



**International Human Rights
Instruments**

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Mauritania*

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General information

A. Demographic and socioeconomic characteristics

Demographic data

1. Mauritania is a multi-ethnic and multicultural country. The population is predominantly Arab, with Fulani, Soninke and Wolof minorities. It has a population of 4,173,080 inhabitants, of whom 1,237,217 reside in the capital, Nouakchott.¹

Table 1
Population by age group and sex

Age group	2013			2020		
	Male	Female	Total	Male	Female	Total
0–4	316 217	298 475	614 692	301 690	289 482	591 172
5–9	263 263	256 839	520 102	297 643	282 606	580 249
10–14	212 838	216 667	429 505	279 819	270 019	549 838
15–19	176 116	185 288	361 404	228 510	229 679	458 189
20–24	144 478	157 962	302 440	185 832	194 502	380 334
25–29	121 586	135 767	257 353	152 352	165 539	317 891
30–34	99 834	113 691	213 525	126 692	141 574	268 266
35–39	83 578	95 379	178 957	104 916	119 378	224 294
40–44	72 108	79 228	151 336	86 196	99 313	185 509
45–49	60 297	64 516	124 813	72 829	82 354	155 183
50–54	50 739	51 751	102 490	60 651	66 772	127 423
55–59	41 075	40 645	81 720	49 530	52 755	102 285
60–64	31 660	30 459	62 119	39 227	40 412	79 639
65–69	24 120	23 055	47 175	28 755	28 981	57 736
70–74	18 167	17 129	35 296	19 746	19 724	39 470
75 or older	26 998	27 443	54 441	27 517	28 085	55 602
Total	1 743 074	1 794 294	3 537 368	2 061 905	2 111 175	4 173 080

Socioeconomic data

2. The Government adopted the Strategy for Accelerated Growth and Shared Prosperity 2016–2030, consisting of three strategic focuses: (i) the promotion of strong, sustainable and inclusive growth; (ii) the development of human capital and access to basic social services; and (iii) the strengthening of all aspects of governance.

3. The economic record for 2018 was more positive than forecast, due in part to the unexpected recovery of the mining sector and a boost in non-extractive economic activity. Consequently, gross domestic product grew at an overall real rate of 3.6 per cent, despite the cessation of production at the Chinguetti oilfield. Growth in other sectors than the extractive industry was 6.3 per cent. However, the current account deficit worsened, reaching 18.4 per cent of gross domestic product, but was covered by a nearly 48-per cent increase in foreign direct investment, spurred by gas exploration, and by a rise in financial flows from the extractive industry. Gross reserves reached US\$ 919 million, the equivalent of five months of imports. As for the budget, the increase in State revenue resulting from the economic reactivation and controlled expenditures led to a budget surplus, not including donations, of

¹ Source: National Statistics Office.

3 per cent of non-extractive gross domestic product, and the inflation rate was kept at 3.1 per cent thanks to a prudent monetary policy.²

4. Concerning public finances, reforms have led to substantially improved performance by the tax authority and the streamlining of public expenditures. An anti-corruption strategy was adopted, leading to a shift in attitudes towards public funds. In addition, civil status rules have been overhauled and biometric indicators have been introduced following the establishment of the National Agency for the Population Registry and Secure Identity Documents.

5. The analysis of the data collected through the 2014 continuous survey of household living standards shows that 16.6 per cent of the population lives below the extreme poverty line, which in 2014 was set at 126,035 ouguiyas. It also shows that disparities remain between rural areas, where 25.1 per cent of the population lives in extreme poverty, and urban areas, where the extreme poverty rate is 7.5 per cent. The same trend applies at the household level, with 17.6 per cent of households in rural areas living in extreme poverty compared to 4 per cent in urban areas.

6. Despite the progress made in recent years in access to education, the quality of instruction remains a challenge, and many steps have been taken by the relevant authorities to address the situation.

7. In order to guarantee that everyone gets at least nine years of basic education, including more widely available, quality preschool education, the strategy on preschool education focuses on broadening access, especially in rural areas and for children from disadvantaged areas, and on providing teachers with training in curricula and teaching tools.

8. Steps were taken in 2018 to improve access to primary education by increasing infrastructure and human resources and to enhance the quality of instruction by training and motivating staff, developing and distributing teaching manuals and strengthening pedagogical support at the community level.

9. As for improving the quality of secondary education and access to it, the focus has been on building new secondary schools and classrooms. Seven new lower secondary schools and four upper secondary schools are under construction, and the number of centres of academic excellence rose with the opening of two such centres at the upper secondary level in Rosso and Kaédi. In order to resolve human resource shortages, 195 graduates of the National Teachers College have been recruited.

10. Several infrastructure projects and vital reforms have been carried out to improve the accessibility, quality and pertinence of higher education.

11. Regarding the development of technical and vocational training, efforts have centred on updating the relevant strategy, revising the relevant legal framework and organizing certificate courses. In terms of traditional teaching, several schools known as *mahadras* have been piloted.

12. Turning to access to health-care services, significant progress has been made towards providing universal coverage. There have been marked improvements in reproductive health services and in maternal and child health as a result of vaccination campaigns and treatment for acute malnutrition. Disease prevention and the management of public health emergencies have also improved thanks to the availability of medication and training in epidemiological surveillance. There have been continuous efforts in the field of human resource development and planning, for instance the elevation of the National Public Health School in Nouakchott to the status of college. Investments have been made in infrastructure and equipment with a view to improving health-care services.

13. Concerning job creation, a national employment strategy has been developed for the period until 2030. The biggest challenge lies in the job shortage – 443,000 in 2017 – which

² 2018 report on the implementation of the action plan on the Strategy for Accelerated Growth and Shared Prosperity.

primarily affects women and young people, despite the efforts of institutions working on the recruitment and integration of young people.

14. The development of the youth and sports sector is guided by a sectoral strategy in line with the strategy for accelerated growth and shared prosperity. The multisectoral nature of this issue has led to collaboration among various sectors in order to achieve the goals of youth protection and emancipation.

15. Regarding social protection, gender equality, children and family affairs, various measures have been undertaken to guarantee social protection for the most vulnerable groups and to build their resilience.

16. As for food security, the monitoring of the food situation and the implementation of special programmes are among the measures that have improved the resilience of vulnerable groups and the capacity to withstand climate shocks.

17. The introduction of social safety nets and the national cash transfer programme known as Tekavoul has considerably enhanced the resilience of vulnerable groups in several regions of the country. In that connection, 30,512 poor households (or 205,911 individuals) have received quarterly cash transfers to help improve the welfare of women and children.³

18. The main achievements in the areas of gender equality, children and family affairs have been providing women with training, raising awareness and rallying communities around ending gender-based violence, particularly female genital mutilation, and encouraging attitudinal change towards the empowerment of women. In addition, there is a strong female presence in elected office and positions of power.

19. Considerable efforts and important gains have been made with regard to access to drinking water and sanitation services. Works carried out between 2015 and 2018 brought the national access rate to 70 per cent, according to estimates of the Ministry for Water and Sanitation. The ongoing large-scale hydraulics projects in Dhar and Aftoût, which are intended to provide access to drinking water for vulnerable groups, have been expanded to cover more rural villages and areas in the poorest regions of the country known as the Triangle of Hope and Hodh ech Charghi. As part of the expansion, over 54 drinking water supply systems equipped with solar panels have been installed for the most disadvantaged populations in Hodh ech Charghi, Hodh el Gharbi, Brakna and Gorgol *wilayas* (governorates).

20. Regarding access to electricity and the supply of gas, according to the relevant department, 42 per cent of households had access to electricity in 2018 (target 7.1.1 of the Sustainable Development Goals). In urban areas, the percentage of the population that has access to electricity is far higher, around 76 per cent in 2018. In rural areas, however, the rate remains low at 6 per cent on average. With regard to target 7.2, on increasing substantially the share of renewable energy in the energy mix, renewable energy accounts for 42 per cent of end consumption.⁴

21. Efforts have been made in recent years in the building and housing domain, leading to crucial results in the development of plots and access to more stable housing and home ownership, though the amount of substandard housing remains of concern, especially in rural areas, where 56.7 per cent of households live in such housing (shacks, huts, tents). In urban areas, 21.3 per cent of the population lives in slums, informal settlements or inadequate housing (2013 general population and housing census).

22. Data from the Ministry of Housing, Urban Development and Land Management shows that important infrastructure has been put in place over the past ten years, thereby increasing the availability of social housing. This includes the construction of: (i) 600 low-income housing units in Zouerate; (ii) 148 social housing units in the resettlement area reserved for the victims of the fire in the Kebba du Wharf district in Nouakchott; (iii) 50 units

³ See the implementation report on the action plan on the Strategy for Accelerated Growth and Shared Prosperity.

⁴ Source: Ministry of Oil, Energy and Mining.

in the new city of Chami; and (iv) 706 social housing units, by Tadamoun, for 706 poor families from deprived neighbourhoods in Nouadhibou.

23. In addition, the following programmes of varying scale have been implemented, thus markedly improving access to property (target 11.1): (i) the Disadvantaged Neighbourhoods Eradication Programme (146,382 households have been given access to free property in redeveloped areas); (ii) the City Expansion and Modernization Programme (31,586 plots have been prepared and developed for residential and commercial purposes); (iii) the Tintane Rehabilitation and Renovation Project, which saw the erection of a brand new town where the population was given access to prepared and developed plots (33 collective buildings and facilities, a 14 linear km long network of dense-graded asphalt roads, a water network measuring 100 linear km and an electrical grid).

24. The legal framework on political and electoral governance is composed chiefly of: Ordinance No. 27.289 of 20 October 1987, on communes; Ordinance No. 91.027 of 7 October 1991, on the election of the President of the Republic; Ordinance No. 91.028 of 7 October 1991, on the election of Members of Parliament; and subsequent amendments to these ordinances. Other laws and regulations have been adopted to improve electoral operations (Decree No. 2006-090 of 18 August 2006 introducing single ballots), strengthen democracy (Act No. 2009-017 of 5 March 2009 establishing the Independent National Electoral Commission) and promote diversity (Ordinance No. 2006-029 of 22 August 2006 on women's access to elected office). Key improvements to the electoral system in recent years include:

- The increase of the share of seats in the parliament that are allocated on the basis of the principle of proportionality
- The establishment of an independent electoral commission
- The promotion of women's access to elected office

25. Political parties are governed by Order No. 91-024 of 25 July 1991, as amended in 2012 and 2018, whereby parties must announce their foundation by filing a disclosure form with the Ministry of the Interior, which then issues a receipt proving legal recognition. A party's founding members, of which there can be no fewer than 20, must be 25 or older and live within the national territory. Article 4, while stressing the sacred nature of religion, bans any one party from declaring itself to be its sole representative. Political parties are prohibited from engaging in any propaganda that is contrary to the principles of Islam, and Islam may not be the preserve of a political party. Political parties are prohibited from engaging in any propaganda that undermines the integrity of the territory or the unity of the nation. The Order recalls that no political party or grouping may identify with a particular race, ethnicity, region, tribe, gender or brotherhood. Political parties are also prohibited from cooperating or collaborating with a foreign entity for reasons that are incompatible with current laws and regulations. To avoid the proliferation of political parties, the last subparagraph of article 20 provides that any party that puts forward candidates in two general municipal elections and obtains less than 1 per cent of votes in both elections, or that refrains from participating in two consecutive general municipal elections, is deemed to be dissolved. The dissolution is certified by order of the Ministry of the Interior. In the light of the final results of the 2018 municipal elections, 78 parties were dissolved by decision No. 00113 of 5 March 2019.⁵

26. There are various organizations responsible for managing elections.

⁵ Available statistics:

Recognized parties prior to 2019: 103.

Parties dissolved: 78.

Parties that decided to dissolve themselves: 2.

Parties that appealed their dissolution before the Administrative Chamber of the Supreme Court: 20.

Parties whose dissolution was cancelled: 7.

Parties that obtained a suspension of the dissolution decision: 1.

Recognized parties: 33.

(a) Ministry of the Interior

27. Under Decree No. 357-2019 of 1 October 2019, on the powers of the Ministry of the Interior and Decentralization and the organization of that ministry's central administration, the Minister of the Interior and Decentralization is responsible for developing the electoral roll and providing technical support to the Independent National Electoral Commission.

(b) Independent National Electoral Commission

28. The Independent National Electoral Commission, established pursuant to Act No. 2012-027 of 12 April 2012, is an independent authority. The Commission has full powers to prepare, run and supervise the entire election process, from the validation of the electoral roll to the provisional certification of results and their transmission to the Constitutional Council for final certification, in the case of presidential elections and referendums, or to the certification of results, in the case of other types of elections.

29. The Commission is responsible for all the other phases of the electoral process, including:

- Validating the electoral roll
- Drawing up the election list on the basis of the roll and determining the number and location of polling stations
- Registering candidacies and issuing provisional and final receipts for candidacy announcements after the competent bodies have confirmed the validity of the candidacies, apart from candidacies for President
- Overseeing the candidates' choice of campaign colours, emblems, logos or acronyms and designing, printing and distributing voter registration cards and ballots
- Monitoring campaigns
- Storing electoral materials in facilities it owns or is responsible for and conveying them, at its own risk and expense, to polling centres and stations in a timely manner
- Setting up polling stations, including their number, composition and location, the training of their members and the number of registered voters per station
- Organizing polling operations, vote counts and the drawing up and transmission of ballot records
- Centralizing, announcing and transmitting the provisional results to the Constitutional Council in presidential elections and referendums
- Centralizing and announcing the results in other types of elections

(c) Audiovisual Authority

30. The Audiovisual Authority is an independent administrative body mandated to monitor the implementation of laws and regulations concerning the press and audiovisual communications in an objective, transparent and non-discriminatory manner. With regard to elections, it is mandated to ensure equitable access of political parties, candidates, trade unions and recognized civil society organizations to public media, under the conditions established by law and regulations.

31. All legally recognized political parties participated in the 2018 legislative elections, submitting a total of 724 candidate lists across all electoral districts, as shown in the tables below.

Table 2

2018 municipal election results

<i>Sex</i>	<i>Councillors</i>		<i>Mayors</i>	
Men	2 446	63.85%	214	97.72%
Women	1 385	36.15%	4	2.28%

<i>Sex</i>	<i>Councillors</i>		<i>Mayors</i>	
Total	3 831	100%	219	100%

Table 3
Regional election results

<i>Sex</i>	<i>Councillors</i>		<i>Chairs of Regional Councils</i>	
Men	186	65.26%	12	92.31%
Women	99	34.74%	1	7.69%
Total	285	100%	13	100%

Table 4
Legislative election results

<i>Sex</i>	<i>Members of Parliament</i>	
Men	123	80.39%
Women	30	19.61%
Total	153	100%

32. Concerning the public service, an analysis of human resources by sex indicates that there are only 11.5 per cent women in category A (senior posts). There are also fewer women middle managers, who represent 27.8 per cent of total staff at that level. Only in category C, which accounts for less than 19 per cent of public servants, are women more represented (nearly 60 per cent).⁶

B. Constitutional and judicial institutions

33. The Constitution of 20 July 1991, amended in 2006, 2012 and 2017, established several constitutional institutions, including the Constitutional Council, the Economic, Social and Environmental Council, the Court of Auditors, the High Council for Fatwas and Administrative Appeals and the National Human Rights Commission.

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

35. The republican State is founded on 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 the Prime Minister.

36. Legislative power is exercised by the parliament, which adopts laws and is responsible for oversight of government action. The parliament is made up of the National Assembly.

37. Mauritania has a decentralized and devolved administrative structure. Its territory is organized into several administrative levels: 15 *wilayas* (governorates), 58 departments *moughataas*, 13 regions and 219 communes. The different administrative levels work together to ensure the political, economic and social development of the country.

38. The judicial system is based on the second-hearing principle (the same case may be tried at first and second instance). The system comprises courts at the level of the department

⁶ Report by the Ministry of Social, Children’s and Family Affairs and the United Nations Development Programme on gender and the labour market, Nouakchott, 2011.

and *wilaya*, courts of appeal and a supreme court. The High Court of Justice is responsible for trying the most senior State officials (the President of the Republic and the members of the Government). The Constitutional Council rules upon constitutional matters.

39. The Supreme Council for Fatwa and Administrative Appeals offers those seeking justice solutions that comply with Islamic law.

40. The Government has improved the efficiency of the justice system by making justice more accessible through the establishment of courts, including a court of appeal in Aleg, two regional courts in Nouakchott Nord and Nouakchott Sud, a labour court in Zouerate and three specialized anti-slavery courts. It has also established a national anti-corruption strategy, while sectoral plans to combat corruption are implemented by Government departments, in collaboration with civil society, to ensure compliance with national anti-corruption legislation.

C. General framework for the protection and promotion of human rights

1. Acceptance of international human rights norms

Table 5

Principal international human rights instruments ratified by Mauritania

<i>No.</i>	<i>Instruments</i>	<i>Adoption date</i>	<i>Ratification date</i>	<i>Reservations/comments</i>
1	Universal Declaration of Human Rights	1948		Incorporated into the preamble to the Constitution of 20 July 1991
2	United Nations Convention against Corruption	2003	2006	
3	International Convention on the Elimination of All Forms of Racial Discrimination	1965	1988	Reservation: Art. 14: Mauritania has not made the declaration under article 14 recognizing the competence of the Committee to receive individual complaints
4	Convention on the Elimination of All Forms of Discrimination against Women	1979	2001	Reservations: Art. 13 (a) Art. 16
5	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	1990	2007	
6	Convention on the Rights of the Child	1989	1991	Reservation: Mauritania approved all parts of the Convention that are not contrary to Islamic law
7	Convention on the Rights of Persons with Disabilities	2006	2012	

<i>No.</i>	<i>Instruments</i>	<i>Adoption date</i>	<i>Ratification date</i>	<i>Reservations/comments</i>
8	International Convention for the Protection of All Persons from Enforced Disappearance	2006	2012	
9	International Covenant on Civil and Political Rights	1966	2004	Reservation: Art. 18 (2–4) and art. 23 (4) The Government of Mauritania declared that the application of these provisions would be without prejudice to sharia law
10	International Covenant on Economic, Social and Cultural Rights	1966	2004	
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	2012	
13	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	1984	2004	Reservations: Art. 20 (1–5), concerning the competence of the Committee; and art. 30 (1), concerning the International Court of Justice

2. Nature and scope of reservations

(a) Scope of reservations

41. Mauritania has entered general or specific reservations on the following conventions:
- Convention on the Elimination of All Forms of Discrimination against Women: reservations to articles 13 (a) and 16
 - Convention on the Rights of the Child: Mauritania has approved all parts of the Convention that are not contrary to sharia law
 - International Covenant on Civil and Political Rights: reservations to articles 18 (2–4) and 23 (4)
 - Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: reservations to articles 20 (1–5), concerning the competence of the Committee, and article 30 (1), concerning the International Criminal Court

(b) Reasons for the reservations

42. These reservations were deemed necessary because they concern provisions that are contrary to sharia, the sole source of law under the Constitution.

(c) Effect of the reservations

43. Only the provisions to which the reservations relate are not applied; the other provisions retain their full legal force pursuant to article 80 of the Constitution.

(d) Follow-up to declarations emanating from conferences

44. Mauritania, through its participation in international human rights conferences, has given effective support to the declarations, recommendations and commitments adopted by those conferences.

45. Pursuant to the declarations and recommendations of the international conferences, notably the World Conference on Human Rights (Vienna, 1993), Mauritania withdrew and replaced its general reservation to the Convention on the Elimination of All Forms of Discrimination against Women and is contemplating similar action in respect of its general reservation to the Convention on the Rights of the Child.

(e) Derogations, restrictions and limitations

46. Other than the reservations it has entered, Mauritania has not restricted, limited or derogated from the international instruments it has ratified.

Table 6

Principal International Labour Organization (ILO) conventions ratified by Mauritania

<i>No.</i>	<i>Instruments</i>	<i>Adoption date</i>	<i>Ratification date</i>	<i>Reservations/comments</i>
1	Discrimination (Employment and Occupation) Convention (No. 111)	1958	8 November 1963	
2	Equality of Treatment (Accident Compensation) Convention (No. 19)	1925	8 November 1963	
3	Equal Remuneration Convention (No. 100) (Agriculture)	1951	3 December 2001	
4	Equality of Treatment (Social Security) Convention (No. 118)	1962	15 July 1968	Accepted in respect of branches (d) to (g) and (i)
5	Abolition of Forced Labour Convention (No. 105)	1957	3 April 1997	
6	Forced Labour Convention (No. 29)	1930	20 June 1961	
7	Maternity Protection Convention (No. 3)	1919	8 November 1963	
8	Night Work (Women) Convention (No. 4)	1919	20 June 1961	Denounced on 2 August 1965
9	Night Work (Women) Convention (Revised) (No. 41)	1934	20 June 1961	Denounced on ratification of Convention No. 89
10	Night Work (Women) Convention (Revised) (No. 89)	1948	8 November 1963	
11	Worst Forms of Child Labour Convention (No. 182)	1999	3 December 2001	

<i>No.</i>	<i>Instruments</i>	<i>Adoption date</i>	<i>Ratification date</i>	<i>Reservations/comments</i>
12	Minimum Age (Industry) Convention (No. 5)	1919	20 June 1961	Denounced on ratification of Convention No. 138
13	Night Work of Young Persons (Industry) Convention (No. 6)	1919	20 June 1961	
14	Minimum Age (Trimmers and Stokers) Convention (No. 15)	1921	8 November 1963	
15	Minimum Age (Non-Industrial Employment) Convention (No. 33)	1932	20 June 1961	
16	Minimum Age (Sea) Convention (Revised) (No. 58)	1936	8 November 1963	
17	Night Work of Young Persons (Industry) Convention (Revised) (No. 90)	1948	8 November 1963	
18	Minimum Age (Fishermen) Convention (No. 112)	1957	8 November 1963	
19	Minimum Age Convention (No. 138)	1973	3 December 2001	Minimum age specified: 14 years
20	Holidays with Pay Convention (No. 52)	1936	8 November 1963	
21	Paid Vacations (Seafarers) Convention (Revised) (No. 91)	1949	8 November 1963	
22	Right to Organise and Collective Bargaining Convention (No. 98)	1949	3 December 2001	
23	Holidays with Pay (Agriculture) Convention (No. 101)	1952	8 November 1963	
24	Social Security (Minimum Standards) Convention (No. 102)	1952	15 July 1968	Accepted Parts V to VII, IX and X
25	White Lead (Painting) Convention (No. 13)	1921	20 June 1961	
26	Weekly Rest (Industry) Convention (No. 14)	1921	20 June 1961	
27	Workmen's Compensation (Accidents) Convention (No. 17)	1925	8 January 1963	
28	Workmen's Compensation (Occupational Diseases) Convention (No. 18)	1925	20 June 1961	

<i>No.</i>	<i>Instruments</i>	<i>Adoption date</i>	<i>Ratification date</i>	<i>Reservations/comments</i>
29	Seamen's Articles of Agreement Convention (No. 22)	1926	8 November 1963	
30	Repatriation of Seamen Convention (No. 23)	1926	8 November 1963	
31	Minimum Wage-Fixing Machinery Convention (No. 26)	1928	20 June 1961	
32	Officers' Competency Certificates Convention (No. 53)	1936	8 November 1963	
33	Safety Provisions (Building) Convention (No. 62)	1937	8 November 1963	
34	Labour Inspection Convention (No. 81)	1947	8 November 1963	
35	Freedom of Association and Protection of the Right to Organise Convention (No. 87)	1948	20 June 1961	
36	Labour Clauses (Public Contracts) Convention (No. 94)	1949	8 November 1963	
37	Protection of Wages Convention (No. 95)	1949	20 June 1961	
38	Fee-Charging Employment Agencies Convention (Revised) (No. 96)	1949	31 March 1964	Accepted the provisions of Part II
39	Fishermen's Articles of Agreement Convention (No. 114)	1959	8 November 1963	
40	Final Articles Revision Convention (No. 116)	1961	8 November 1963	
41	Employment Policy Convention (No. 122)	1964	30 July 1971	
42	Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	1975	23 September 2019	
43	Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)	1976	23 September 2019	

Table 7
Ratification of instruments relating to international humanitarian law and refugees

<i>No.</i>	<i>Instruments</i>	<i>Adoption date</i>	<i>Ratification date</i>	<i>Reservations/comments</i>
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 the 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 1 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)	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 (Protocol II)	1977	1980	
8	Convention relating to the Status of Refugees	1951	1987	
9	Organization of African Unity 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 8
Ratification of regional human rights instruments

<i>No.</i>	<i>Instruments</i>	<i>Adoption date</i>	<i>Ratification date</i>	<i>Reservations/comments</i>
1	African Charter on Human and Peoples' Rights	1981	1986	Incorporated into the preamble to the Constitution of 20 July 1991
2	African Charter on the Rights and Welfare of the Child	1990	2005	
3	Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa	2003	2005	
4	African Charter on Democracy, Elections and Governance	2011	2008	
5	Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights	1998	2005	
6	Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa	1969	1972	
7	Arab Charter on Human Rights	2004	2019	

3. Legal framework for the protection of human rights at the national level

(a) Constitutional guarantees

47. The Constitution enshrines human rights in its preamble: "The Mauritanian people, by virtue of their spiritual values and the influence of their civilization, solemnly proclaim their attachment to Islam and to the principles of democracy, as defined by the Universal Declaration of Human Rights of 10 December 1948 and the African Charter on Human and Peoples' Rights of 28 June 1981 and by the other international conventions to which Mauritania is a party." The Constitution protects all the rights and freedoms set forth in the aforementioned instruments.

(b) Incorporation of human rights treaties into national legislation

48. Under the country's monist legal system, the international human rights treaties ratified by Mauritania are incorporated in the domestic legal order in accordance with article 80 of the Constitution.

49. Mauritania has ratified almost all international and regional legal instruments on human rights, including those of the United Nations, ILO and the African Union, and has implemented a series of measures aimed at eradicating slavery and its legacy.

50. In terms of the harmonization of domestic laws with the international legal framework, the following are noteworthy:

- The Constitution of 20 July 1991, revised in 2006, 2012 and 2017, which provides, in article 1, that "Mauritania is an Islamic, indivisible, democratic and social republic.

The Republic guarantees all citizens equality before the law, without distinction as to origin, race, sex or social status.”

- The amendment of the Constitution through the adoption of a new article 13, the first paragraph of which defines slavery and slavery-like practices as crimes against humanity.⁷
- Act No. 2003-025 of 17 July 2003 on the punishment of trafficking in persons, which the State employs to combat and punish all practices involving exploitation of human beings. This Act places certain trafficking in persons offences, which previously had been treated as ordinary offences or misdemeanours, in the category of serious offences.
- The constitutional principle of equality of citizens before the law is embodied in all legislative texts, including those on labour, trade, investment, land ownership and elections.
- Act No. 2018-023 of 21 June 2018 on the Criminalization of Discrimination, which incorporates the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination in the domestic legal order.
- Act No. 2015-031 of 10 September 2015 on the Criminalization of Slavery and the Punishment of Slavery-like Practices.
- Act No. 2018-024 of 21 June 2018 on the General Child Protection Code.
- Order No. 797 of 18 August 2011, repealing and replacing Order No. 362 of 25 August 1953, as amended by Order No. 10.289 of 2 June 1965 determining the general conditions of domestic employment, governs the employment of men and women as domestic servants, defines forms of employment that violate labour laws – including the various conventions ratified by Mauritania and the Labour Code – and protects children from such forms of employment.⁸
- The international human rights treaties ratified by Mauritania are incorporated directly into national legislation in accordance with article 80 of the Constitution, whereby all the provisions on human rights derived from duly ratified conventions can be invoked before the courts, and judges are required to apply them.

51. The Government has made overcoming the legacy of slavery and eradicating its contemporary forms a priority. To this end, on 6 March 2014, it adopted a road map for the eradication of contemporary forms of slavery and established an interministerial committee chaired by the Prime Minister, with a brief to implement the recommendations of the road

⁷ New article 13: “No one may be enslaved or held in any form of bondage, or be subjected to torture or other cruel, inhuman or degrading treatment. These practices constitute crimes against humanity and are punishable as such by the law.”

⁸ This order requires the formalization of individual employment contracts. The Labour Inspectorate provides employees and employers with model contract forms for domestic work, drawn up by the Ministry of Labour, which must be signed and registered for the employment relationship to be considered valid. The employer must pay for the domestic worker to undergo a medical examination before he or she is recruited. The minimum wages corresponding to domestic worker categories are equal to or higher than the guaranteed interprofessional minimum wage and are set freely by the parties. Accommodation and food are benefits in kind that are not mandatory either for the employer or the employee. Where these benefits are provided, their value, set by agreement between the parties, may be deducted from wages. A domestic worker recruited outside the place of employment or moved from that place by the employer during performance of the contract has the right to payment of travel expenses. Domestic workers are paid on the last day of each month. However, at the request of the employee, wages may be paid every two weeks. The labour inspectorate provides employers with payslips, which are issued to employees and contain relevant information. The labour inspectorate issues work permits to young workers aged 14 years and over, which they require in order to enter domestic employment corresponding to their physical aptitude and state of health, having secured the prior consent of their guardians and ensured their compliance with the other obligations imposed by the laws and regulations in force. Meanwhile, Decree No. 247.2010 of 8 November 2010 establishing the seat and jurisdiction of the juvenile criminal courts and its implementing order have toughened the legislation punishing illegal child labour.

map, and a follow-up committee. This committee comprises representatives of ministries, the National Human Rights Commission and civil society organizations, with the Office of the United Nations High Commissioner for Human Rights (OHCHR) country office in Mauritania participating as an observer.

52. The principal authorities with competence in human rights matters are the Constitutional Council, the courts, the Commission on Human Rights, Humanitarian Action and Relations with Civil Society, the National Human Rights Commission, the relevant ministries, the High Council for Fatwas and Administrative Appeals and the national mechanism for the prevention of torture. These institutions are competent at the national level for issues relating to their respective areas of responsibility.

(c) Invocation before the courts

53. All the provisions of the conventions ratified by Mauritania can be invoked before the courts, and judges are required to apply them.

(d) Remedies

54. Administrative and judicial remedies are available and may result in the award of civil damages and the imposition of administrative or criminal penalties or both on the perpetrator.

(e) National mechanisms for the protection and promotion of human rights

55. The Commission on Human Rights, Humanitarian Action and Relations with Civil Society is responsible for drafting and implementing the national policy for the promotion and protection of human rights.

56. The remit of the Ministry of Social Affairs, Children and the Family includes the development of project and programme proposals aimed at furthering the advancement of women and their involvement in the development process and promoting and protecting the rights of children, persons with disabilities and older persons.

57. The remit of the National Human Rights Commission, which is an independent body, includes issuing, at the request of the Government or on its own initiative, advisory opinions on general and specific questions concerning the promotion and protection of human rights and respect for individual and collective freedoms. The majority of the Commission's members are representatives of civil society organizations and professional bodies, who have the right to vote; it also includes representatives of the various authorities concerned, who are non-voting members. The Commission is funded from the State budget, which has a separate allocation for it.

58. The authorities and human rights organizations disseminate the various treaties and conventions to which Mauritania is a party through the press, workshops and other media advocacy and ensure that these instruments are accessible by explaining their content in the various national languages as necessary.

59. The parliament makes laws. The parliamentary group on human rights ensures the promotion and dissemination of human rights principles and the protection of those rights.

60. The national mechanism for the prevention of torture ensures compliance with the relevant legislation in force.

61. The High Council for Fatwas and Administrative Appeals ensures compliance within its own area of competence.

62. Associations are regulated by Act No. 64.098 of 9 June 1964, as amended by Act No. 73.007 of 23 June 1973 and Act No. 73.157 of 2 July 1973. More than 6,028 national and 57 international non-governmental organizations (NGOs) operate in the country. The number of associations has increased markedly since 2008, when there were only 1,106. Associations are active in such fields as human rights, social issues, development, health, the environment, culture, sports and the arts and may, upon request, be granted tax exemptions for the equipment and materials they require to carry out their activities. This exemption is automatic for recognized public-interest associations.

(f) Recognition of the jurisdiction of a regional human rights court or other such mechanism

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

(g) Dissemination of human rights instruments

64. Several conventions have been the subject of information and awareness-raising campaigns, including the following:

Convention on the Elimination of All Forms of Discrimination against Women

65. Measures to popularize the Convention have included:

- Translation into the four national languages
- Publication of an explanatory guide to the Convention and the organization of large-scale awareness-raising campaigns in the public media (radio and television)
- Community-based campaigns carried out by NGOs
- Implementation of other programmes, supervised by the communications unit of the Ministry of Social Affairs, Children and the Family through its regional offices

Convention on the Rights of the Child

66. Measures to disseminate the Convention have included:

- Preparation and distribution of an explanatory handbook on the Convention and outreach
- Establishment of regional networks to promote the rights of the child, consisting mainly of departmental children's rights units
- Organization of annual awareness-raising campaigns on the rights of the child to mark national children's days
- Provision of training on children's rights for civil society stakeholders

International Convention on the Elimination of All Forms of Racial Discrimination

67. Awareness-raising and training of the judiciary and civil society stakeholders on the provisions of the Convention.

Convention on the Rights of Persons with Disabilities

68. The following actions have been taken to disseminate the Convention:

- Campaigns in all *wilayas* throughout the country
- Preparation of an explanatory handbook on the provisions of the Convention
- Provision of training for several organizations of persons with disabilities

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

69. A number of activities have been organized to raise awareness of the Convention, including the following:

- Awareness-raising and training seminars are held for law enforcement officers on the subject of prohibition of torture and other cruel, inhuman or degrading treatment or punishment.
- Workshops are organized for judges and criminal investigation officers on police custody and torture prevention.
- The administrative and judicial authorities have a duty to systematically undertake investigations as soon as an allegation of torture is made.

- The penalties imposed in cases of torture are stipulated in Act No. 2015.033 of 10 September 2015 on the prohibition of torture.

70. All the international instruments ratified by Mauritania that are subject to monitoring by the human rights treaty bodies have been published in the Official Gazette.

(h) Raising human rights awareness among public officials and other professionals

71. Plans of action to raise awareness and train officials on respect for human rights have been implemented. Seminars for law enforcement officers have been organized by the Ministry of Justice, the Commission for Human Rights and Humanitarian Action and the National Human Rights Commission, with technical support from the OHCHR country office and the Association for the Prevention of Torture.

(i) Raising awareness through educational programmes and the dissemination of information with the support of the authorities

72. Human rights education is included in the civics and religious instruction syllabus. There are mandatory annual modules, and human rights is one of the topics covered in assessed coursework and in the examinations that students must pass if they are to move up to the next year.

73. Primary school provides the ideal environment for citizenship training. Open to all children, it is a fitting place for the transmission of fundamental values. In universities, human rights modules have been introduced into the curricula of the various branches (law, economics, medicine and others).

74. Human rights education in primary schools is provided through two channels:

- Official programmes (on civics, citizenship and so forth), which are taught in Arabic from year 5
- Experimental programmes incorporating the rights of the child, which are offered in certain primary schools, including through their hygiene, health and environment clubs
- Initial training programmes at teacher training colleges for primary-school teachers (École normale des instituteurs) and secondary-school teachers and inspectors (École normale supérieure)
- In-service training programmes, including awareness-raising campaigns and ad hoc courses

(j) Promotion of human rights awareness through the media

75. State and private media are asked to provide national coverage of activities to promote and protect human rights. Radio and television programmes on topics relating to human rights are broadcast periodically.

(k) Role of civil society

76. Civil society works with the authorities on human rights awareness-raising programmes for the general public.

(l) Budget allocations and trends

77. Budget allocations are made annually to ministerial departments, institutions and other bodies and NGOs working in the field of human rights.

(m) Development cooperation and assistance

78. Technical assistance for the promotion and protection of human rights is provided by the OHCHR country office, the United Nations Development Programme, the United Nations Children's Fund, the United Nations Population Fund and other partners.

D. Obstacles to the fulfilment of international human rights obligations

79. The following are the main obstacles preventing the country from achieving full enjoyment of human rights:

- Inadequate human and financial resources of human rights institutions and organizations
- Lack of specialist knowledge among human rights actors

E. Reporting process

Technical committee responsible for preparing State reports relating to international legal instruments in the field of human rights

80. The Government has set up a technical committee to draft reports and follow up on the implementation of recommendations made by treaty bodies and during the universal periodic review. The committee includes representatives of all ministerial departments concerned and the National Human Rights Commission. The OHCHR office in Mauritania sits on the committee as an observer.

Transmission of reports to stakeholders prior to submission to the treaty bodies

81. National reports are made available to parliamentary bodies and civil society organizations for comment prior to their submission to the treaty bodies or working groups.

Participation of non-governmental and independent bodies

82. The reports take account of recommendations made during workshops held for the purposes of consulting and exchanging views with civil society and parliamentary bodies.

F. Follow-up to concluding observations of human rights treaty bodies

83. The various concluding observations and recommendations are shared and discussed at workshops, and the conclusions reached are then transmitted to the competent authorities. This process is followed for the concluding observations of the Committee on the Elimination of Discrimination against Women, the Committee on the Elimination of Racial Discrimination, the Committee on the Rights of the Child, the Committee against Torture, the Human Rights Committee and the Committee on Economic, Social and Cultural Rights. Sectoral action plans for implementing the concluding observations are in place. A national action plan is currently being drawn up, with the cooperation of the OHCHR country office, covering the recommendations of treaty bodies and those made during the universal periodic review.

G. Measures to ensure wide dissemination of the concluding observations or recommendations issued by treaty bodies following consideration of the State party's report

84. The technical committee responsible for drafting reports to treaty bodies shares those documents – and the conclusions and recommendations made by treaty bodies and during the universal periodic review process – with the parliament. They are also disseminated through the media.

1. Follow-up to international conferences

85. Mauritania ensures systematic follow-up to the declarations adopted at the various world conferences, in particular the Human Rights Council, the African Commission on Human and Peoples' Rights, the Arab Human Rights Committee, the Organization of Islamic Cooperation, the Vienna World Conference on Human Rights (1993), the Durban World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

(2001), the Beijing Fourth World Conference on Women (1995) and the United Nations World Conference on Women. The Government implements the commitments entered into at the various conferences through its ministries and institutions.

2. Information on non-discrimination and equality and effective remedies

(a) Non-discrimination and equality

86. The principle of non-discrimination is established in the Constitution. It is incorporated in legislation and has been given effect in many areas, including equality of treatment in taxation and in access to justice, equal pay for work of equal value and equal access to public services.

87. The Constitution guarantees women the right to participate in political and public life. It also recognizes for women all 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.

88. Article 1 (2) of the Constitution states that "the Republic guarantees all citizens equality before the law, without distinction as to origin, race, sex or social status". Article 12 provides that "all citizens may accede to public office or employment without any conditions other than those determined by law".

89. The Act on the Criminalization of Discrimination defines discrimination in all of its forms. This law characterizes the act of discrimination as an offence under criminal law and prescribes appropriate penalties that take into account its gravity. Article 11 of the Act prohibits discrimination on the basis of origin, ethnicity or race and provides that persons found guilty of this offence are punishable by 6 to 12 months' imprisonment and a fine of 50,000 to 100,000 Mauritanian ouguiyas. The perpetrators of such acts may receive an additional penalty of demotion or total or partial disqualification from exercising their civic, civil or family rights for a period of five years.

90. Positive discrimination and temporary special measures have been applied with regard to elections and elected office. The quota reserved for women in those areas has risen significantly. In all recruitment exercises, posts are set aside for women.

- The 2001 Personal Status Code sets the legal age for marriage at 18 years.
- The 2005 Code governing the judicial protection of children prohibits and penalizes female genital mutilation (art. 12).
- The 2001 Act on Compulsory Primary Education sets the school age at 6 to 14.
- The Ordinance concerning the Organic Act on Women's Access to Elective Posts and Elected Office sets a 20 per cent quota for women.
- The Legal Aid Act provides for assistance to indigent persons subject to trial.
- The Ordinance on the protection and promotion of the rights of persons with disabilities provides for benefits for such persons.
- The Labour Code and the Act governing the Pension Fund's civilian pension scheme authorize the payment of a pension to the beneficiaries of female civil servants on the same terms as for male civil servants.
- Pensions are granted to the survivors of deceased female civil servants.
- The retirement age has been equalized at 60 for women whose conditions of employment are governed by the collective agreement.

91. The authorities have put in place an institutional framework to ensure that women's rights are promoted and gender is mainstreamed into public policy. This framework includes:

- The Ministry of Social Affairs, Children and the Family, which is responsible for promoting and protecting the rights of women, families and children
- The National Gender Monitoring Group and its regional counterparts

- 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
- Centres for addressing and resolving family disputes, follow-up to the recommendations made by the Committee on the Elimination of Discrimination against Women and promotion of human rights

(b) Measures taken to improve women’s political participation and involvement in decision-making

- Adoption of a national list of 20 women candidates for election as deputies
- Adoption of a national list of 20 women candidates and another list of 18 women candidates for election in the Nouakchott constituency
- Increase in the number of constituencies with three seats to be filled by proportional representation
- Granting of financial incentives for political parties that increase the number of women candidates elected
- Organization of a special competitive procedure that allowed an additional 50 women to gain entry to the National College of Administration, Journalism and the Judiciary
- Creation of eight university teaching posts for women
- Increase in the number of student grants reserved for girls

(c) Principle of non-discrimination and general binding principle

92. The Constitution of 20 July 1991, as amended in 2006 and 2012, states that “human freedom, equality and dignity may be assured only in a society that honours the rule of law”. It also guarantees the fundamental principles of non-discrimination.

(d) Measures taken to prevent and combat discrimination in all its forms

93. Several institutions contribute to efforts to prevent and combat all forms of discrimination. These include the ministerial departments responsible for human rights issues, the National Agency for the Eradication of the Consequences of Slavery, for Social Integration and for Action to Fight Poverty, known as the Tadamoun Agency, the National Human Rights Commission, the High Council for Fatwas and Administrative Appeals and the courts.

(e) General information regarding the human rights situation of persons belonging to specific vulnerable groups

94. The Government’s poverty reduction policy provides for a strong and sustained focus on vulnerable segments of the population.

3. Specific measures to reduce disparities

95. Several measures have been put in place to reduce economic, social and geographical disparities, particularly for women. These include the following:

- Development and implementation of a National Action Plan on Gender-Based Violence for the period 2015–2018
- Implementation of standard operating procedures to improve the response to gender-based violence and ensure holistic care for survivors
- Implementation of an action plan to encourage the voluntary abandonment of female genital mutilation in *wilayas* where the practice is very widespread

- Dissemination, via public and private media, of a fatwa on the prohibition of female genital mutilation

Organization of campaigns to combat child marriage

96. Measures have been taken to raise public awareness of stereotypes and practices that are harmful to women. These include the following:

- Observance of the International Day of Zero Tolerance for Female Genital Mutilation
- Implementation of a programme to promote the abandonment of female genital mutilation
- Approval of a bill on the criminalization of female genital mutilation
- Organization of several awareness-raising campaigns to combat other harmful practices such as force-feeding for marriage, forced marriage and early marriage

4. Equality before the law and equal protection of the law

97. Mauritania has established a judicial system founded on the second-hearing principle and has facilitated access to justice through the provision of legal assistance.

H. Effective remedies

98. The law provides for a sufficient number of effective remedies for all victims of crime. In practice, and in line with the Code of Criminal Procedure, any person who has been a victim of, or harmed by, the commission of an offence may lodge a complaint and bring criminal indemnification proceedings before a criminal investigation officer, the investigating judge or the trial court. Judicial authorities must ensure that victims are kept informed and that their rights are respected throughout the proceedings (Code of Criminal Procedure, introductory article). Anyone who has personally suffered harm as a direct result of an offence may file a claim for damages in civil proceedings. The law guarantees, under conditions laid down in the Code of Criminal Procedure, that victims have the right and the power to instigate a preliminary investigation by lodging a complaint or by reporting an incident directly to the criminal investigation officer or the public prosecutor.