

## MAURITANIA (Tier 3)

Mauritania is a source and destination country for men, women, and children subjected to conditions of forced labor and sex trafficking. Women, men, and children from traditional slave castes are subjected to slavery-related practices rooted in ancestral master-slave relationships. Reliable data on the total number of slaves do not exist, but according to the estimate of a respected Mauritanian NGO, slavery may affect up to 20 percent of the population, in both rural and urban settings. Held for generations by slave-holding families, they are forced to work without pay as cattle herders and domestic servants. Boys from within Mauritania and other West African countries – referred to as *talibes* – who are recruited to study at Koranic schools, are subsequently subjected to forced begging by some religious teachers, known as *marabouts*. Mauritanian girls, as well as girls from Mali, Senegal, The Gambia, and other West African countries, are forced into domestic servitude. Mauritanian women and girls are forced into prostitution in the country or transported to countries in the Middle East for the same purpose, and men from Middle Eastern countries used legally contracted “temporary marriages” as a means to sexually exploit young girls and women in Mauritania.

The Government of Mauritania does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government acknowledges that some forms of trafficking are a problem in the country, and during the year, it created a multi-stakeholder body to lead its efforts related to child trafficking, child smuggling, and child labor. Hereditary slavery was officially outlawed in 2007, but many officials do not recognize that the practice continues despite its prohibition, and instead apply the phrase “the consequences of slavery” to address the problem. There is no legal precedent to prove a case of slavery in court; civil society representatives believe the slavery law is nonoperational in practice. During the year, however, the government arrested – following significant pressure from civil society groups and a violent protest – an alleged slave-master and convicted her of the separate crime of child exploitation, signaling what some observers believe to be a new willingness, albeit tenuous, to punish trafficking offenders using other criminal statutes. The offender spent 12 days in prison before filing an appeal that led to her acquittal, while an anti-slavery activist spent one month in prison for his role in the events before receiving a presidential pardon. The government did not take proactive measures to identify trafficking victims or provide them with protective services, and it continued to jail individuals in prostitution and detain illegal migrants without screening either population for trafficking victims.

**Recommendations for Mauritania:** Increase efforts to investigate and prosecute trafficking offenses, including cases of traditional slavery, and convict and punish offenders using the 2003 Law Against Trafficking in Persons; ensure that efforts to hold parents criminally liable for their involvement in sending their children away from home are accompanied by efforts to prosecute and convict the traffickers who force children into servitude; train law enforcement to identify trafficking victims among vulnerable populations, such as women in prostitution and those in traditional slavery, and refer them to protective services; consider amending Law 2007-048, which outlaws slavery, to allow civil society organizations to file complaints on behalf of slaves; provide support for and access to legal assistance for trafficking victims; increase efforts to coordinate with NGOs to arrange protective services for trafficking victims; formalize the structure of the multi-stakeholder group (TTTE) to coordinate anti-trafficking efforts related to children; with input from civil society representatives, develop a plan to provide economic resources — financial or property — to empower members of traditional slave castes to live independently; and increase efforts to raise public awareness about trafficking and traditional hereditary servitude.

## Prosecution

The government demonstrated modest progress in its anti-trafficking law enforcement efforts during the reporting period. All forms of trafficking except hereditary slavery are prohibited through Mauritania's 2003 Law Against Trafficking in Persons, which prescribes penalties of five to 10 years' imprisonment; these penalties are sufficiently stringent and exceed those prescribed for rape. Slavery is prohibited by Law 2007-048, which was enacted in September 2007. This law defines slavery and prescribes a sufficiently stringent penalty of five to 10 years' imprisonment. The law's effectiveness, however, is impaired by its requirement that slaves file a legal complaint before a prosecution can be pursued, as well as its barring of NGOs from filing complaints on behalf of slaves. Many slaves are illiterate and unable to complete the paperwork involved in filing a complaint.

The government provided no support for programs to assist victims to file complaints on slavery. In December 2010, the government initiated an investigation into an alleged case of slavery in which a woman in Nouakchott, an employee of a prominent government institution, was accused of enslaving two children as domestic servants. This arrest occurred after significant pressure from civil society groups and a violent protest, which led to the imprisonment of a prominent anti-slavery activist on charges of obstructing public order, assaulting law enforcement, and operating an unauthorized organization. The activist was pardoned after serving one month of a six month prison sentence. The government prosecuted the case of the alleged slave-master as a lesser crime of child exploitation, and in January 2011, it convicted and sentenced her to six months in prison. However, due to a technical error, the cause of which is not known, the necessary documentation to put her in jail – a *mandat de depot* – was not signed, and she was not sent directly to prison. The government succeeded in its initial appeal to have the *mandat de depot* signed and the offender spent 12 days in prison before being released. In March 2011, she was acquitted by the Court of Appeals of Nouakchott. NGOs report that this case represented the first time an alleged slave-master was prosecuted and convicted of exploitation in court. Additionally, the government convicted two women, the mothers of the two victims, who had received payment for their daughters' exploitation as domestic servants; each received a six-month suspended prison sentence. The government did not investigate or prosecute any additional cases during the reporting period, and NGOs report that slavery victims were often pressured to withdraw legal complaints. There is no evidence of government officials' complicity in trafficking, though civil society representatives argue that judicial failure to pay due attention to slavery cases brought to their attention amounts to tacit complicity. No investigations were initiated or administrative sanctions applied to any government officials accused of complicity in trafficking. The government did not provide specialized training for law enforcement and immigration officials on identifying trafficking victims.

## **Protection**

The Government of Mauritania demonstrated negligible efforts to protect victims of human trafficking, including traditional slavery. It continued to run two National Centers for the Protection and Social Integration of Children, which provided services to trafficking victims in previous years, but it is not known whether any received care from these shelters during the reporting period. Victim services, if any, were provided by NGOs, and the government did not play a role in coordinating these efforts. One NGO reported identifying 77 victims of traditional slavery and 277 other victims of trafficking during the year. The government did not employ a process of referring identified trafficking victims to institutions that provided short- or long-term care. The government also did not take steps to identify trafficking victims among vulnerable populations; illegal migrants were detained and placed in the Migrant Detention Center at Nouadhibou until their expulsion from the country, and women suspected of prostitution were often jailed without the government making any attempt to identify trafficking victims among either population. The government

did not encourage victims to assist in the investigation and prosecution of human trafficking cases, and there were no precedents of victims filing civil suits against trafficking offenders.

## **Prevention**

The Government of Mauritania made limited efforts to raise awareness of trafficking during the last year. It took steps to coordinate anti-trafficking efforts by creating a multi-stakeholder group, TTTE, composed of representatives from government, NGOs, and international organizations, to lead the government's efforts related to child trafficking, child smuggling, and child labor. The group reportedly held informal meetings during the year and drafted a document to formalize its structure. In 2010, the government, in conjunction with civil society, conducted a campaign using television, radio, and print media to educate the public about human rights and the anti-slavery law. The government reauthorized \$3.4 million for the Program to Eradicate the Consequences of Slavery, but did not clearly define how these funds would be allocated, or whether any funds would support prosecution or victim protection efforts, as opposed to generalized anti-poverty programs. The government did not release the National Action Plan to Fight Trafficking in Persons that it began drafting with an international organization in the previous reporting period. The government made no efforts to reduce the demand for forced labor or commercial sex acts.