
MAURITANIA

OBSERVATORY FOR THE PROTECTION OF HUMAN RIGHTS DEFENDERS
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In 2010-2011, human rights defenders who denounced ongoing slavery practices were again the target of acts of intimidation by the political and religious authorities. In addition, strike movements started by the trade unions from economic sectors led to violent clashes with the anti-riot police and to arrests.

Political context

While there was a persistent lack of dialogue between the Government and the opposition parties despite the first official meeting between the Head of State and opposition representatives in June 2010, which had led to the hope of the start of a truly inclusive dialogue between the various political forces, there was a slight improvement in the often strained relations between the Government and the press in 2010, notably after the release in February of the Director of the website *Tagadoumy*, who was granted a presidential pardon after several months of arbitrary detention¹.

After the series of abductions of humanitarian workers and foreign tourists that took place in November and December 2009² and for which Al Qaeda in the Islamic Maghreb (AQIM) claimed responsibility, on January 5, 2010, the National Assembly adopted a draft law comprising several amendments to the 2005 Anti-Terrorist Law as well as draconian provisions³. After the motion for review filed by opposition members of Parliament, the Constitutional Council refused to validate the draft law on March 4, 2010, considering that part of its provisions did not comply with the Constitution.

Discrimination against the Negro-African population continued within the Mauritanian society, particularly after the speech on March 1, 2010 by

1/ See Annual Report 2010.

2/ The three humanitarian workers belonging to the Spanish NGO "Solidarity Caravan" (*Caravana Solidaria*), who were kidnapped on November 29, 2009, were released on August 23, 2010, whilst the two Italians kidnapped on December 18, 2009 in the south-eastern Mauritania were released in the north of Mali on July 23, 2010.

3/ Especially those that permit telephone tapping of any person suspected of terrorism and their home to be searched at any time, the ending of the statute of limitations for terrorism and prolongation of the period of custody (from 48 hours to fifteen working days) with possible deportation in certain circumstances. The broader definition of terrorism would also have permitted repression "of simple acts of political opposition". See United Nations Human Rights Council, *Compilation prepared by the Office of the High Commissioner for Human Rights for the Working Group on the Universal Periodic Review for the Ninth Session in November 2010*, UN Document A/HRC/WG.6/9/MRT/2, August 10, 2010.

the Prime Minister and the Minister of Culture, who both announced their desire to promote “generalisation of the Arabic language as the language for work, administrative exchanges and scientific research” and to combat “the propagation of local languages and dialects that are substitutes for it”⁴. Furthermore, no legal proceedings were opened in 2010 after several cases of discrimination. However, following several years of advocacy in the fight against slavery, a first victory was won on March 27, 2011 when for the first time in the contemporary history of the country, the 2007 Law making slavery a criminal practice, was applied by the Prosecutor of the Republic of the Nouakchott Court, who found three people guilty under the flagrant offence procedure for the crime of slavery and two others for complicity⁵.

Furthermore, the Government agreed the opening of an office of the United Nations High Commissioner for Human Rights, which was officially opened on December 9, 2010. In addition, during the UN Human Rights Council examination of Mauritania under the Universal Periodic Review on November 10, 2010, the Government agreed to withdraw its general reservation to the Convention on the Rights of the Child and announced the adoption of specific criminal legislation to make torture a crime and the implementation of a national plan to combat human trafficking. On the other hand, the Government rejected the recommendation on the abolition of capital punishment and did not envisage withdrawing its reservation to the International Covenant on Civil and Political Rights concerning freedom of religion and opinion. As for women's rights, the general reservation to the Convention on the Elimination of All Forms of Discrimination against Women should be replaced by specific reservations and the adoption of a law criminalising female genital mutilation should be part of future legislative reform⁶.

Continued harassment against defenders who denounce the persistent practice of slavery

Advocacy efforts for real implementation of the 2007 Law criminalising slavery and its practices and the work carried out by human rights defenders to protect victims, were accompanied by continued acts of intimidation by the country's political and religious authorities. In particular, Mr. **Biram Ould Dah Ould Abeid**, President of the Initiative for the Resurgence

4/ See Mauritanian Human Rights Association (*Association mauritanienne des droits de l'Homme - AMDH*).

5/ All the defendants were jailed on the same day in the Nouakchott civil prison. See SOS-Slaves (*SOS-esclaves*) and the Initiative for the Resurgence of the Abolitionist Movement in Mauritania (*Initiative de résurgence du mouvement abolitionniste en Mauritanie - IRA*).

104 6/ See Human Rights Council, *Report of the Human Rights Council on its 16th Session*, April 6, 2011.

of the Abolitionist Movement in Mauritania (*Initiative de résurgence du mouvement abolitionniste en Mauritanie* - IRA) and a representative of SOS-Slaves (*SOS-esclaves*), continued to be the target of an intimidation campaign. On February 19, 2010, three Imams belonging to three different mosques violently attacked him, accusing him of being a “threat to the Islamic religion” for having denounced the persistence of slavery in Mauritania and saying that he “deserved hanging”. On March 31, 2010, articles published on the online Francophone news site Crossroads of the Islamic Republic of Mauritania (*Carrefour de la République islamique de Mauritanie* - CRIDEM) repeated the accusation of “blasphemy” and “racism” against the Muslim religion. Mr. Biram Ould Dah Ould Abeid was returning from a trip to Switzerland where he had taken part in the International Film Festival and Forum on Human Rights (*Festival du film et forum international sur les droits humains* - FIFDH), an event about which he already received a “warning” from the National Security Directorate on February 6 because of his activism, and an initial refusal to renew his passport. In addition, on April 1, 2010, when Mr. Ba Mariam Koita took up his duties as President of the National Human Rights Commission, he relieved Mr. Biram Ould Dah Ould Abeid of his post as advisor to the Commission, a position he had held for three years, and stated that the decision resulted from his activism in the fight against slavery in Mauritania. Two weeks later, Mr. Biram Ould Dah Ould Abeid was summoned by the Director of Public Liberties of the Ministry of the Interior who demanded that he “ceases all declarations and activities to fight against slavery”, threatening him with prosecution for “illegal activities” and imprisonment if he did not respect this order. On December 13, 2010, Mr. Biram Ould Dah Ould Abeid was arrested for “disturbance” after an altercation with police at Arafat 1 police station that took place when he informed them about a case of slavery involving two girls aged nine and fourteen years old, and during which Mr. Ould Abeid was beaten with sticks by several police officers. He was taken to hospital with injuries to his head and leg. Messrs. **Djiby Sow, Ali Ould Boubarak Vall, Sheikh Ould Abidine Ould Salem, Mouloud Ould Boubi, Bala Touré and Dah Ould Boushab**, sympathisers and activists with IRA and the Front for the Fight against Slavery, Racism and Exclusion in Mauritania (*Front de lutte contre l’esclavage, le racisme et l’exclusion en Mauritanie* - FLERE) who had demonstrated in front of the police station in support of Mr. Biram Ould Dah Ould Abeid, were also arrested. On December 15, 2010, on the same day as SOS-Slaves received the French Republic’s 2010 Human Rights Prize for its involvement in the fight against slavery in Mauritania and in the sub-region, the Prosecutor of the Republic decided to jail all the suspects, with the exception of Mr. Djiby Sow, in Nouakchott prison for “aggravated assault” against the police, “illegal gathering” and “belonging

to an unlicensed organisation”⁷. Mr. Biram Ould Dah Ould Abeid was not able to meet his lawyer until December 23, 2010. On January 6, 2011, Messrs. Biram Ould Dah Ould Abeid, Ali Ould Boubarak Vall and Sheikh Ould Abidine Ould Salem were sentenced to a one-year prison term, including a six-month suspended sentence, and a fine of 500,000 ouguiyas (about 1,366 euros). Messrs. Mouloud Ould Boubi and Bala Touré were given suspended sentences of six months in prison and a fine of 100,000 ouguiyas (about 267 euros) and Mr. Dah Ould Boushab received a six-month suspended prison sentence and a fine of 10,000 ouguiyas (about 27 euros). On February 15, 2011, the IRA President and the five members were released after a presidential pardon granted on the occasion of Aïd el-Maouloud (the Prophet’s Birthday).

Repression of trade union demonstrations

The year 2010 was marked by an increase in the number of strike movements by several trade unions in various business sectors to call for improvements in workers’ wages, and which led to several violent clashes with anti-riot police and to arrests. On May 1, 2010, the professional trade union affiliated to the Free Confederation of Mauritanian Workers (*Confédération libre des travailleurs de Mauritanie* - CLTM) filed advance notice of a general strike by dockers in Nouakchott to call for the opening of negotiations to re-evaluate the profession and the application of labour regulations to protect workers against foreign competition. On May 3, 2010, dockers who had rallied to denounce the refusal of the authorities to start talks with the union, were dispersed by the police using tear gas, sticks and belts, causing several injuries and leading to the arrest of seven workers⁸ and the CLTM Secretary General, Mr. **Samory Ould Boyer**. After these negotiations failed, dockers organised another demonstration on May 10, 2010 at El Mina II, which was also violently broken up by the police. Seventeen demonstrators were placed in custody⁹. After these arrests, on May 13, 2010, and despite not being authorised to do so, several dockers decided to return to the streets of Nouakchott to demonstrate and

7/ However, the IRA registration declaration was filed with the Interior Ministry on June 15, 2010 and, under the Law of January 17, 2001, the lack of any response from the administration after a period of two months is equivalent to authorisation. The accusation of belonging to an unauthorised organisation therefore violates Article 10 of the 1991 Constitution, which guarantees the right of freedom of association and assembly.

8/ Messrs. Mohamed Ould Demba, Ahmed Misk Ould Moustapha, Abdallahi Ould Salem, Mohamed Ould Joumouna, Cheikh Ould Ely, Jafar Ould Mohamed and Bouna Ould Aleyatt.

9/ Messrs. Cheikh Ould Mohamed, Khalifa Ould Dah, Mohamed Ahmed Cheibib, Ahmed Ould Sidi, El Hacen Ould Sid’Ahmed, Cheibany, Abdi O Mohamed, Mohamed Mahmoud Ould MBareck, Sidi Ould Cheikh, Mohamed Lemine Ould Rachid, Malainine Ould Kedeichy, Mohamed Ould Merba, Mohamed Vall Ould Moustapha, Mohamed Lémine Ould Amar, El Houssein Ould Teyib, Oumar Ould Ahmed Louly and Houssein Ould Ismaïl.

call for the release of their colleagues and for an increase in their wages. The security forces, made up of anti-riot police squads, agents of the National Guard and the Gendarmerie, again ended this demonstration using tear gas grenades and they arrested seven demonstrators¹⁰. On the same day, the seven demonstrators arrested on May 3, 2010, were released without charge. On May 17, 2010, all the demonstrators who remained in detention were also released without charge. Similarly, on February 25, 2011, workers – particularly the dockers – organised a peaceful demonstration to call for liberty, social justice, democracy and dignity, which brought together thousands of young Mauritians. A large number of security forces surrounded the rally location and tried to disperse demonstrators with tear gas bombs and by making arrests. Two trade union officials, Messrs. **Mohamed Abdallahi Ould Mohamed Tfeil**, Secretary General of the National Telecommunications Union (*Syndicat national des télécommunications* - SYNATEL), affiliated to the General Confederation of Mauritanian Workers (*Confédération générale des travailleurs de Mauritanie* - CGTM), and **Mohamed Ould Daha**, President of the National Youth Movement of the National Confederation of Mauritanian Workers (*Mouvement national des jeunes de la Confédération nationale des travailleurs de Mauritanie* - CNTM), were arrested by the legal police, before being released without charge shortly afterwards¹¹.

Urgent Interventions issued by The Observatory from January 2010 to April 2011

Names	Violations / Follow-up	Reference	Date of Issuance
Mr. Biram Ould Dah Ould Abeid	Attack on freedom of movement / Threats and defamation	Press Release	February 12, 2010
	Defamation campaign	Press Release	February 25, 2010
	Defamation campaign / Deportation	Press Release	April 8, 2010
	Threat of judicial harassment / Death threat	Press Release	April 19, 2010
	Attacked / Arbitrary detention	Press Release	December 15, 2010
	Continued arbitrary detention	Press Release	December 23, 2010
Messrs. Biram Ould Dah Ould Abeid, Ali Ould Boubarak Fall, Sheikh Ould Abidin Ould Salem, Mouloud Ould Boubi, Bala Touré and Dah Ould Boushab	Sentencing	Press Release	January 10, 2011
	Presidential pardon	Press Release	February 16, 2011

10 / Messrs. Moili Ould Mboirick, Jouwyid Ould Moilid, Ethmane Ould Moussa Blesse, Naima Ould Sidi, Md Mhmoud Ould Sidi, Hamad Ould Abeid and Joumoua Ould Soueilim.

11 / See AMDH.