



International Covenant on Civil and Political Rights

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Human Rights Committee

Concluding observations on the initial report of Mauritania

Addendum

Information received from Mauritania on follow-up to the concluding observations*

[Date received: 1 May 2015]

1. The Government of Mauritania, through the Office of the Commissioner for Human Rights and Humanitarian Action, presents its compliments to the Special Rapporteur for follow-up to concluding observations of the Human Rights Committee and has the honour of providing him with the information requested in his letter of 13 April 2015 (reference: KF/fup – 113).

Paragraph 5 (B2)

(a) Publication of the Acts ratifying the human rights treaties and conventions

2. In December 2014, the Government published 11 texts related to human rights instruments (conventions, covenants and protocols) in the Official Gazette. The texts published were those of the Acts ratifying the following treaties, conventions, covenants and protocols and of the reservations entered by Mauritania:

- The International Convention on the Elimination of All Forms of Racial Discrimination;
- The International Covenant on Civil and Political Rights;
- The International Covenant on Economic, Social and Cultural Rights;
- The Convention on the Elimination of All Forms of Discrimination against Women;
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- The Convention on the Rights of the Child;

* The present document is being issued without formal editing.



- The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
- The Convention on the Rights of Persons with Disabilities;
- The International Convention for the Protection of All Persons from Enforced Disappearance;
- The Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- The Optional Protocol to the Convention on the Rights of Persons with Disabilities.

(b) Measures taken to raise judges', lawyers' and prosecutors' awareness of the Covenant

3. Several seminars have been organized at the national level on the provisions of the International Covenant on Civil and Political Rights, focusing on fair trial and the rights of persons in police custody. Judges and law officers, police officials, gendarmes, lawyers, registrars and bailiffs took part in seminars held for the courts of appeal of Nouakchott, Kiffa and Nouadhibou. Each seminar was attended by 70 participants.

(c) Cases where provisions of the Covenant have been invoked directly before the courts

4. The provisions of the International Covenant on Civil and Political Rights have been invoked before the courts and are directly applicable as a result of their publication in the Official Gazette. In the most recent such case, invocation of the provisions of the Covenant led to the release of a number of persons who had been imprisoned for debt.

Paragraph 14

(i) (C1): The definition and criminalization of torture

5. The bill on combating torture, transmitted to the Office of the United Nations High Commissioner for Human Rights (OHCHR) Country Office in Nouakchott and the Regional Office of the United Nations Office on Drugs and Crime, includes the definition of torture contained in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

(ii) (C2): Investigations of acts of torture

6. In case No. 1272/2012, the criminal court of Nouakchott sentenced eight members of the National Guard to terms of between 1 and 4 years' imprisonment for having tortured two detainees.

7. The bill on combating torture provides for heavier sentences for torturers.

(iii) (B2): Training of law enforcement personnel

8. The national police college runs a series of basic training courses for all recruits. In addition, each year the college organizes a number of lectures designed to bring criminal police officials up to date on the latest legal and judicial developments in the field of human rights.

9. The national gendarmerie college runs a similar series of courses and lectures.

10. The Ministry of Justice, in addition to providing basic training for judges, other law officers and registrars, also organizes an annual cycle of three lectures on human rights for judges and law officers at the headquarters of the courts of appeal. Moreover, every two months, workshops and seminars are held jointly with technical and financial partners on

issues requiring dialogue with officials in the justice system. The Ministry of the Interior and Decentralization also holds such lectures, workshops and seminars.

11. Lastly, those involved in the promotion and protection of human rights are provided with training by the Office of the Commissioner for Human Rights and Humanitarian Action on a range of issues, including the recommendations of the United Nations treaty bodies and special procedures.

(iv) (B1): Conditions governing access for NGOs to all places of deprivation of liberty

12. Regular access to places of deprivation of liberty is granted to the National Human Rights Commission (which carries out unannounced visits), national NGOs, the International Committee of the Red Cross, the Office of the United Nations High Commissioner for Refugees and international NGOs. No restrictions are imposed on those bodies.

13. The establishment of the national preventive mechanism will further strengthen monitoring of places of deprivation of liberty.

(v) (B2): National preventive mechanism

14. The bill on the national preventive mechanism was adopted on 26 February 2015 by the Council of Ministers and will be submitted to Parliament during the course of its next session, scheduled for May 2015.

Paragraph 17

(i) (C1): Outcome of alleged cases of slavery

(a) Outcome of cases allegedly related to slavery judged by courts

15. In total, 31 alleged cases of slavery-like practices have been heard by the courts: 8 in Nouakchott and 23 in the *wilayas* (regions) of Hodh El Gharbi, Hodh Ech Charghi, Tiris Zemour, Dakhlet Nouadhibou and Assaba.

(b) Number of prosecutions

16. The rulings corresponding to the above-mentioned cases resulted in sentences of immediate imprisonment (2 years), court supervision, fines (200,000 ouguiyas) and the award of civil damages to victims (600,000 ouguiyas).

(c) Special Court on slavery

17. A bill repealing and replacing act No. 2007-048 of 3 September 2007 making slavery punishable by law and criminalizing slavery-related practices was adopted by the Council of Ministers on 2 April 2015. The bill makes provision for the establishment of courts competent to hear cases of slavery and empowers judges and law officers informed of cases of slavery, as a matter of urgency, to systematically take any necessary precautionary measures against alleged perpetrators in order to protect the victims' rights.

18. This bill is scheduled to be adopted during the course of the May 2015 parliamentary session.

(d) See replies C1 (a) and (b).

(ii) **(B1): A number of significant measures have been taken relating to the roadmap for the eradication of modern forms of slavery, adopted by the Government on 6 March 2014.**

19. The following is a list of the measures taken:

- The setting up of an institutional steering mechanism, comprising an inter-agency committee chaired by the Prime Minister and made up of representatives of all the relevant ministerial departments, and a technical monitoring commission, made up of representatives of the State and human rights associations, including SOS Esclaves, the National Human Rights Commission and the OHCHR Country Office;
- A national action plan on the implementation of the roadmap was adopted on 30 September 2014 and a number of important measures have already been taken in that regard.

20. These include:

- The revision of act No. 2007-048 making slavery punishable by law and criminalizing slavery-related practices to enable human rights associations to sue for damages in criminal proceedings pending before the courts. As a result of the revision process, the 2007 Act was brought into line with the provisions of the international treaties on slavery;
- The organization of several awareness-raising campaigns on the illegal nature of slavery and the rights of persons affected by slavery;
- The adoption of a fatwa (opinion issued by an expert in Islamic law) on the illegal nature of the practice of slavery;
- The implementation of income-generating projects for populations affected by slavery, including through the actions of Tadamoun, the national agency for the fight against the legacy of slavery, for reintegration and for the fight against poverty. The agency has also built schools and school canteens in priority education zones and carried out social development work and other projects providing access to water, health care and other basic social services;
- The approval of a national action plan to combat child labour. This plan will be adopted by the Government and implemented in partnership with the International Labour Organization.

21. Other equally important measures are currently being taken in the fields of labour inspection, youth vocational training and the reform of land and property ownership.

(iii) **(B1): Awareness-raising campaigns**

22. Several awareness-raising campaigns in support of persons affected by the legacy of slavery are currently being run by human rights NGOs. The Ministry of Islamic Affairs and Traditional Education organized a series of seminars that demonstrated that slavery-like practices are in no way related to Islam and that they must be eradicated by making the public aware of their harmful nature. These seminars are backed up by the dissemination of Islamic teachings, weekly sermons and training for scholars on the argument against slavery-like practices.

Paragraph 19: Situation in prisons

(i) **(B2):**

Number of detention facilities	17
Capacity	1 830
Number of persons currently in detention	1 825

23. Prison capacity is greater than the number of detainees. However, the rise in crime in Nouakchott has led to overcrowding in that city's prisons.

(ii) **(B2): Measures taken to improve conditions of detention**

24. Work has recently been carried out to strengthen measures designed to improve conditions of detention, including through the following actions:

- The renovation of Aleg Prison;
- The renovation of Nouadhibou Prison;
- The renovation of the sanitation systems of Dar-naim Prison, Nouakchott Central Prison and the Women's Prison;
- The improvement of living conditions and food in the various prisons;
- The signing by the Ministry of Justice and the Office of the Commissioner for Food Security of an agreement on the provision of foodstuffs to prisons;
- The improvement of sanitation services in detention facilities;
- The development of sports and leisure activities and the organization of training and awareness-raising sessions for detainees.

25. In conclusion, the Government of Mauritania could like the information provided to the Special Rapporteur to be taken into account and remains ready to participate in a constructive dialogue with the Human Rights Committee and the Special Rapporteur on the observations and recommendations made to it following the presentation of its report at the 113th session of the Committee, held in Geneva from 16 March to 2 April 2015.
