution, of equality of all before the law is restated in all legislative texts (labour, trade, investment, land tenure, etc.).

Other legislative and regulatory texts establish the principle of non-discrimination towards women. Mauritanian women thus have the right to vote and are eligible for election to all publicly elected bodies, including the Office of the President of the Republic (Order Nr. 091-027 of 7 October 1991), the National Assembly (Order Nr. 091-028 of 7 October 1991 on the election of national assembly members), the Senate (Order Nr. 091-029 of 7 October 1991 concerning the organic law on the election of senators) and municipal councils (Order Nr. 087-289 of 20 October 1987).

These instruments were reinforced by the 2006 legislation on promoting the involvement of women in decision-making processes. This legislation imposed a quota of 20% for the representation of women on each municipal and legislative list.

The Personal Status Code governs marriage, divorce, filiation and inheritance (marriage age set at a minimum of 18 years for boys and girls, marriage contract, right to continue one's studies and to engage in professional activities). It contributes to the building of a modern society.

## **B-Institutional framework**

The Ministry of social affairs, children and family matters is entrusted with the mission of promoting and protecting the rights of women and ensuring their full participation in decision making processes and in economic and social development.

The MASEF is supported by:

- The national committee on gender mainstreaming chaired by the Prime Minister and sector-based gender units;
- The network of women ministers and parliamentarians in Mauritania;
- The national committee to combat gender-based violence including FGM;
- The CTIER;
- MASEF regional coordination units;
- The raining centre for women's empowerment;
- The training centre for early childhood development;
- The centre for the social protection and integration of children;
- The training centre for the social integration of children with disabilities.

## **C- Description of State institutions relevant to the Protocol**

The primary missions of the Ministry of social affairs, children and family matters are to propose projects and programmes guaranteeing the promotion and protection of the rights of women and their integration in the development process, in a manner which ensures equal opportunity in the political, economic, social and cultural spheres.

The Office of the Commissioner for Human Rights and Humanitarian Action (CDHAH) is in charge of drafting and implementing the national policy for the promotion, defence and protection of human rights.

The National Commission for Human Rights provides advisory opinion on public policies and strategies for the promotion of women's rights.

The Ministry in charge of women's empowerment has developed several strategies and policies:

- National strategy for the promotion of women,
- National family policy,
- Early childhood development policy,
- National development policy on nutrition,
- National strategy to eliminate FGM,
- National strategy on gender mainstreaming.

The MASEF participated in the development of different development policies and strategies including:

- National strategy on poverty reduction,
- National conference on employment,
- National population policy,
- Social development policy,
- National strategy for accelerated growth and shared prosperity

This participation helped ensure that the needs of women are taken into consideration in these policies and programmes.

### **1. The gender dimension**

Significant progress has been made in reducing gender disparities in the areas of political participation, gender mainstreaming, protecting women against violence and fostering their access to education, vocational training and production inputs.

At the national and regional level, activities were aimed at promoting and ensuring gender mainstreaming, coordinating the management and resolution of family disputes, monitoring implementation of the provisions of Convention on the Elimination of all forms of Discrimination Against Women (CEDAW).

At the economic level, progress was made in the areas of micro-finance and capacity-building of women's social and professional organizations.

The gender approach has been integrated into the following documents:

- Regional programmes poverty reduction (PRLP);
- National population policy;
- National strategy on social protection;
- National strategy on food security;
- National strategy for the promotion of women;
- National action plan for women in rural areas;
- National strategy on gender mainstreaming (SNIG);
- National strategy to eliminate FGM;
- National strategy on micro-finance and small businesses.

## **2. Public education**

Several activities were conducted to raise awareness on the contents of ratified African instruments including the African Charter on Human and Peoples' Rights, the African Charter on the Rights and Welfare of the Child and the Maputo Protocol.

## **3. Media participation**

Debates and discussions on the content of the Protocol are broadcast by public and private media.

## **4. Implementation of the Protocol**

The Maputo Protocol is directly applicable by domestic courts. The provisions of the Protocol may also be invoked before the courts.

## **III-Specific provisions of the Protocol**

The following progress was made in the implementation of the Protocol.

### **1. Legislative measures**

- Approval of a draft Framework Act to protect women against violence. This draft legislation defines and criminalizes rape;
- Pronouncement of Fatwas (Muslim juris consult opinion) of a national and sub-regional scope encouraging the abandoning of FGM practices;
- Development of a national plan of action to end GBV in Mauritania (2014-2018);
- Equal treatment under the pension's scheme;
- Harmonization of the retirement age;
- Personal Status Code (CSP).

## 2. Administrative measures

A national strategy on gender mainstreaming (SNIG) incorporating the provisions of the Protocol was adopted by the Government in 2015. It integrates gender in all public policies and is based on two focus areas:

- Gender mainstreaming in public policies and sectoral programmes;
- Women's empowerment;
- Combatting stereotypes and Gender-Based Violence (GBV).
- Implementation of SOPs (standard operating procedures) for an enhanced response and a comprehensive management of survivors of GBV;
- Implementation of a national plan of action for the voluntary abandoning of FGM practices;
- Greater emphasis on the gender dimension in the different updates of the PRSP;
- Establishment of several economic programmes for the empowerment of women.  
Examples:
  - Nissa banks,
  - Women's savings and credit groups (GFEC),
  - Savings and credit funds (CAPEC),
  - Development and savings fund (CDD),
  - Inter-community fund for the development of oasis (FICO),
  - Regional or local programmes of credit and savings funds,
  - Community-based insurance schemes for support to women in their intervention zones.
- Progress made in terms of the political participation of women:
  - Adoption of a national list of 20 women for national assembly elections;
  - Adoption of a list of 18 seats in Nouakchott comprising men and women in an alternating manner (01 man, 01 woman);
  - Increase in the number of constituencies with three seats to be filled, with at least one reserved for a woman;
  - Progress in the rate of participation of women in the National Assembly from 19% in 2006 to 22.4% in 2013, in municipal councils from 30% in 2006 to 35.58% in 2013 and in the Senate from 16% in 2006 to 18% in 2010.
- Presence of women in decision-making circles:
  - 9 out of 27 ministers are women (33%);
  - 31 out of 147 national assembly members, i.e. 21%;
  - 10 out of 56 senators;
  - 6 women mayors out of 218 including the President of the Urban Community of Nouakchott, the country's capital, and 4 mayors in rural districts;
  - 1,317 out of 3,722 municipal councillors, i.e. 35.4%.
- Senior positions in the area of human rights are held by women. They include:
  - the Ambassador, Permanent Representative to the United Nations and International Organizations in Geneva; and
  - the Chairperson of the National Commission for Human Rights.

- The presidential elections of June 2014 were marked by the presence of a woman among the five candidates selected.
- Implementation of the action plan for the promotion of women in rural areas.
- Implementation of the family policy for consideration of the role of the mother and child.
- Organization of awareness-raising sessions on the Personal Status Code, CEDAW and the Maputo Protocol.
- Handling of 5,440 family disputes of which 3,357 involved issues related to the maintenance of children.

### **3. Institutional measures**

- Establishment of a national committee to fight against GBV including FGM with a policy advisory role;
- Establishment of regional and departmental committees in areas of high FGM prevalence;
- Establishment of a unit to combat gender-based violence including FGM;
- Establishment of family dispute resolution units in all wilayas.

### **4. Development strategies integrating the gender dimension:**

1. Strategic Poverty Reduction Policy Framework (CSLP);
2. National strategy for the promotion of women;
3. National strategy on private sector development;
4. National strategy to fight corruption;
5. National strategy for the development of the education sector and its five-year plan;
6. National Health Development Plan 2012-2020;
7. National strategy to combat AIDS;
8. National strategy for child survival;
9. National reproductive health strategy;
10. National youth development policy;
11. Nutrition development policy and Inter-sectoral plan to combat malnutrition 2012- 2015;
12. Action plan for women in rural areas;
13. National strategy on the modernization of the civil service;
14. National strategy on social protection;
15. National strategy on gender mainstreaming;
16. National strategy on child protection;
17. National strategy on the protection and promotion of persons with disabilities;
18. National strategy on migration control.

## **IV. Implementation measures**

### **Chapter 1: Equality/Non-discrimination**

#### **Paragraph 1: Elimination of discrimination (Article 2)**

The Constitution guarantees women the right to participate in political and public life. It also recognizes their civil, political, economic, social and cultural rights as proclaimed in the Universal Declaration of Human Rights and the African Charter on Human and Peoples' Rights.

Paragraph 2 of Article 1 of the Constitution stipulates: "The Republic ensures all its citizens equality before the law, without distinction as to origin, race, sex or social condition". Article 12 stipulates: "all citizens may accede to public office and employment with no conditions other than those prescribed by law". Article 15 of the Constitution guarantees the right to property (paragraph 1) and the right to inheritance (paragraph 2) for all citizens without distinction.

The principle, enshrined in the Constitution, of equality of all before the law is restated in all legislative texts (labour, trade, investment, land tenure, etc.).

Other legislative and regulatory texts provide for the principle of non-discrimination towards women. Mauritanian women thus have the right to vote and are eligible for election to all publicly elected bodies, including the Office of the President of the Republic (Order Nr. 091-027 of 7 October 1991), the National Assembly (Order Nr. 091-028 of 7 October 1991 on the election of national assembly members), the Senate (Order Nr. 091-029 of 7 October 1991 concerning the organic law on the election of senators) and municipal councils (Order Nr. 087-289 of 20 October 1987).

These instruments were reinforced by the 2006 legislation on promoting the involvement of women in decision-making processes. This legislation imposed a quota of 20% for the representation of women on each municipal and legislative list.

The Personal Status Code governs marriage, divorce, filiation and inheritance (marriage age set at a minimum of 18 years for boys and girls, marriage contract, right to continue one's studies and to engage in professional activities). It contributes to the building of a modern society.

#### **Paragraph 2: Access to justice including legal assistance and training of law enforcement officers (Article 8)**

Mauritania has ratified the international human rights treaties and, owing to its prevailing monistic system, they are directly applicable by the authorities and are binding. They are therefore of benefit to women facilitating access to justice for them.

Article 14 of the International Covenant on Civil and Political Rights affirms, in particular, that everyone charged with a criminal offence shall have the right to be presumed innocent until proved guilty according to law.

They shall be entitled to communicate with counsel of their own choosing; legal assistance of their own choosing; to be informed, if they do not have legal assistance, of this right; and to have legal assistance assigned to them, in any case where the interests of justice so require, and without payment by them in any such case if they do not have sufficient means to pay for it.

In this regard:

- The provisions of the Code of Criminal Procedure states that anyone in custody, detained or accused has the right to be represented by counsel during the proceedings (including during police custody)<sup>2</sup>.

- The legislation establishing the national bar association provide for legal assistance to be assigned to those who do not have the means.
- The Order of 8 February 2007 organizing the judiciary affirms the principle of free administration of justice and recognition of the right to legal assistance for the poor.
- Legislation on torture affirms the right of any person deprived of freedom “*to have access to counsel from the time of arrest or the assistance of a person of his choice as well as the possibility of rapidly obtaining legal assistance where appropriate*”.
- The law provides for the granting of legal assistance to victims of slavery and exempts them from payment of all legal costs and outlays.
- The law on legal assistance establishes a coherent system for assistance to the poor.

### **Paragraph 3: Political participation and decision making (Article 9)**

- Adoption of a national list of 20 women for national assembly elections;
- Adoption of a list of 18 seats in Nouakchott comprising men and women in an alternating manner (01 man, 01 woman);
- Increase in the number of constituencies with three seats to be filled, with at least one reserved for a woman;
- Progress in the rate of participation of women in the National Assembly from 19% in 2006 to 22.4% in 2013, in municipal councils from 30% in 2006 to 35.58% in 2013 and in the Senate from 16% in 2006 to 18% in 2010.
- Presence of women in decision-making circles:
  - 9 out of 27 ministers are women (33%);
  - 31 out of 147 national assembly members, i.e. 21%;
  - 10 out of 56 senators;
  - 6 women mayors out of 218 including the President of the Urban Community of Nouakchott, the country’s capital, and 4 mayors in rural districts;
  - 1,317 out of 3,722 municipal councillors, i.e. 35.4%.
- Senior positions in the area of human rights are held by women. They include:
  - the Ambassador, Permanent Representative to the United Nations and International Organizations in Geneva; and
  - the Chairperson of the National Commission for Human Rights.

The presidential elections of June 2014 were marked by the presence of a woman among the five candidates selected.

Women represent 34.6% of the civil service workforce and 5.9% of directors in the civil service. There are 9 women ministers out of 28, 3 women judges, 7 out of 30 women secretary generals, 2 women councillors in walis and 3 deputy hakems, and high level positions relating to human rights are held by women (the Ambassador, Head of the Permanent Mission to the United Nations and International Organizations in Geneva and the Chairperson of the National Human Rights Commission). Women in the media: 2 out of 6 television stations are run by women (the national television and a private network).



Affirmative action was taken for: the organization in November 2011 of a special competition facilitating access for fifty (50) additional women to enrol at the National School of Administration, Journalism and Judicial Training (ENAJM) and the recruitment of eight female lecturers at the university following a competition.

#### **Paragraph 4: Education (Article 12)**

The reform of the education system facilitated the achievement of a gross enrolment rate (GER) of 100% in the primary education sector. This was reflected in effective school attendance by young girls. The parity threshold of 100% has been exceeded. There are hence 103.8% of girls compared to 96.5% boys. This implies that there is a higher number of girls in primary education than boys.

At the secondary level, boys are slightly greater in number: 54.8% of boys and 45.1% girls. In higher education, the gap is even wider: 18% of girls and 82% of boys.

The literacy rate is 46.3% among women aged 15-19 years and 69.3% among women aged 45-49 years. In addition to their daily chores, mothers indeed have to continue taking care of their children and consequently do not have time to attend literacy programmes or pursue a profitable economic activity.

### **Chapter 2: Protection of Women from Violence**

#### **Paragraph 1: Physical integrity and dignity including sexual violence, trafficking in women and medical and scientific testing (articles 3 & 4)**

The MICS surveys in 2007 and 2011 on FGM and the National survey on violence against women (ENVEF2011) provided a situational analysis of the phenomenon of violence against women. Various forms of violence against women are now recognized:

- Physical violence: 6.1%, Sexual violence: 14.7%, and Psychological violence: 63.9%.
- The overall rate of violence is estimated at more than 68% as a result of psychological abuses.
- Crimes of sexual violence are now recognized and support measures adopted.

The following legal and institutional measures were taken to end violence against women:

- Implementation of the action plan to combat gender-based violence (2014-2018) enabling a comprehensive understanding of the issue and an enhanced management of gender-based violence.
- Establishment of a national committee to combat gender-based violence including FGM.
- Establishment of a national technical unit to combat gender-based violence including FGM.

- Establishment of regional and departmental committees in wilayas of high prevalence.
- Implementation of SOPs for an enhanced response and a comprehensive management of GBF survivors.

**Paragraph 2: Harmful practices affecting women including female genital mutilation (Article 5)**

Excision is generally practised on young girls. Force-feeding is a practice in which female children and adolescents are forced to eat excessively so that they will gain weight and become obese. Child marriages are consummated before the age of majority. This contributes to the low level of education, and besides early pregnancies aggravate difficulties during delivery.

Though the practice of force-feeding is on the decline, the following key strategies were implemented to eradicate this practice harmful to the health of the child:

- The establishment of an agency in charge of the civil register helped to increase birth registration rates and put in place an appropriate legal framework for a reliable civil register system;
- The Personal Status Code (CSP) protects the family. This Code incorporates several provisions of the Protocol;
- The 2001 law on compulsory primary education from 6 to 14 years;
- Legislation on the judicial protection of minors criminalizing excision;
- National plan of action for the voluntary abandoning of FGM practices;
- Legislation on trafficking in persons, including protective and repressive provisions against perpetrators of violence;
- National strategy on abandoning excision/female genital mutilation.

The fight against gender-based violence was marked by:

- Celebration of FGM Zero Tolerance Day;
- Development of materials (booklets, brochures, films, module on FGM);
- Drafting of a law punishing FGM;
- Development of a strategy for ending FGM and a five-year implementation plan;
- Implementation of a project on abandoning FGM practices;
- Organization of awareness-raising campaigns on other harmful practices including FGM (child marriage);
- Involvement of health professionals through the issuing of a statement;
- Pronouncement of a national Fatwa by Ulemas prohibiting FGM;
- Conduct of an anthropological and sociological study;
- Development of harmonized training modules on FGM including a cultural line of argument;

- Establishment of a network of NGOs active in the FGM area;
- Approval of a draft Framework Act to combat gender-based violence.

### **Chapter 3: Rights relating to marriage (Articles 6-7)**

The right to marriage is an inalienable, natural and basic right of every man and every woman. Future spouses enter into marriage of their own free will. The complementary relationship between men and women to enter into marriage and to freely choose their spouse is enshrined in Article 1 of the Personal Status Code which defines marriage as *“a legal contract which joins a man and a woman in lasting matrimony. Its purpose is fidelity and procreation through the founding, on a sound footing and under the direction of the husband, a family that enables the spouses to meet their reciprocal obligations with affection and mutual respect”*.

The Personal Status Code sets the age of marriage at 18 years for both men and women stipulating in its Article 6 that: “eligibility to enter into marriage is granted to all persons of sound mind who have reached the age of 18”.

Guardianship « wilaya » is exercised in the woman’s interest. Adult women may not be married without their own consent and without the presence of their guardian “weli”.

In the event of a groundless refusal by the guardian (weli) to authorize the marriage of the woman or girl placed under his guardianship (wilaya), the judge orders him to do so, and if he persists in refusing, the judge himself concludes the marriage.

The woman may demand that her husband not be permitted to marry another woman; that he not be absent for longer than a specified time period; and that he not prohibit her from attending school or working.

In 2014, the MASEF launched the two-year campaign against child marriage (African campaign) throughout the country.

### **Chapter 4: Right to health and reproduction**

#### **Paragraph 1: Access to healthcare services (Article 14(2) (a))**

Combatting maternal and new-born mortality is a key focus area of the public health policy.

The status of key health indicators is as follows:

- healthcare coverage is 79% in a 5-km radius;
- the mortality rate for children under the age of 5 is 114 for every 1,000 live births;
- the maternal mortality rate is 626 for 100,000 births;
- the contraceptive prevalence rate is 14%;
- the skilled birth attendance rate is 56%.

As part of its efforts to improve the health status of women and reduce maternal and child mortality, the State adopted significant measures, including:

- Establishment of training schools for health workers (in Nema, Aioun, Kiffa, Kaedi, Selibaby and Rosso);
- Strengthening of healthcare coverage and increasing the quality and utilization of healthcare services;
- Construction of health facilities;
- Transfer of staff to peripheral areas;
- Restoring the effectiveness of the health commodities central purchasing body;
- Establishment of an institute on viral diseases;
- Establishment in 2012 of a Sectoral coordination unit to accelerate attainment of health-related MDGs.

These measures yielded the following results:

- The prenatal consultation rate improved from 65.25% in 2012 to 67.7% in 2013;
- Contraceptive use increased to 5.11% in 2013 compared to 4.31% in 2012;
- A rise in immunization coverage rates for children under the age of one year was also noted with BCG increasing from 86.56% in 2012 to 91% in 2013, polio3 from 77.7% in 2012 to 78% in 2013, penta3 from 78.42% in 2012 to 79.31% in 2013, and VAR from 69.65% in 2012 to 73% in 2013.
- In terms of health insurance, efforts deployed by the public authorities within the context of CNAM interventions, led to an increase in the healthcare coverage rate, the management of pathologies requiring evacuation and a better control of healthcare spending.

As at 31 December 2014, the number of people with health insurance coverage was 356,873. This is due to the fact that healthcare coverage was extended to employees in public institutions, state-owned companies, private companies, pensioners of these groups as well as their dependents.

Efforts were made in the following areas to reduce maternal and child mortality:

- Human Resources
  - Recruitment in 2014 of 840 workers, all categories combined;
  - Setting up of a new database with measures to streamline the workforce;
  - In-service training and refresher programmes for staff and training abroad for specialists;
  - Training of 14 healthcare providers on laboratory techniques, 25 providers on ultrasound techniques, 60 providers in Nouakchott on IMCI, and 120 providers on BEmONC;
- Health facilities
  - Construction of the School of Public Health in Selibaby, the paediatrics unit at the *Hôpital Mère et Enfant*, 13 health centres, 21 health posts and two hospitals in Kaédi and Boghé;
  - Commencement of works for the construction of two hospitals in Kiffa and Néma with a capacity of 150 beds each;

- Rehabilitation works on buildings to accommodate haemodialysis units at hospitals in Rosso, Zouerat, Kaédi, Aleg, Tidjikja, Akjoujt and Atar;
  - Institutional capacity strengthening of dialysis centres in 4 hospitals (National hospital centre of Nouakchott, Hospital centres of Sélibaby, Aïoun and Kiffa) with the acquisition of 26 generators as well as beds and the construction of 2 treatment rooms;
  - Installation of dialysis units at all hospitals in main towns of wilayas;
  - Upgrading of technical equipment of health centres.
- Medicines

The Government adopted key measures to ensure the quality of medicines:

- Granting CAMEC monopoly for importing medicines, including antibiotics, psychotropic products and medicines for the treatment of diabetes;
- Identification of 2 entry points for medicines at the airport and port of Nouakchott;
- Requirement for pharmacies to comply with prevailing standards;
- Acquisition of 345,000 LLINs;
- Acquisition of 500,000 rapid diagnostic tests for malaria.

## **Paragraph 2: Reproductive health services including the reduction of maternal mortality (Article 14(1)(a) & (b))**

In order to strengthen the delivery of reproductive health services, publicize their existence and make them accessible to women, the public authorities developed and implemented a reproductive health strategy.

This strategy includes a range of services such as: (i) Availability of basic and comprehensive emergency obstetric and new-born care; (ii) Skilled attendance at birth; (iii) Access to prenatal care for pregnant women; (iv) Management of abortion-related complications; (v) Availability of contraceptive products; (vi) Infertility treatment; (vii) Fight against FGM; (viii) Screening and management of cervical cancer; (ix) Prevention of mother-to-child transmission of HIV; (x) Management of obstetric fistula; (xi) New-born care; (xii) The reproductive health strategy included the reinforcement and upgrading of equipment in health facilities. This was reflected in the (i) acquisition of surgical equipment for several health facilities in the country (2<sup>nd</sup> operating theatre at the Sebkhah health centre, the Centre for women suffering from obstetric fistula in Nouakchott, the Guérou health centre in Assaba and other health facilities in the wilaya of Gorgol) and hospitals (Cheikh Zayed, Kiffa and Kaédi regional hospitals) enabling them to provide comprehensive emergency obstetric and new-born care (CEmONC); (ii) financing of construction of an independent operating unit for the maternity ward and a bed block at the Cheikh Zayed hospital (HCZ); (iii) acquisition of equipment for the operating block; (iv) acquisition of ambulances for health facilities (access to CEmONC); (v) Training on operational research (health workers at Assaba); (vi) Availability of contraceptive products at health facilities with the introduction of new methods; (vii) Availability of condoms as part of efforts to

prevent STI/HIV/AIDS with the involvement of civil society organizations (national and international NGOs).

In terms of staff training, the national programme on reproductive health conducted various training sessions on the delivery of RH services including on: (i) BEmONC (Basic emergency obstetric and new-born care) for physicians, gynaecologists, paediatricians, midwives and anaesthetist; (ii) basic obstetric care for chief nursing officers at health posts and auxiliary birth attendants; (iii) family planning and new techniques; (iv) therapeutic management of obstetric fistula; and (v) management of RH programmes on the obstetrics package. In the area of advocacy, the national reproductive health project carried out the following actions: (i) advocacy with decision makers, opinion leaders (locally elected officials, community and religious leaders); (ii) advocacy with development partners; (iii) awareness-raising, information, education and communication for behaviour change targeting populations and users of RH services.

Significant accomplishments of the RH policy include: (i) Political commitment of the public authorities in this area; (ii) Institutionalization of a national RH week under the patronage of the First Lady; (iii) Commitment of TFPs; (iv) Development and implementation of three national RH strategies (1998-2002, 2003-2007 and 2009-2013); (v) Availability of BEmONC protocols; (vi) Training and posting of obstetricians and paediatricians; (vii) Establishment of a Faculty of Medicine; (viii) Establishment of second training school outside of the capital city; (ix) Scaling up of the obstetrics package; (x) Scaling up of PMTCT; (xi) Drafting and implementation of a national strategy to eradicate obstetric fistula; (xii) Development of an IEC national strategy; (xiii) Preparation of a roadmap to accelerate the reduction of maternal and new-born mortality.

### **Paragraph 3: HIV/AIDS (Article 14(1)(d))**

The HIV/AIDS prevalence rate is stable, ranging from 0.57% to a little less than 1%. Though prevention and screening are now integrated into the reproductive health services package (29.6% of women consulted know where to go for HIV testing), the risks of contracting HIV are still significant. These risks relate to the persistence of certain practices including early marriage, excision, tattoos, frequent divorce and remarriage, polygamy and the use of sharp objects. The 2011 MICS survey revealed that only 6.3% of women between the ages of 15 and 24 had a good knowledge of the manner in which HIV/AIDS is transmitted and only 2 out of 5 women know that this disease can be transmitted to the child.

## **Chapter 5: Economic, social and cultural rights**

### **Paragraph 1: Economic and social welfare rights (Article 13)**

The Government's poverty reduction strategy includes complementary lines of action which contribute, in particular, to addressing economic and social aspects of poverty, targeting of poor populations and institutional capacity strengthening. These activities have

an impact on women who are often the poorest and most vulnerable. Further, the updated Poverty Reduction Strategy Paper (CSLP) now includes a gender component which takes into consideration the specific needs of women in development.

The activity rate among the male population between 15 and 65 years is 74.6% and only 34.4% for women of the same age categories. This gap is not an indication of the low level of activity among women because their participation in daily chores within the household in particular is not taken into account nor is it remunerated.

35.6% of female employment is in the trade sector, 15.5% in other market services and 13.1% in agriculture.

Women represent 28.4% of the labour force. They are present in the trade sector – 31.6% against 63.99% – (gold and jewellery, clothes and veils, perfumes and luxury products) and dominate the market gardening (35.8% against 64.2%), arts and craft, leather trading and wool processing sectors. Women represent 23.3% of the global trade sector in Mauritania (including arts and craft). They have formed an association referred to as UMAFEC (Union of Mauritanian Women Entrepreneurs and Traders).

In rural areas, women establish cooperatives for market gardening, local artisanal products and rural pharmacies. In the food industry, a woman enjoys a leading position on several segments of the market including dairy products or the first camel cheese celebrated by the media and international commercial institutions. Women have established several hotels and guesthouses in response to the country's opening of its borders to tourism and in the area of computer technology, a woman established a plant to assemble PCs, provide IT services and represent Microsoft in the country. For the first time, three women became executive members of the Association of Mauritanian Employers (CNPEM) in 2003.

Women have also benefitted from the development of Information and Communication Technology (ICT), an emerging sector of the economy which favours gender parity. In the private sector, women manage cybercafés or service providing businesses, engage in the industrial sector assembling PCs made in Mauritania and in the hotel industry. Women in civil society are active through several NGOs advocating the development of information technology or for Mauritania to integrate the information society.

This trend was facilitated by the constant support of public authorities for the empowerment of women which translated through the following actions among others:

- Affirmative action policy to foster jobs for women;
- Promotion of vocational training for women;
- Implementation of a micro-credit system by and for women (Nissa-Banques GFEC);

- Implementation of action programmes in favour of poor women (e.g. the programme on income-generating activities), the micro-credit programme promoting the emergence of a corporate culture among women heads of household.

## **Paragraph 2: Right to food security (Article 15)**

The national strategy for food security (SNSA) and the rural sector strategy helped to enhance the resilience of vulnerable populations including women. Their purpose is to ensure more inclusive growth, reduce inequalities, promote sustainable solutions to the issue of food security and the emergence of a modern and competitive agriculture.

Implementation of these strategies led to the following:

-Development of 55,000 ha for rice-farming in 2015 compared to 18,000 in 2009 covering 86% of the country's needs compared to 35% in 2009.

-Supply of agricultural inputs at subsidized rates equivalent to 45% of their cost price with the free distribution of fertilizers for village cooperatives.

-Implementation of land reform for irrigation.

-Launch of the process for the establishment of an agricultural insurance scheme and a programme on consolidating and bringing the seed industry up to standards.

- Granting of developed agricultural land to women's cooperatives;
- Cancellation of the debt of farmers in the amount of over 10 billion ouguiyas to facilitate their contribution in the development of the sector<sup>3</sup>.
- Financing of agricultural projects implemented by unemployed graduates.
- Development, for the first time in the country's history, of more than 9,729 ha of land using public funds and transferring it to the most vulnerable populations in rural areas, i.e. 3,341 families (Beguemoune, Dakhle, Beylane, Aéré M'bar, etc.).
- Streamlining of procedures, costs and formalities for access to irrigated land in rural areas.
- Supply of agricultural materials, at discounted rate, to 48 economic interest groups from the most vulnerable sections of the population (65 combine harvesters and 135 tractors).
- Free supply of fertilizers to village cooperatives and subsidization of agricultural inputs for other producers.
- Support to women's cooperatives for market gardening (free distribution of pumps, inputs and horticultural materials).;
- Technical and financial support to the Observatory on food security.
- Establishment of a network of village food security stocks including 4,439 cereal banks.
- Supply of 105 joint feeding centres for malnourished children between 0 and 59 months and breast-feeding or pregnant women.



- Distribution of supplementary feeding to 9,600 children in 233 kindergartens in 7 wilayas.
- Provision by the centre for the protection and social integration of children, of nutritional, medical, psycho-social, educational and vocational support to 457 children living in difficult circumstances including 31 without family support.
- Awareness-raising among 22,548 women on reproductive health, breast-feeding and prevention of malaria.
- Monitoring and screening of 18,000 children under the age of 5 at local nutrition centres.
- Deworming of 12,349 children.
- Transfer of 1,854 malnourished children in dedicated structures (CRENAM, CRENAS).
- Management of 52,000 beneficiaries in 700 CRENAMs in collaboration with WFP.

The Emel (hope) programme initiated in 2012 and funded by the State in the amount of 30 billion ouguiyas, ensured the smooth operation of 1,124 boutiques. Nearly 225,000 families were hence able to benefit from the constant availability of foodstuff at a discounted rate and on a daily basis.

Free distribution in 2014 of 11,051 tons of food to 137,240 households, i.e. 823,440 individuals.

The livestock sector is one of the pillars of the national economy. It accounts for 12% of GDP, ensures self-sufficiency in red meat and covers 30% of dairy needs. The State taking full responsibility for the genetic and health improvement of the livestock and the construction of artificial insemination farms helped to improve milk production and resulted in the establishment of the Néma dairy plant as well as those in Bénichab and Boghé.

These measures to ensure food self-sufficiency have had a positive impact in terms of meeting the agricultural and animal production needs of the country despite the population growth and irregular rainfall, and also contributed to making available foodstuff for households.

They have benefitted disadvantaged populations including women, people affected by the consequences of slavery and those in rural areas in general.

Efforts deployed by the Government for food security and poverty alleviation were recognized in 2014 by the international community. Mauritania indeed won recognition from FAO for reaching the MDG on food security and fighting hunger.

### **Paragraph 3: Right to adequate housing (Article 16)**

In the area of social housing, public authorities undertook the following activities which benefitted women:

- Reorganization of vulnerable districts in Nouakchott, Nouadhibou, Rosso and Kaédi;
- Construction of 600 housing units in Zouerate;
- Identification of 2,600 households within the context of resettling the populations of Kebba, a peripheral district of Wharf;
- Construction of 1,159 social housing units in Nouadhibou;
- Preparation of a strategy on the development of local materials.

### **Paragraph 4: Right to a healthy and sustainable environment (Article 18)**

Laws and regulations governing the environmental sector guarantee the right for all to live in a healthy and sustainable environment.

With a view to alleviating the burden on households, and on women in particular, regarding domestic energy supply, energy-saving technologies such as improved cooking stoves and incentives for the utilization of gas and solar ovens were introduced and encouraged.

The Environment Code sets out the general rules relating to requisite precautionary measures including criminal sanctions applicable to the entire toxic waste management chain, from the source to storage, transportation and elimination.

A law prohibiting the use of plastic was adopted to control domestic waste.

Mauritania is a party to several international conventions and agreements relating to the environment.

### **Chapter 6: Protection of women in armed conflicts (Article 11)**

Pursuant to UN Resolution 1235, the Government initiated a pilot project on “conflict prevention” in four border regions with agricultural and pastoral lands.

This project, which implements advocacy and awareness-raising activities, strengthened the capacities of 350 local stakeholders (religious leaders, village chiefs, local women leaders, members of NGOs and women’s cooperatives) on conflict prevention methods, the participation of women in the management of community affairs, advocacy, women’s leadership and the role of women in conflict prevention.

Also, the determination of public authorities to ensure the reintegration of Mauritanian returnees from Senegal and Mali was reflected in the creation of a national agency in charge of managing the entire repatriation and reintegration process: National Agency for Refugee

Assistance and Reintegration (ANAIR). This institution worked in collaboration with the Office of the UN High Commissioner for Refugees (UNHCR) and other UN agencies for the implementation of a broad programme on the reintegration of returnees. In this regard, a tripartite agreement was signed in 2007 between Mauritania, Senegal and UNHCR.

Actions in favour of families and women returnees were conducted focusing on the distribution of thousands of dairy cows, the opening of community shops, establishment of cooperatives for market gardening, poultry farming and child care, and literacy centres.

Children who returned during the repatriation operations were able to attend primary school at the refugee camps. Those in secondary education were enrolled at nearby schools.

The civil registration of returnees was a major concern for public authorities who ultimately registered all returnees and issued them with civil registration papers.

An institutional mechanism for the reintegration of public servants victim of the 1989 events was established and has since conducted an exhaustive survey of these public servants and ensured the reintegration of teaching and national education support staff as well as.

The children's parliament organized a special session on the theme: "Consolidating national unity" in which repatriated children also participated. A summer camp was also organized for dozens of repatriated children who spent two memorable weeks socializing with young children in the same region. Other repatriated children also participated along with children from all regions of the country in a summer camp organized in Morocco.

Mauritania is a party to the four Geneva conventions of 1949 governing specific aspects of international humanitarian law. Under Mauritania's prevailing constitutional system, these conventions form an integral part of the body of national legislation and may accordingly be invoked before the public authorities and before the courts.

In terms of post-conflict reconstruction, it is estimated that there are hundreds of thousands of mines and other unexploded ordnance (UXO) in Mauritanian territory, a legacy of the Sahara conflict. The two most affected regions are: Dakhlet Nouadhibou and Tiris-Zemmour to the North of the country. They cover a total surface area of 310,000 km<sup>2</sup> with 294,000 people at risk. According to the *Landmine Monitor Report*, 346 persons were killed, 239 wounded, 580 animals killed and 33 vehicles destroyed during the period from 1978 to 2005.

Pursuant to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, Mauritania adopted a plan of action to locate and destroy all the mines in the national territory.

This programme is implemented by the National humanitarian demining bureau (BNDH) and receives support from UNDP, UNICEF and international NGOs. The BNDH is implementing, in collaboration with UNICEF, an education component concerning the hazards represented by the mines with the aim of delivering a message about safe behaviour to the affected communities and continuing the training of NGO outreach workers and involving them in the education activities. There is a second component on assistance to victims of mine explosions, in which the aim is to obtain reliable data on such victims and identify their needs in terms of social reintegration and to build up the capacity of the National Orthopaedic Centre (branches in Nouakchott and Nouadhibou). These two components have a significant impact on the protection of women and children in these zones.

### **V-Challenges faced in the implementation of the Protocol and corrective measures taken**

With a view to achieving the Sustainable Development Goals, the Government, with the help of its technical and financial partners, is carrying out ambitious anti-poverty programmes for sustainable human development focusing on the promotion and protection of women's rights.

Despite its efforts, Mauritania is faced with certain challenges relating to:

- the integration of women as stakeholders in a rights-based approach to stronger and inclusive development;
- the optimum harmonization of domestic legislation with the provisions of ratified international instruments;
- ownership by women of the contents of legal human rights instruments in general and women's rights in particular;
- the lack of human and financial resources of institutions and organizations defending human rights in general and women's rights in particular;
- specialization of magistrates and weakness of jurisprudence on human rights in general and women's rights in particular;
- the capacities of national human rights institutions.

In order to address challenges relating to the application of the Protocol, Mauritania implemented human rights promotion strategies which were integrated, as a priority, into the post 2015-2030 Agenda with the assistance of TFPs. Support was hence provided to the Office of the Commissioner for Human Rights and Humanitarian Action, the National Human Rights Commission, the Office of the Ombudsman, National Courts and Civil Society Organizations.

Planned reforms for the implementation of the Protocol will mainly focus on:

- enhancing social cohesion;
- combatting the legacy of slavery;
- reintegrating returnees;
- promoting youth employment;
- ensuring the socio-economic advancement and political participation of women;
- protecting the rights of persons with disabilities; and
- protecting individual and collective rights.

### **Conclusion:**

The Government of the Islamic Republic of Mauritania welcomes the submission of its report to the African Commission on Human and Peoples' Rights and reiterates its commitment to implement the provisions of the African Charter on Human and People's Rights and the Maputo Protocol. It is prepared to pursue a constructive dialogue with the Commission in order to address deficiencies identifies in the implementation of these two instruments to which it has fully acceded.

Finally, it avails itself of this opportunity to express gratitude to its partners for their support in the implementation of these human rights promotion and protection policies and strategies.