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Freedom in the World 2012 - Mauritania

2012 Scores

Status: Not Free
Freedom Rating: 5.5
Civil Liberties: 5
Political Rights: 6

Overview

In August 2011, municipal and legislative elections planned for October were postponed indefinitely. Antigovernment protests by several groups took place during the year. A September demonstration against the new national census, which black Mauritians alleged was discriminatory, resulted in the death of at least one protester.

Following independence from France in 1960, Mauritania was ruled by a series of civilian and military authoritarian regimes. In 1984, Colonel Maaouya Ould Sidi Ahmed Taya ousted President Mohamed Khouna Ould Haidallah. Although Taya introduced a multiparty system in 1991, he repeatedly secured poll victories for himself and his Democratic and Social Republican Party (PRDS) through the misuse of state resources, suppression of the opposition, and manipulation of the media and electoral institutions.

In August 2005, soldiers led by Colonel Ely Ould Mohamed Vall overthrew Taya's government in a move that received strong public support. Soon after taking power, the Military Council for Justice and Democracy (CMJD) pardoned and released hundreds of political prisoners, and dozens of political activists returned from exile. The CMJD established an independent electoral commission to administer elections. Legislative and municipal elections were held in November and December 2006, with independent candidates, mostly former PRDS members, securing a majority of the seats. Independents also won a majority of seats in January and February 2007 Senate elections, while Sidi Ould Cheikh Abdellahi, an independent, won the presidency in March. This series of elections were the first in Mauritania's history to be broadly viewed as generally free and fair.

Abdellahi drew criticism from military leaders and members of the National Party for Democracy and Development (PNDD) for inviting hard-line Islamists and former members of Taya's regime into the cabinet. The government resigned in July 2008 under the threat of a parliamentary no-confidence vote, and Abdellahi formed a new cabinet that included only PNDD members. However, this failed to restore lawmakers' confidence, and 48 PNDD parliamentarians quit the party on August 4. On August 6, Abdellahi fired four

top military officers. One of them, General Mohamed Ould Abdel Aziz, mounted a coup the same day.

Aziz and his allies announced that an 11-member junta, the High State Council (HSC), would run the country until new elections were held. While the international community strongly condemned the coup and key donors suspended non-humanitarian aid, the domestic reaction was mixed. A majority of lawmakers and mayors expressed support, but a coalition of four pro-Abdellahi parties formed the National Front for the Defense of Democracy and refused to participate in the junta-led government.

In April 2009, Aziz announced that he would resign from the military in order to run for president. Despite initial resistance, opposition parties agreed to participate in the presidential vote after six days of negotiations. Under international pressure, the HSC handed power in June to a transitional government to supervise an election set for July.

Aziz won the election in the first round with 52.6 percent of the vote. Four opposition parties claimed that the results were predetermined, electoral lists had been tampered with, and fraudulent voters had used fake ballot papers and identity cards. The parties lodged a formal appeal with the Constitutional Council that was ultimately rejected, and the head of the electoral commission resigned over doubts about the election's conduct. While some opposition parties continued to protest the outcome, the Rally for Democratic Forces (RDF) recognized Aziz's presidency in September 2010, citing the need for unity in the face of increased terrorist attacks by Islamist militants.

In May 2011, Aziz initiated a new census, the finalization of voter lists, and the automation of national identity cards. Nevertheless, municipal and legislative elections planned for October were postponed indefinitely in August. Two leading opposition parties had requested this delay, claiming that a promised dialogue with Aziz on wide-ranging political and electoral reforms had yet to occur. A national dialogue took place from September to October to address those issues, as well as opposition complaints about lack of access to the media; however, the elections had yet to be rescheduled as of the end of 2011. Protests by several sectors of society took place in 2011, including by the youth-led February 25 movement – inspired by the popular uprisings in the Arab world – as well as antislavery activists and black Mauritians alleging bias in the new census.

Political Rights and Civil Liberties

Mauritania is not an electoral democracy. The constitutional government created after the 2006 and 2007 elections was ousted by the August 2008 military coup. The legitimacy of the 2009 presidential election, which installed coup leader Mohamed Ould Abdel Aziz as the civilian president, was challenged by the opposition but declared generally free and fair by international observers. Legislative elections scheduled for October 2011 were postponed indefinitely.

Under the 1991 constitution, the president is responsible for appointing and dismissing the prime minister and cabinet, and a 2006 amendment imposed a limit of two five-year presidential terms. The bicameral legislature consists of the 95-seat National Assembly, elected by popular vote, and the 56-seat Senate, with 53 members elected by mayors and municipal councils and three members chosen by the chamber to represent Mauritians living abroad. Mauritania's party system is poorly developed, and clan and ethnic loyalties strongly influence the country's politics.

Corruption is a serious problem, and political instability has prevented fiscal transparency. The Aziz government's anticorruption campaign has resulted in notable arrests, including the former human rights commissioner in September 2010. However, the opposition has criticized the government's efforts as ineffective and politicized. Mauritania was ranked 143 out of 183 countries surveyed in Transparency International's 2011 Corruption Perceptions Index.

Despite constitutional guarantees for press freedom, some journalists practice self-censorship, and private newspapers face closure for publishing material considered offensive to Islam or threatening to the state. In September 2011, the government ended a 51-year monopoly on broadcast media with a call for applications for licenses from

private outlets. In November, the High Press and Audiovisual Authority announced that two independent television stations and five independent radio stations had been awarded licenses, though some opposition members alleged that the licenses favored progovernment stations. In October, the legislature adopted amendments to a 2006 press law that eliminated prison terms for slander and defamation, though fines can still be levied. Two journalists were beaten and detained for their coverage of clashes between police and protesters in September. There were no reports of government restrictions on the internet.

Mauritania was declared an Islamic republic under the 1991 constitution, and proselytizing by non-Muslims is banned in practice. Non-Muslims cannot be citizens, and those who convert from Islam lose their citizenship. In practice, however, non-Muslim communities have not been targeted for persecution. Academic freedom is respected.

The 1991 constitution guaranteed freedoms of association and assembly, though organizers are required to obtain consent from the authorities for large gatherings. In 2011, security forces violently dispersed several allegedly unauthorized demonstrations staged by a wide range of groups. In April, police used tear gas to disperse an antigovernment protest in the capital by the February 25 movement – called a "day of rage" in solidarity with the Arab uprisings. Beginning in June, black Mauritians constituting the Do Not Touch My Nationality movement protested against the national census, which they claim discriminates against them. A September demonstration in the southern city of Maghama against the census prompted the police to fire live rounds and tear gas, killing at least one protester.

Workers have the legal right to unionize, but unions must be approved by the public prosecutor and encounter hostility from employers. Although only about a quarter of Mauritians are formally employed, the vast majority of workers in the industrial and commercial sectors are unionized. The right to strike is limited by notice requirements and bans on certain forms of strike action. The authorities repressed a number of strikes throughout 2011, though they did not dissolve any unions. In May, riot police used violence against protesting dockworkers, with several injured.

The judicial system is heavily influenced by the government. The Mauritanian Lawyers Association (ONA) condemned the 2011 arrests of several judges on drug trafficking charges as politically motivated. Many judicial decisions are shaped by Sharia (Islamic law), especially in family and civil matters. Prison conditions are harsh, suspects are routinely held for long periods of pretrial detention, and security forces suspected of human rights abuses operate with impunity. There are reports that prisoners, particularly terrorism suspects, are subject to torture by authorities.

Islamist militants, members of Al-Qaeda in the Islamic Maghreb (AQIM), have carried out a number of attacks in Mauritania in recent years. A new antiterrorism law was passed in July 2010. During 2010, numerous AQIM members were killed, and security forces killed 15 in a single incident in February 2011. In May, the governments of Mauritania, Mali, Niger, and Algeria agreed on a joint force to combat AQIM. Meanwhile, the Mauritanian Islamic Affairs Ministry launched workshops in June to train imams to mount an ideological counteroffensive against AQIM. In March, a court convicted three AQIM operatives in the 2009 killing of an American aid worker, and sentenced one to death.

Racial and ethnic discrimination persists in all spheres of political and economic life. The country's three main ethnic groups are the politically and economically dominant White Moors of Arab and Berber descent; the black descendants of slaves, also known as Haratins or Black Moors; and black Africans who are closer in ethnic heritage to the peoples of neighboring Senegal and Mali. In April 2011, a riot between Afro-Mauritanian and Moor students broke out at the University of Nouakchott over allegations of fraud during a student union vote that was split among the two groups.

Despite a 1981 law banning slavery in Mauritania, an estimated half a million black Mauritians are believed to live in conditions of servitude. A 2007 law set penalties of 5 to 10 years in prison for all forms of slavery, but the law is hampered by a requirement that slaves themselves file a legal complaint before any prosecution can occur. In November 2011, six individuals were successfully prosecuted for enslavement and sentenced to jail, to pay a fine, and to make financial restitution to the victims. In

January 2011, Biram Dah Abeid, the head of the Initiative for the Resurgence of the Abolitionist Movement (IRA) antislavery group, was arrested along with seven other activists. In August, four IRA activists were arrested for taking part in an antislavery protest, which was violently dispersed; the activists were later handed six-month suspended sentences.

The Aziz government is continuing an initiative to facilitate the return of the some 30,000 black Mauritians who still reside in Senegal and Mali after being expelled following communal violence in 1989. For the first time, the government in 2009 publicly acknowledged its involvement in the expulsion of Afro-Mauritians between 1989 and 1991 and agreed to provide compensation to 244 widows of those killed during the ordeal. At the end of 2011, most refugees had returned. While returnees have faced difficulty in recovering confiscated land, the government has provided them with housing assistance.

Under a 2005 law, party lists for the National Assembly elections must include district-based quotas of female candidates. Women currently hold 21 seats in the National Assembly and 8 Senate seats; also, 20 percent of all municipal council seats are reserved for women. Nevertheless, discrimination against women persists. Under Sharia, a woman's testimony is given only half the weight of a man's. Legal protections regarding property and pay equity are rarely respected in practice. Female genital mutilation (FGM) is illegal but widely practiced. In January 2010, 34 Islamic scholars issued a religious edict banning FGM. Abortion is legal only when the life of the mother is in danger. Human trafficking remains a serious problem, as the country remains a source and destination for women, men, and children trafficked for the purposes of forced labor and sexual exploitation.

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