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2021 Trafficking in Persons Report: Mauritania

MAURITANIA: Tier 2 Watch List

The Government of the Islamic Republic of Mauritania does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included convicting traffickers, including hereditary slaveholders, and allocating more funding to the anti-slavery courts. The government enacted a new anti-trafficking law that increased penalties, extended legal protections for victims, and included hereditary slavery as a form of trafficking in persons. The government also enacted a new law allowing NGOs, including anti-slavery NGOs, to operate more freely following a simplified registration process. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period, even considering the impact of the COVID-19 pandemic, if any, on its anti-trafficking capacity. Government agencies charged with combating trafficking and hereditary slavery continued to lack resources, training, and personnel, and reports of officials refusing to investigate or prosecute perpetrators persisted. The government did not identify any potential victims of trafficking or hereditary slavery. Therefore Mauritania remained on Tier 2 Watch List for the second consecutive year.

PRIORITIZED RECOMMENDATIONS:

Direct law enforcement to investigate all allegations of slavery and trafficking and hold government officials accountable for failure to investigate alleged hereditary slavery offenses and for interference in ongoing investigations. • Increase efforts to investigate, prosecute, and convict traffickers and slaveholders with appropriate prison terms in accordance with the 2015 anti-slavery and 2020 anti-trafficking laws, and ensure all human trafficking cases tried under the 2020 anti-trafficking law are automatically referred to the anti-slavery courts. • Ensure each of the anti-slavery courts is adequately funded and staffed with a dedicated prosecutor (*procureur*), judge of inquiry, and trial judge. • Significantly increase training for law enforcement, prosecutors, and judicial officials on both the 2015 anti-slavery and 2020 anti-trafficking laws. • Develop standard procedures to identify and refer trafficking and hereditary slavery victims to care, and train authorities on the procedures' implementation. • Implement measures to support trafficking and hereditary slavery victims during investigations, including providing easier access to legal assistance and protection from intimidation and threats from their alleged traffickers. • Partner with NGOs to provide shelter and services to all trafficking victims, including adults. • Proactively screen for trafficking indicators among vulnerable populations, including irregular migrants, sexual abuse victims, women in commercial sex, and child beggars. • Cease detaining, deporting, or otherwise penalizing potential trafficking victims. • Investigate and prosecute individuals accused of fraudulently recruiting Mauritians abroad for exploitation in forced labor and sex trafficking. • Implement the anti-trafficking national action plan to address all forms of trafficking, including hereditary slavery and forced labor, with input from civil society and all relevant ministries in the government. • Continue to enhance dialogue with civil society working on anti-slavery issues and, with input from civil society, develop and implement a plan to continue providing assistance to former slaves and members of traditional slave castes to allow them the opportunity to leave their communities of enslavement. • Increase public awareness campaigns against trafficking, including hereditary slavery and child forced begging in *mahadras*.

PROSECUTION

The government moderately increased anti-trafficking law enforcement efforts. During the reporting period, the government enacted the 2020 Law on the Prevention and Punishment of Trafficking in Persons, which criminalized sex trafficking and labor trafficking and prescribed penalties of 10 to 20 years' imprisonment and a fine of 250,000 to 500,000 Mauritanian ouguiya (MRU) (\$6,760-\$13,510). These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The 2015 anti-slavery law criminalized hereditary slavery and prescribed sufficiently stringent penalties of five to 20 years' imprisonment and a fine of 250,000 to 500,000 MRU (\$6,760-\$13,510).

As in previous years, the government did not report comprehensive law enforcement data. Although courts were shut down nationwide for over six months of the reporting period due to the pandemic, the government initiated prosecutions against four alleged traffickers and convicted three traffickers; the government did not initiate any new investigations. This compared with one investigation, prosecution of three alleged traffickers, and conviction of five

traffickers during the previous reporting period. The Nouadhibou anti-slavery court convicted three traffickers in three hereditary slavery cases that had been pending since 2013, 2014, and 2015; one defendant was acquitted for lack of evidence. All three convicted traffickers were sentenced to 20 years’ imprisonment and a fine of 500,000 MRU (\$13,510), the maximum fine possible under the law, as victim compensation. One of the convicted traffickers is serving his sentence. Authorities issued arrest warrants for the remaining two convicted traffickers. A total of five cases remained pending before the three anti-slavery courts: one before the Nema court and four before the Nouakchott court. The government did not report initiating any new investigations into fraudulent recruitment.

Three regional anti-slavery courts had exclusive jurisdiction over slavery cases; however, the courts lacked the staff, funding, and resources to investigate and prosecute hereditary slavery crimes throughout their regions. In practice, authorities did not automatically refer slavery cases to the anti-slavery courts. The three courts received a total of 1.8 million MRU (\$48,650) during the reporting period, a significant increase from a total of 900,000 MRU (\$24,320) during the previous reporting period. While the appointed judges received specialized training on the 2015 anti-slavery law, they were not trained in its enforcement or the unique challenges of investigating hereditary slavery cases, including preventing slaveholders from intimidating victims to withdraw their cases. An international organization reported the government did not adequately disseminate information or train judges, police, social services personnel, or NGO stakeholders on the new 2020 anti-trafficking law. Moreover, while other topical courts had specialized prosecutors, the anti-slavery courts did not have such specialized prosecutors. During the annual meeting of the government’s judicial council in December 2020, the government opted not to rotate any of the existing anti-slavery court judges for the second year in a row. Officials reported the judicial council reassigned five advisors from the anti-slavery courts who were routinely impeding and slowing the courts’ work. Officials reported no hereditary slavery cases remained with local courts.

The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking and hereditary slavery offenses; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. Some police, prosecutors, and investigative judges reportedly refused to investigate and try cases of hereditary slavery or to acknowledge hereditary slavery continued to occur. The government at times relied on lesser statutes to punish potential slavery offenses due to a lack of adequate training for government officials and a lack of political will to prosecute such offenses. NGOs reported some local authorities encouraged victims and their families to resolve trafficking and hereditary slavery cases through social mediation rather than through the criminal justice system. Although prosecutors had a legal obligation to transfer slavery cases to the anti-slavery courts, some prosecutors encouraged victims to withdraw their complaints in exchange for a small amount of financial compensation. Corrupt *marabouts* (Quranic teachers) suspected of exploiting *talibés* (Quranic students) in forced begging were rarely prosecuted and usually entered agreements with prosecutors to drop cases. The government, in partnership with an international organization and foreign donor, trained police and gendarmerie academy instructors on human rights issues, including human trafficking. However, law enforcement officials continued to lack understanding of human trafficking and hereditary slavery. Due to the pandemic, the government reassigned several police and gendarmerie units that previously monitored the border and worked with vulnerable populations. Although not explicitly reported as human trafficking, there were five open cases of alleged sexual exploitation with trafficking indicators by Mauritanian peacekeepers deployed to the UN peacekeeping mission in the Central African Republic (CAR); this includes two cases reported in 2020, one in 2019, one in 2018, and one in 2017. The government had not yet provided the accountability measures taken, if any, for all five open cases at the end of the reporting period.

PROTECTION

The government maintained insufficient efforts to identify and protect trafficking victims. The government did not report identifying any trafficking victims for the third consecutive year. An NGO reported identifying and providing care to 1,130 vulnerable children, including potential trafficking victims, and 1,064 adult victims in 2020. Of the 1,064 adult victims, 646 were victims of forced labor and 418 were victims of sex trafficking, although this may have included victims of sexual violence. The government did not have formal measures to identify trafficking victims or refer them to care, but the Ministry of Social Affairs (MASEF) continued using existing referral procedures for child victims of crime. In a previous reporting period, an international organization produced a manual for border agents that included victim identification guidance; however, the border agents did not consistently use the manual during the reporting period. NGOs noted government-employed social workers lacked training to identify trafficking victims, including in domestic work and commercial sex, and did not know where to refer identified victims for care.

MASEF managed seven centers nationwide for the short-term protection and social integration of vulnerable children, including potential trafficking victims, with financial support from an NGO; one of the centers in Nouakchott provided overnight care for child victims of crime. Child victims with disabilities were referred to MASEF’s Training and Social Promotion Center for Handicapped Children. The centers supported 120 vulnerable children, including potential trafficking victims, compared with 350 children during the previous reporting period. The centers could accommodate both domestic and foreign child victims. After short-term care, MASEF generally referred victims to NGOs for long-term care. In previous reporting periods, MASEF centers offered daytime services to vulnerable families, including psycho-social, food, and vocational assistance; however, due to the pandemic, MASEF suspended these services. NGOs continued to provide the majority of protective services to trafficking victims, including shelter, medical, legal, social, and educational assistance, without government financial or in-kind support. There was limited psychological support for trafficking victims. The government operated one day center in Nouadhibou for adult female victims of sexual violence, including potential trafficking victims, and placed them

with host families at night; the center also accommodated migrant and refugee women and girls. However, shelter and services for adult victims remained severely inadequate, rendering them vulnerable to re-trafficking. During the reporting period, the Mauritanian embassy in Saudi Arabia repatriated one female trafficking victim exploited in domestic servitude.

The government did not have a formal policy to encourage victims to assist in investigations and prosecutions against their alleged traffickers, nor did it report providing any services to protect them from threats or intimidation from their traffickers in doing so, including legal assistance, witness protection, or confidentiality protocols. NGOs reported the government often brought victims and accused traffickers together when interviewing, which placed enormous pressure on victims to change their testimony. The 2015 anti-slavery law provided for comprehensive legal assistance for victims of hereditary slavery and the creation of support centers in each province. In 2021, the government established legal aid offices in all regions and allocated 10 million MRU (\$270,270); however, they were not yet operational by the end of the reporting period. The government allocated an additional 3.6 million MRU (\$97,300) in the 2021 budget for legal assistance to victims of human trafficking but did not report on victims receiving such support during the reporting period. The law allowed victims to obtain restitution, although the complex and opaque legal system made such efforts extremely difficult; the Nouadhibou anti-slavery court awarded 500,000 MRU (\$13,510) in restitution to four victims. The government did not report whether the restitution was paid. Victims could also file civil suits against their traffickers, although victims lacked awareness of this option; according to an NGO, victims filed two civil suits against their traffickers but have not yet received compensation. Mauritanian law allowed potential victims to file for asylum or refugee status; the government did not report granting trafficking victims asylum or refugee status, although an international organization registered more than 4,000 refugees and asylum seekers eligible for these protections, including potential trafficking victims. The 2020 anti-trafficking law included provisions to protect trafficking victims from legal proceedings related to unlawful acts their traffickers compelled them to commit; however, victims of domestic servitude and sex trafficking remained vulnerable to penalization and imprisonment under fornication and adultery charges. Law enforcement officials jailed women suspected of engaging in commercial sex and held irregular migrants in detention until their refugee status was resolved without screening for trafficking. Under a 2003 agreement with Spain, Mauritania received deported migrants, including its citizens and third-country nationals presumed to have transited Mauritania en route to Spain. According to international organizations, the government processed and transported the migrants to the Senegal and Mali borders within hours of arriving in Nouadhibou without systematically screening for trafficking or allowing international organizations to offer protective services.

PREVENTION

The government increased efforts to prevent human trafficking. In November 2020, the government created a human rights inter-ministerial committee responsible for implementing the national action plan (NAP) to combat trafficking in persons. The prime minister's office coordinated the inter-ministerial committee, comprised of the Commissariat, Ministry of Justice, Ministry of Interior, Ministry of Economy, Ministry of Finance, Ministry of Health, Ministry of Education, MASEF, Ministry of Public Function, and Ministry of Foreign Affairs; the committee met once during the reporting period. The government allocated 5.4 million MRU (\$145,950) to implement the NAP, although officials acknowledged this amount was inadequate for full implementation. The government increased awareness-raising efforts during the reporting period. It organized, in collaboration with an NGO, a series of workshops to sensitize government authorities, local and international NGOs, and citizens in Nema and surrounding villages on the new anti-trafficking law. The National Commission for Human Rights led an awareness campaign through the eastern region of the country to sensitize the public on the new anti-trafficking law; the commission also conducted awareness campaigns to promote the anti-trafficking law and NAP targeting administrative, security, and judicial officials in Nouakchott, Zouerat, Atar, Rosso, Kaedi, and Selibaby. Through a grant program that provided more than 10 million MRU (\$270,270) to NGOs, including organizations combating human trafficking, the government supported an NGO conducting workshops on the new anti-trafficking law targeting civil society, law enforcement, and government officials.

During the reporting period, the Ministry of Islamic Affairs and Original Education granted 1.2 million MRU (\$32,430) to 995 *mahadras* (Quranic schools) in the Trarza region, supporting 34,640 students; the government conducted quarterly visits to some, but not all, *mahadras* that received assistance to verify they met certain standards, including not subjecting students to forced begging. The ministry continued implementing a program, which began in 2016, to modernize *mahadras* in poor areas to reduce students' vulnerability to forced begging by creating and financially supporting 150 new *mahadras*, creating four new regional institutes in Bourat, Boghé, Sélibabi and Kiffa, and providing scholarships to students. The ministry partnered with imams to provide literacy classes that addressed child rights issues, including child labor and child trafficking, for over 3,000 people. In previous reporting periods, the Agency for National Solidarity and the Fight against Exclusion (Taazour) provided education, economic opportunity, and health services to vulnerable communities, including communities traditionally subjected to hereditary slavery. The government allocated 4 billion MRU (\$108.1 million) over five years to Taazour in fiscal year 2020. Taazour provided direct cash assistance to more than 200,000 impoverished families in the largest cash transfer program in Mauritania's history during the reporting period. The Ministry of Youth launched a job creation program targeting vulnerable young people, largely from communities affected by hereditary slavery. For the second consecutive year, there were no reports the government harassed or prevented anti-slavery activists from operating in Mauritania during the reporting period. In February 2021, the government enacted the Law on Associations (“NGO Law”), allowing all NGOs, including anti-slavery NGOs, to legally operate in the country following a simplified registration process. Some critics reported the law contained administrative barriers that may burden smaller NGOs and permitted the government to retain the authority to suspend NGOs

engaged in activities that threaten the country’s morals. During the reporting period, the government provided financial support to an NGO to create a hotline for victims of crime, including trafficking; the hotline received over 6,300 calls, with operators speaking four local languages and French. The government made efforts to reduce the demand for commercial sex acts by arresting and convicting buyers of commercial sex; however, officials also arrested potential trafficking victims during these operations.

The Ministry of Labor trained 15 labor inspectors to monitor the labor market for violations, including child trafficking. However, the government struggled to regulate the large informal sector; it did not implement efforts to prevent abuse and screen for trafficking in this sector. Despite reports of labor abuses, including potential indicators of trafficking, the government rarely inspected fishing vessels, processing plants, and boat factories. In 2017, the government signed a memorandum of understanding with Saudi Arabia to increase protections for prospective domestic workers; according to NGOs, the government did not report on the effectiveness of the agreement to prevent trafficking. The government continued working with an international organization to study the scope of forced labor in Mauritania; the government did not release the report during the reporting period. The government continued partnering with an international organization to issue identification cards to Malian refugees—as well as birth certificates to Malian refugee children born in Mauritania—in Mbera camp to reduce vulnerability to trafficking. An international organization reported some hospitals refused migrants birth registrations; as a result, the government cooperated with the international organization to raise awareness and combat misconceptions related to birth registrations among hospital personnel. The government did not provide anti-trafficking training to its diplomatic personnel; however, all Mauritanian diplomats received internal anti-trafficking policy guidelines prior to their departure. The government did not provide anti-trafficking training to its troops prior to their deployment as peacekeepers; however, troops received pre-deployment briefings on human rights. Although not explicitly reported as human trafficking, there were five open cases of alleged sexual exploitation with trafficking indicators by Mauritanian peacekeepers deployed to the UN peacekeeping mission in CAR.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Mauritania, and traffickers exploit victims from Mauritania abroad. Adults and children from traditional slave castes in the Haratine (Black Moor) and Afro-Mauritanian (Halpulaar, Soninke, and Wolof) communities are subjected to hereditary slavery practices rooted in ancestral master-slave relationships, where they are often forced to work without pay as cattle herders and domestic servants. Although reliable data on forced labor and hereditary slavery do not exist, local and international experts state hereditary slavery continues to affect a small, but not insignificant, portion of the country’s population in both rural and urban settings. Many former slaves and their descendants remain in dependent relationships with the family of their former slaveholders due in part to cultural traditions as well as a lack of skills and alternate economic opportunities. Some former slaves reportedly continue to work for their former masters or others under exploitative conditions to retain access to land they had traditionally farmed. Corrupt *marabouts* force boys from Mauritania and other West African countries who study at *mahadras* to beg for food and money; boys from low-income families in the Halpulaar community and, increasingly, children with disabilities are particularly vulnerable. According to a 2018 survey, more than 50 percent of Mauritanian children under the age of five lack birth certificates. It is especially difficult for children of Haratine and Afro-Mauritanian descent to obtain birth certificates. Because secondary schools require birth certificates for enrollment, many children as young as age 12 cannot access education, increasing their vulnerability to trafficking. Fraudulent recruiters promise Mauritanian women and girls—especially those from the traditional slave castes and Afro-Mauritanian communities—shelter and education, but force them into domestic servitude, especially in larger cities such as Nouakchott, Nouadhibou, and Rosso. Children of Haratine and Afro-Mauritanian descent working in the fisheries sector are vulnerable to forced labor. An NGO reported traffickers coerce women and children to smuggle illicit drugs. West African women and girls, especially Senegalese and Ivoirians, are vulnerable to domestic servitude and sex trafficking in Mauritania. Traffickers also exploit Senegalese children in fishing and drug production. Refugees in Nouadhibou reportedly engage in commercial sex due to their dire financial situations, increasing their vulnerability to sex trafficking. Mauritanian, Nigerian, and Senegalese traffickers in the port city of Nouadhibou exploited Sub-Saharan African migrants transiting Mauritania en route to Morocco and Europe in forced labor and sex trafficking. Foreign agencies and Mauritanian intermediaries fraudulently recruit Mauritanian women for nursing and teaching jobs abroad and subsequently exploit them in domestic servitude and sex trafficking in the Gulf, including Saudi Arabia. Men from Middle Eastern and North African countries use legally contracted temporary marriages to sexually exploit Mauritanian girls and young women. Mauritanian women and girls from poor families enter these forced marriages, facilitated by brokers and travel agencies in both Mauritania and in the Middle East promising substantial payment, and are exploited as sex slaves and in sex trafficking in Saudi Arabia and other Gulf countries. Cuban nationals working in Mauritania on medical missions may have been forced to work by the Cuban government; the Mauritanian government ended its agreement with the Cuban government, and the doctors left the country in February 2021. In 2016, an international organization identified and removed from a refugee camp in southeastern Mauritania 16 Malian child soldiers aged 15-17 associated with Malian rebel groups; some of the victims had been recruited in Mali, and others allegedly had been recruited from the camp in Mauritania.

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