
MAURITANIA

OBSERVATORY FOR THE PROTECTION OF HUMAN RIGHTS DEFENDERS
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The situation that arose from the coup d'état of August 6, 2008, which overthrew the President of the Republic and the Government installed in office after the presidential election in March 2007, was brought back to normal with the presidential elections based on the Dakar Agreement. Under this Agreement, which was signed on June 2, 2009, the three major poles of Mauritanian political life – the National Front for the Defence of Democracy (*Front national de défense de la démocratie* – FNDD), the Assembly of Democratic Forces (*Rassemblement des forces démocratiques* – RFD) and the Union for the Republic (*Union pour la République* – UPR) – committed to setting up a Transitional Government of National Unity, to establishing an Independent National Election Commission (*Commission électorale nationale indépendante* – CENI) and to organising presidential elections on July 18, 2009. The latter brought the putsch General, Mr. Mohamed Ould Abdel Aziz, to office. The opposition denounced fraud such as the distribution of pre-marked specimen and official ballot papers and the massive police presence in and around the polling stations. International observers, such as the International Organisation of the Francophonie (*Organisation internationale de la Francophonie* – OIF), also noted irregularities, though they considered that these did not call into question the final result¹.

This year saw international progress in the fight against impunity, with repercussions at national level. On March 30, 2009, the European Court of Human Rights confirmed the Nîmes Criminal Court ruling of July 2005, sentencing, for the first time in France on the basis of universal jurisdiction, Mr. Ely Ould Dah, a captain in the Mauritanian army, for acts of torture committed in Mauritania against Mauritanian citizens. Even before publication of this decision, which was long-awaited by the authorities, the State had hastily organised a conference in Kaedi on the “humani-

68 1/ See Press Release by the OIF Observation Mission to the presidential elections in Mauritania, July 21, 2009 and the Declaration by the Presidency on behalf of the European Union, July 23, 2009.

tarian backlog”², following which General Mohamed Ould Abdel Aziz, then President of the High State Council (*Haut conseil d’Etat* – HCE), announced on March 24 that consideration of the humanitarian backlog and human rights violations in the 1990s³ was “permanently closed”. However, the problems related to the humanitarian backlog are far from resolved: the police have continued to use brutality and torture with total impunity, the land problem remains intact and the Mauritanian deportees who were repatriated with the assistance of the High Commission for Refugees (HCR) have had to cope with administrative obstacles to obtain official civil status and the return of their lands⁴.

In addition, the United Nations Special Rapporteur on Contemporary Forms of Slavery, Ms. Gulnara Shahinian, during a press conference in Nouakchott on November 3, 2009 at the end of her visit to Mauritania from October 24 to November 4, denounced the persistence in the country of slavery practices such as “serfdom and domestic slavery”, whose victims are “utterly deprived of their basic human rights”⁵, in spite of the existing Law No. 2007-48 “criminalising slavery and repressing slavery practices” adopted by the Mauritanian National Assembly in August 2007.

Furthermore, in 2009, several foreigners were abducted in Mauritania. Three humanitarian workers belonging to the Spanish NGO “Solidarity Caravan” (*Caravana Solidaria*) were abducted on November 29, 2009. Al Qaeda in the Islamic Maghreb (AQIM) claimed responsibility for the abduction in a recording sent to the *Al Jazeera* channel on December 8, 2009. On December 18, 2009, two Italian travellers were also kidnapped in the south of the country. At the end of 2009, AQIM was holding a total of six hostages and demanded the release of detainees in Mali and sums of money⁶.

2/ The objective of the conference was to convince victims to withdraw their complaints filed in Mauritania with the help of the Collective of Organisations for the Victims of Repression in Mauritania (*Coordination des organisations des victimes de la répression en Mauritanie* - COVIRE), a collective that brings together surviving widows and military fugitives to obtain symbolic compensation rather than to establish a transitional justice procedure (such as the establishment of a truth and reconciliation body that is sought by many civil society organisations). See Mauritanian Human Rights Association (*Association mauritanienne des droits de l’Homme* - AMDH).

3/ At the beginning of the 1990s, tens of thousands of negro-Mauritanians were deported beyond the borders; those who were in the army and civil administration were arrested and tortured.

4/ See AMDH.

5/ See United Nations Special Rapporteur on Contemporary Forms of Slavery, Including its Causes and Consequences Press Release, November 4, 2009.

6/ In the same recording the group claimed responsibility for the abduction of a French citizen in Mali on November 25, 2009. See AMDH.

Since the coup d'état, threats intensified in the press, on the Internet, during sermons in mosques, or by telephone against those who denounced the putsch (journalists, NGO representatives or members of the opposition). Indeed, those civil society movements were held responsible for the sanctions adopted by the international community against the ruling junta and any criticism of the Government was considered as a form of political opposition. Normalisation of the political climate through the presidential elections did not change this situation. Defenders continued to be marginalised with regard to State activities, just as did the political movements that are independent of the junta, which grouped together within the Coordination of Democratic Opposition (*Coordination de l'opposition démocratique* – COD) since December 2009⁷. This was in particular demonstrated by the lack of consultation with civil society and smear campaigns against its representatives, and by the repression and banning of demonstrations. As an example, on December 17, a demonstration organised in Nouakchott by the families of Islamic business men who were detained and accused of misappropriation of public funds, which called for their release, was repressed. Several women were beaten and injured by the police forces, especially by the anti-riot police and the court-house police⁸.

Repression of the freedom of peaceful assembly in the framework of institutional crisis

While, after the coup d'état, many civil society movements, including members of human rights NGOs and union members, took part in peaceful demonstrations to call for the return of constitutional order and respect for economic and social rights and to protest against the imposition of an electoral calendar, the junta banned many peaceful assemblies and demonstrations⁹. Several of these demonstrations were brutally repressed by the security forces, and police and gendarmes were deployed even for authorised demonstrations. The national guard was in charge of patrolling the poor neighbourhoods and breaking up any social meetings. For instance, on April 2, 2009, Mr. **Boubacar Messaoud**, President of SOS-Slaves (*SOS-Esclaves*) and a member of OMCT General Assembly, after expressing the opinion that the Government should support respect for fundamental freedoms, was severely beaten by the police during a peaceful demonstration organised by the Coordination of Democratic Forces

7/ The coalition of nine opposition parties officially signed a policy statement on December 10, 2009.

8/ See AMDH.

9/ On May 21, 2009, HCE banned any demonstration until the presidential election, which at that time was scheduled for June 6, 2009, before being postponed until July. At the end of 2009, demonstrations continued to be regularly banned or repressed by the authorities.

(*Coordination des forces démocratiques* – CFD), which brings together opposition political parties and civil society organisations, including human rights organisations. Already known to the police services, he was attacked by Police Superintendent Ould Nejib and his colleagues from the court-house police station who had come to back up the anti-riot police. The police officers were trying to put Mr. Messaoud in the boot of a car when they were challenged by two women who managed to make them run off. At the same demonstration, around a dozen people were beaten and seriously injured by the police. Similarly, on April 19, 2009, a peaceful demonstration by women Members of Parliament, which had been called by the FNDD and the RFD in front of United Nations headquarters in Nouakchott to protest against the date of elections and the lack of a return to constitutional order, was also harshly repressed. Several women were beaten by members of the police forces, including the anti-riot brigade¹⁰.

Judicial harassment of journalists who denounce human rights violations

In 2009, several trials were opened against journalists who were independent from the Government and who had denounced human rights violations. As an example, on June 17, 2009, following a complaint filed on May 22 by a presidential election candidate, Mr. Ibrahima Moctar Sarr, a member of the Alliance for Justice and Democracy / Movement for Renovation (*Alliance pour la justice et la démocratie / Mouvement pour la rénovation* – AJD/MR), opposition party, the journalist Mr. **Hanevy Ould Dehah**, Director of the electronic newspaper *Taqadoumy*, was arrested¹¹. The complaint followed the journalist's publication of an article on the candidate's purchase of a villa and his "sudden" fortune. On August 19, 2009, Mr. Hanevy Ould Dehah was sentenced to six months in prison for "publications contrary to Islam and decent behaviour" by the Nouakchott Court Correctional Tribunal, a sentence that was upheld in appeal on November 24. Mr. Hanevy was due to be released on December 24, 2009 but the prosecution, which had called for a sentence of five months in prison and a fine of five million ouguiyas (12,500 euros), asked the Supreme Court to suspend his release until the criminal chamber of the Supreme Court had ruled on its appeal. In reaction to this situation, Mr. Hanevy, who was detained at Dar Naim prison in Nouakchott, went on hunger strike for two weeks, seriously endangering his health. On January 14, 2010, the Supreme Court quashed the ruling and sent the case before an

10/ See AMDH.

11/ See AMDH, Association of Women Heads of Families (*Association des femmes chef de famille* - AFCF) and SOS-Slaves Alert, June 22, 2009.

examining magistrate¹². Furthermore, on March 15, 2009, access to the electronic newspaper *Taqadoumy* was blocked to Mauritanian Internet users and, following the publication on March 15 of an article in which he denounced the violations committed by the junta, one of its editors, Mr. **Abou El Abass Ould Braham**, was arrested on March 17 for “defamation” and “attempt to destabilise the country”, before being released without being charged on March 19, 2009. He was also criticised for other articles that had been published on November 18 and 26 and December 27, 2008, relating to the putsch and the army’s obligation to declare the personal assets of its generals¹³.

Harassment of defenders who denounce the persistent practice of slavery

Denunciation of the persistent practice of slavery in the country in 2009 caused the authorities to put increased pressure on human rights defenders who fight against slavery. For example, since taking part in the conference entitled “Slavery in the land of Islam: why don’t Mauritanian masters free their slaves?”, organised on February 17, 2009 at the Foreign Press Centre (*Centre d’accueil de la presse étrangère* – CAPE) in Paris, Mr. **Biram Ould Dah Ould Abeid**, Advisor to the Mauritanian National Human Rights Commission (*Commission nationale mauritanienne des droits de l’Homme*), President of the Initiative for the Resurgence of the Abolitionist Movement in Mauritania (*Initiative de résurgence du mouvement abolitionniste en Mauritanie* – IRA) and a representative of SOS-Slaves, was the focus of particular attention from the Mauritanian authorities. During the conference, he had in particular condemned the persistence of slavery and its legitimisation through the application of Sharia Law in Mauritania, and his statements had been repeated in several African newspapers. Acts of harassment against Mr. Biram Ould Dah Ould Abeid intensified following the press conference given on November 3, 2009 by the United Nations Special Rapporteur on Contemporary Forms of Slavery at the end of her visit to Mauritania. The authorities criticised Mr. Biram Ould Dah Ould Abeid for having informed the Rapporteur of the persistence of slavery practices and the seriousness of the problem in Mauritania. As an example, in November 2009, an anonymous article that included defamatory statements against him, in particular alleging that he had links with the Israeli secret services, was published on the *elbidaya.net* news website and picked up by a considerable number of Mauritanian websites. During

12/ Mr. Hanevy was released on February 26, 2010 when President Mohamed Ould Abdel Aziz granted a presidential pardon to around one hundred prisoners to mark the festival of Mawlid (the Prophet Mohammed’s birthday). See AMDH and SOS-Slaves.

72 13/ See AMDH, AFCF and SOS-Slaves Alert, June 22, 2009.

the same period, an unidentified individual tried to enter his home before making his escape. In addition, on November 23, 2009, the Minister of the Interior warned Mr. Biram Ould Dah Ould Abeid via a person who was close to him that he had been given “a mandate by the President of the Republic to deal with him” and also ordered him to “put an end to any statement and action to fight against slavery” and to “come to him to present any case of slavery he knew of”.

Urgent Intervention issued by The Observatory in 2009

Names	Violations / Follow-up	Reference	Date of Issuance
Mr. Boubacar Messaoud	Attack / Attempted abduction	Press Release	April 6, 2009