

# MAURITANIA

## 1. PRESENTATION<sup>1</sup>

Basic Facts <sup>2</sup>	
<b>Name of Country</b>	Islamic Republic of Mauritania (Mauritania)
<b>Capital</b>	Nouakchott
<b>Population</b>	3,177,388 (July 2006)
<b>Area</b>	1,030,700 sq km
<b>Average Life Expectancy</b>	53.12 years (2006 estimate)
<b>Ethnic Groups</b>	Mixed Maur/Black 40%, Moor 30%, Black 30%
<b>GDP per capita, PPP</b>	\$2,200 (2005 est.)

Community of Democracies	
<b>Previous participation</b>	None

### Timeline of Recent Major Events in Mauritania:

- **1984** – Coup brings Colonel Maaouiya Ould Sid Ahmed Taya to power.
- **1989** – Hundreds dead and over 65,000 black Mauritians driven into Senegal after race riots erupt following a border dispute between both countries.
- **1991** – New Constitution adopted.
- **1992** – Presidential elections: President Taya re-elected.
- **1997** – Presidential elections: President Taya re-elected. Elections boycotted by main opposition parties.
- **2002** – Opposition party Action for Change banned.
- **2003 June** – Attempted coup.
- **2003 November** – Presidential elections: Taya re-elected with 67 percent of vote in first round. Opposition alleges fraud.
- **2003 December** – Former President Haidallah is fined and given suspended prison sentence for plotting coup.
- **2004 August** – Army officers arrested in wake of alleged coup plot.
- **2004 September** – Government says it has foiled the third coup plot in 15 months.
- **2005 August** – Coup overthrows President Taya. Military council formed promising to hold presidential elections in 2007.
- **2005 October** – Military Council announces 18-month plan to restore democracy.
- **2006 February** – Offshore oil production begins (oil discovered in 2001 in the offshore Chinguetti deposit). Revenues expected to boost Mauritania's economy.
- **2006 June** – Referendum approves constitutional changes which will limit the presidential term to a maximum of two consecutive five-year terms in office.

<sup>1</sup> Principal author: Democracy Coalition Project

<sup>2</sup> Source: CIA World Factbook at <http://www.cia.gov/cia/publications/factbook/index.html> (Last accessed on 10 August 2006).

# MAURITANIA

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- **2006** November – Legislative and municipal elections held. Second round takes place on December 3, 2006.
- **2007** January – Senatorial elections held on January 21.
- **2007** March – Presidential polls set for March 11.

## 2. BACKGROUND

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Mauritania's recent political evolution is entirely defined by the coup d'état that ousted former President Maaouya Ould Sid'Ahmed Taya on 3 August 2005 and installed a Military Council for Justice and Democracy (*Conseil Militaire pour la Justice et la Démocratie*, CMJD) led by the former head of national security, Colonel Ely Ould Mohammed Vall. The CMJD rapidly pledged to put to an end Mauritania's long history of autocracy and flawed democracy by initiating a process of democratic transition scheduled to culminate in a presidential election on March 11, 2007. The transition is being carried out by a provisional, technocratic government appointed by the CMJD.

The main question regarding Mauritania's future is whether the current leaders will honor their commitment to carry out a true democratic transition in a country that has suffered more than 20 coups or coup attempts in its 46 years of independence. The ousted President Taya himself seized power in December 1984 through a bloodless military coup with the promise to lead the country to democratic rule. Under Taya, only formal democracy was achieved. The July 1991 constitution and the successive elections and civilian governments were a mere façade to a de facto one-party system under his *Parti Républicain Démocratique et Social* (PRDS). The Taya regime repeatedly attacked civil liberties, favored ethnic discrimination and guaranteed the exploitation of the country's limited resources by tribal groups belonging to the light-skinned Maur elite. Autocracy, corruption, arbitrary justice and the absence of independent political, electoral and media institutions were the norm under President Taya.

A combination of disenchantment and multiple de-stabilizing factors led to the overthrow of the Taya government, whose unpopularity was high as a result of corruption, attacks on human rights and extreme inequity. In addition, power struggles within the armed forces followed the President's favoring of loyal elitist cadres, together with a growing rivalry among economic elites over the new wealth created by forthcoming oil exploitations<sup>3</sup>. According to the government, coup attempts were aborted in June 2003 (leaving 150 dead after two days of fighting in Nouakchott), August 2004, and September 2004<sup>4</sup>. Taya blamed radical Islamists with the support of countries like Burkina Faso and Libya for the coup attempts, seizing the opportunity to crush the political opposition, particularly Islamist parties. His main rival in the November 2003 presidential elections, Mohamed Khouna Ould Haidalla, was detained the day after the elections for allegedly plotting a coup<sup>5</sup>. The instability caused by a new insurgent group called the *Cavaliers du Changement* (Knights of Change) and the killing of 15 soldiers in

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<sup>3</sup> International Crisis Group, *La Transition Politique en Mauritanie: Bilan et Perspectives*, 2006, pp1-5,17.

<sup>4</sup> 'Mauritania's power struggles' (3 August 2005) BBC News, at <http://news.bbc.co.uk/2/hi/africa/4743707.stm> (Last accessed on 16 August 2006).

<sup>5</sup> Freedom House, *Freedom in the World 2006*.

## MAURITANIA

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an Islamist attack on a troop station in Lemgheity, close to the border with Algeria, exacerbated the feeling of insecurity and extreme tension in the middle of 2005. This unstable context prompted the military to intervene and seize power on 3 August 2005, while Taya attended the funeral for King Fahd, in Saudi Arabia<sup>6</sup>.

The actions undertaken by the provisional government during the last year and a half have been encouraging, and there seems to be a genuine will to lead the country to a truly democratic system by the spring of 2007 (the transitional process has actually been reduced from the initial 24 months—August 2005 to August 2007—to just 19 months). Measures carried out include an amnesty for political prisoners held by the previous regime and the gradual implementation of most of the 24 commitments guaranteeing basic rights and freedoms which the transitional government made to the European Union in exchange for its support of the transition<sup>7</sup>. More significantly, the junta announced a timeline to restore democracy following a process of national consultations with political parties and civil society representatives (National Consultation Conference, October 2005<sup>8</sup>). The transitional calendar culminates in a presidential election on 11 March 2007<sup>9</sup>. A constitutional referendum held on 25 June 2006, municipal and legislative elections held on 19 November 2006 and December 3<sup>rd</sup> (second round), and senatorial elections held on 21 January 2007 have already provided the first advancement towards a democratic transition process that, nonetheless, still needs to pass its most important test in March.

### 3. ANALYSIS

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Mauritania's transitional government has taken positive steps towards the establishment of an effective democratic system. According to the US State Department 2006 Country Report on Mauritania, the government's human rights record has also experienced some important improvements in certain areas, although human rights standards are still very low. The lack of more contemporary reports and information on Mauritania makes it difficult to provide an accurate assessment of the situation on the ground. In general, democracy and human rights are negatively affected by the many problems the country faces, such as persistent drought, desertification, natural disasters, rapid urbanization, overwhelming poverty, and harsh living conditions<sup>10</sup>. These challenges will make the ongoing democratic transition a complicated process. Nevertheless, most accounts and analysis point out that Mauritania faces a historic opportunity for change, with "censorship being abolished, party politics blossoming and the legislature being liberated from political influence<sup>11</sup>".

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<sup>6</sup> Op. cit. ICG Report, pp5-6.

<sup>7</sup> One of the key commitments that have not been implemented is the electoral redistricting to correct regional disparities.

<sup>8</sup> Club of Madrid, *Mauritania: The Challenge to a Bid for Democracy*, 2006, p8.

<sup>9</sup> A potential second round is scheduled on 25 March 2007.

<sup>10</sup> U.S. State Department, *Mauritania: Country Report on Human Rights Practices*, 2006.

<sup>11</sup> 'Coup plot uncovered in Mauritania' (20 June 2006) Afrol News, at <http://www.afrol.com/articles/20056>. (Last accessed on 21 June 2006).

# MAURITANIA

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## Democratic Institutions

Formal democratic rule was suspended following the 3 August 2005 coup. However, despite the current lack of a functioning democratic system, important steps have been made to restore democratic institutions. The constitutional amendments introduced following the June 2006 referendum are a critical milestone in this transition process and provide a positive encouragement for the reforms ahead.

### *Constitution and Institutions*

Mauritania is a military-ruled republic, where the Chairman of the CMJD, Colonel Ely Ould Mohammed Vall, is also the head of state. The 17-member military junta retains ultimate power, but governing functions lie with the 24-member transitional cabinet appointed by the CMJD. The veteran politician Sidi Mohamed Ould Boubakar holds the office of Prime Minister.

Under the CMJD the executive has reinforced its traditional control over the remaining constitutional powers. The bicameral legislature (56-seat Senate or *Majlis al-Shuyukh* and 95-seat National Assembly or *Majlis al-Watani*), which traditionally exercised little independence from the executive, was dissolved by the Military Council after the August 2005 coup<sup>12</sup>. However, legislators are expected to resume their work after the inauguration of the new president in the spring of 2007. The successful National Assembly elections held on November 19<sup>th</sup> and December 3<sup>rd</sup> 2006 and the Senate elections celebrated on January 21<sup>st</sup>, 2007, are gradually restoring power to the Parliament.

The main reform in Mauritania's constitutional order was approved in the referendum held on 25 June 2006, defined by the CMJD as the "backbone of political change in the country"<sup>13</sup>. With a participation officially estimated at 76.36 percent<sup>14</sup>, 96.96 percent of referendum voters approved limiting presidential tenures to a maximum of two five-year terms, from the previous six-year term of office renewable indefinitely. Future presidents will also be forced to take an oath not to revise or back any efforts to change the law with respect to presidential terms. Other reforms include setting a maximum age limit of 75 for the president and the recognition of the right of the parliament to censure the government and cast a vote of no confidence in it. Therefore, although the revised constitution still provides for a presidential regime where the head of state enjoys great power, the profile of the legislature is moderately improved. In addition, members of the military junta and transitional government have announced that they will not stand as candidates in the 2007 election, promising to relinquish power peacefully.

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<sup>12</sup> Legislative power is held by a National Assembly and a Senate. The former has 81 members elected for a five year term in single-seat constituencies. The later has 56 members, 53 elected by municipal councilors for a six year term and renewed in 1/3 every two years, and 3 members elected by Mauritians abroad.

<sup>13</sup> President Vall, quoted in 'Q&A: Mauritania Referendum' (23 June 2006) BBC News, at <http://news.bbc.co.uk/2/hi/africa/5109116.stm> (Last accessed on 19 July 2006).

<sup>14</sup> 'Mauritania's constitution gets 96.96% yes vote' Middle East Online (06-28-2006), at <http://www.middle-east-online.com/english/mauritania/?id=16850> (Last accessed on 06-29-2006).

## MAURITANIA

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In any case, nascent democratic institutions in Mauritania are weak and will have to be built almost from scratch given their manipulation and abuse during the old Taya regime. The lack of a genuine democratic tradition and the persistence of strong tribal institutions and practices pose a serious handicap for the rooting of democracy in the country<sup>15</sup>. The limited scope of decentralization measures introduced since 1992 also adds another challenge to the country's institutional future.

### *Elections*

Successive presidential elections held in Mauritania in 1992, 1997 and 2003 were widely regarded as marred by fraud. In addition, the Taya regime frequently foiled the growth of opposition parties through intimidation and manipulation of the legal system, leading to frequent boycotts of consultations and institutions by opposition parties which only obtained marginal representations at the local and national legislative levels<sup>16</sup>.

This poor precedent contrasts with the relative success of the three elections organized so far by the CMJD: the 25 June 2006 constitutional referendum, the 19 November and 3 December 2006 legislative and municipal elections, and the 21 January 2007 senatorial elections. International observers from the African Union and the Arab League praised the organization and the ballot recount of the former<sup>17</sup>, while the local NGO *SOS Esclaves*, prosecuted in the past during the Taya regime, also defined the election as “serene, transparent and well organized”<sup>18</sup>. Only two small parties—the Alliance for Justice and Democracy and the Party for the Third Generation—boycotted the referendum, on the grounds that the new constitution did not provide a solution for the ethnic discrimination suffered by the black population of the country<sup>19</sup>.

With regard to the November-December 2006 consultation, observers declared the poll electing 95 members of parliament and 200 local councils fair and free of incidents. Participation was high, at 69,5%, and the European Union observer mission estimated the election was an important step forward in the process of democratic consolidation in the

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<sup>15</sup> As acknowledged by Mauritanian Minister of Foreign Affairs, H.E. Ahmed Ouls Sid' Ahmed, in a speech at the Middle East Institute, Washington D.C. (31 January 2006).

<sup>16</sup> Only the October 2001 legislative and municipal elections were considered relatively fair and transparent by international observers. At this consultation, and reversing their previous trend to boycott elections, the opposition totaled 11 seats of the total 81 seat-National Assembly and 15% of the municipal posts.

<sup>17</sup> ‘Constitutional changes get nod in Mauritania’ (27 June 2006), at [http://www.int.iol.co.za/index.php?click\\_id=68&art\\_id=vn20060627005315354C492685&set\\_id](http://www.int.iol.co.za/index.php?click_id=68&art_id=vn20060627005315354C492685&set_id) (Last accessed on 18 July 2006).

<sup>18</sup> ‘Mauritania: Voters embrace pro-democracy reforms’ (27 June 2006) IRIN News, at <http://www.irinnews.org/print.asp?Report ID=54238> (Last accessed on 9 August 2006).

<sup>19</sup> ‘Mauritania gives thumbs up for new Constitution’ (26 June 2006), The Guardian, at [http://www.mg.co.za/articlePage.aspx?articleid=275477&area=/breaking\\_news/breaking\\_news\\_africa/](http://www.mg.co.za/articlePage.aspx?articleid=275477&area=/breaking_news/breaking_news_africa/) (Last accessed on 9 August 2006). Also: ‘La junta militar de Mauritania impulsa una reforma democrática’ (26 June 2006), El País, at [http://www.elpais.es/articulo/internacional/junta/militar/Mauritania/impulsa/reforma/democratica/elpprint/20060626elpepiint\\_13/Tes/](http://www.elpais.es/articulo/internacional/junta/militar/Mauritania/impulsa/reforma/democratica/elpprint/20060626elpepiint_13/Tes/) (Last accessed on 27 June 2006).

## MAURITANIA

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country.<sup>20</sup> Provisional results of the 21 January 2007 senatorial election (15 seats will be decided in second round to be held at an unknown later date) indicate a boost for independent candidates and an absence of clear majorities in the new parliament<sup>21</sup>. This trend could be reaffirmed in the March 11 presidential elections, since more than half of the 21 candidates registered represent independent candidacies<sup>22</sup>.

The success of the June 2006 referendum and legislative and municipal elections held throughout the last three months gives credibility to the work of the National Independent Election Commission (CENI), which oversaw these polls and will supervise future elections. Established by the CMJD on 14 November 2005, the CENI is formed by 15 respected, independent, high-profile individuals. Its role is to guarantee the transparency of the electoral process, partly thanks to a decentralized structure of local independent electoral commissions in the regions, departments and districts that began operating on 14 February 2006. The African Union has welcomed CENI's work in elaborating a valid, transparent and reliable electoral census to update voter lists, a process known as RAVEL<sup>23</sup>.

Despite this approval, a Club of Madrid survey mission that visited Mauritania in early 2006 pointed out the doubts that members of the CENI have of the clarity of their mandate; it also criticized the body's ties to the Interior Ministry<sup>24</sup>. Several Mauritanian political parties also questioned CENI's performance during RAVEL and the June referendum, finding it too deferential to the Ministry of the Interior to fulfill its mandate properly. CENI, for instance, failed to press the administration to remain neutral ahead of the referendum, while the methodology used by RAVEL to calculate the number of registered voters remains questionable. Nonetheless, and regardless of shortcomings in voter registrations and observer accreditation standards, CENI's performance and resolve have greatly improved in the last municipal and parliamentary elections.

### Rule of Law

Rule of law is weak in Mauritania. The country lacks a strong judiciary, although judicial reforms undertaken by the CMJD seem to be slightly improving its independence, according to governmental sources<sup>25</sup>. The new regime gave an important step forward in the reinforcement of the rule of law by revoking Article 104 of the 1991

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<sup>20</sup> European Union (6 December 2006), *Declaration Préliminaire Mission d'Observation Electorale Mauritanie 2006*, online at <http://www.eueommauritania.org/preliminary.pdf> (Last accessed on 18 December 2006).

<sup>21</sup> 'No clear winners in Mauritania poll' (24 January 2007), IOL, at [http://www.iol.co.za/index.php?set\\_id=1&click\\_id=86&art\\_id=qw1169586905367B256](http://www.iol.co.za/index.php?set_id=1&click_id=86&art_id=qw1169586905367B256) (Last accessed on 30 January 2007).

<sup>22</sup> 'Over 20 candidates register for Mauritania's presidential elections' (27 January 2007), People's Daily Online, at [http://english.people.com.cn/200701/27/eng20070127\\_345236.html](http://english.people.com.cn/200701/27/eng20070127_345236.html) (Last accessed on 29 January 2007).

<sup>23</sup> African Union Report, *Brief on the Developments in the Transition Process in the Islamic Republic of Mauritania*, 2006, p5.

<sup>24</sup> Op. cit. Club Madrid Report, p15.

<sup>25</sup> Op. cit. Speech by Mauritanian Minister of Foreign Affairs.

## MAURITANIA

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Constitution, which granted exceptional powers to the head of state to limit fundamental liberties and freedoms.

Mauritania's legal system is a combination of sharia and French civil law, with the former dominating family and civil matters<sup>26</sup>. Arbitrary arrest and prolonged pretrial detention were common during the previous regime. Although the new regime has significantly reduced them, it has not demonstrated a willingness to address the abuses committed by state forces during the Taya regime and prosecute past wrongdoings of the elites in power<sup>27</sup>. Impunity not only questions the strength of the rule of law, but also raises serious doubts regarding the CMJD's real willingness to break with the past. *SOS Esclaves* has recently accused Colonel Vall of encouraging impunity and "double speaking"<sup>28</sup>.

### **Freedom from arbitrary detention, cruel or inhumane punishment**

Arbitrary detentions have considerably decreased following the overthrow of President Taya, whose regime was notorious for detaining political opponents and allowing security forces to operate with impunity<sup>29</sup>. According to Amnesty International, dozens of people, including prisoners of conscience, were detained during 2005, particularly during the last months of the Taya regime<sup>30</sup>. The CMJD reversed most of these arbitrary detentions through the general amnesty granted on 5 September 2005 and has improved the degree of accountability in the operations of security forces<sup>31</sup>. However, it has reiterated that 17 Salafist prisoners accused of terrorist activities do not qualify for the political amnesty, a maneuver that certain observers interpret as a possible attempt to decimate the legitimacy and strength of the serious political opposition that Islamist groups can build<sup>32</sup>.

According to Amnesty International, torture and ill-treatment continued to be widespread and systematic in police stations as well as during arrests. There were also continuing concerns about the health of many prisoners, some of them reported to have been denied access to appropriate medical attention and held in harsh conditions<sup>33</sup>. Reports of torture and accusations of beatings in the Ouad Naga prison by some of the political prisoners released in September 2005 have not been independently investigated by the government<sup>34</sup>.

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<sup>26</sup> Op. cit. Freedom in the World 2006.

<sup>27</sup> Economist Intelligence Unit, *Mauritania Country Report*, July 2006, p7.

<sup>28</sup> 'NGO accuses Mauritanian military ruler of encouraging impunity' (1 October 2006) Angola Press, at [www.angolapress-angop.ao/noticia-e.asp?ID=476677](http://www.angolapress-angop.ao/noticia-e.asp?ID=476677) (Last accessed on 2 October 2006).

<sup>29</sup> Op. cit. Freedom in the World 2006.

<sup>30</sup> Amnesty International, *Human Rights Report 2006*.

<sup>31</sup> Op. cit. Club Madrid Report.

<sup>32</sup> Op. cit. Economist Intelligence Unit, p15.

<sup>33</sup> Op. cit. Amnesty International Report 2006.

<sup>34</sup> Op. cit. State Department Report 2006.

## Freedom of Thought, Expression and Association

### *Political Parties*

As a basic element in the normalization of democratic life in Mauritania, the CMJD has favored the creation and registration of numerous new political parties<sup>35</sup>, loosening restrictions on freedom of association that characterized the previous regime. On 26 February 2006, an edict reintroduced the principle of independent candidacies. Previously, one of the first measures undertaken by President Vall was an amnesty for Mauritians accused of political offences, leading to the liberation of approximately 100 political prisoners. Many political activists exiled during the Taya presidency also returned to Mauritania following the August 2005 coup

A fluid dialogue with opposition groups from the early days following the coup led to the celebration of a month-long National Consultation Conference in October 2005, where government authorities and representatives of political parties and civil society agreed on the calendar for a democratic transition and substantive governance and judiciary reforms<sup>36</sup>.

Parties have undergone some degree of consolidation, favored by the amnesties and exile returns<sup>37</sup>. According to an African Union report, the leaders of political organizations such as “*Conscience et Résistance*”, “*Cavaliers du Changement*” and the African Liberation Forces of Mauritania (FLAM), “have, since their return to Mauritania, rejoined the ongoing process and are actively participating in the political life of the country”<sup>38</sup>. Positive steps have also been taken in order to incorporate the old regime into the new political landscape through the conversion of the former ruling PRDS into the *Parti Républicain et Démocratique pour le Renouveau* (PRDR). The fact that the new party will fully participate in the oncoming elections—though former President Taya’s return to the country was conditioned on his refraining from running for office in the March 2007 presidential poll—could signal a positive evolution towards a definitive emancipation of the new PRDR from Taya’s influence<sup>39</sup>.

Despite progress, the normalization of political parties is far from complete. A handful of black African activist groups and Islamist parties are still illegal, like the Party of Democratic Convergence, banned in October 2005 under accusations of radical Islamism<sup>40</sup>. According to analysts, the main challenge that Mauritania’s political system faces is the complexity of the landscape of political organizations. A vast array of minor parties (over 35), most lacking in resources, make an agreement on the rules governing

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<sup>35</sup> Op. cit. Economist Intelligence Unit, p4.

<sup>36</sup> Op. cit. Club Madrid Report, p12.

<sup>37</sup> Op. cit. Economist Intelligence Unit, p8. Also: Op. cit. ICG Report, p9.

<sup>38</sup> **Op. cit. African Union Report, p2.**

<sup>39</sup> Op. cit. Economist Intelligence Unit, p13.

<sup>40</sup> Op. cit. Freedom in the World 2006.

## MAURITANIA

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the funding of political parties very difficult<sup>41</sup>. This situation has forced parties to form alliances to compete in the forthcoming presidential election<sup>42</sup>.

Another issue of concern is the alleged attempt by members of the CMJD to influence the political process by meddling in the internal appointments of PRDR candidates to the municipal and legislative elections, a maneuver denounced in late September 2006 by the contending *Coalition des Forces du Changement Democratique* (CFCD)<sup>43</sup>. Although certain commentators have denounced Sidi Ould Cheikh Abdallahi, the frontrunner in the presidential elections, as a front man for the junta, such accusations seem to have little basis, as others also portray Abdallahi as former president Taya's man<sup>44</sup>.

### *Civil Society*

International human rights groups and NGOs have generally operated without much restriction in Mauritania, although the former government only officially recognized three NGOs and refused recognition to several others, denying them the opportunity to request government assistance. Only during its last months in power did the Taya regime legalize some NGOs and civil groups previously banned (Mauritanian Association for Human Rights, International Study and Research Group on Democracy and Economic and Social Development in Africa, *SOS Esclaves*). This was a last minute tactic to ease the growing political tension<sup>45</sup>.

The CMJD has continued this positive trend, favoring official recognition of the research carried out by these groups and welcoming the formation of new organizations, like the recently created Mauritanian Watchdog for the Promotion of Law and Democracy (OMPDD). The new group will monitor violations of law and democratic principles and will publish half-yearly reports on the state of individual and collective rights in the country<sup>46</sup>. Another important coalition of human rights organizations recently recognized by the government is the *Forum des Organisations des Droits Humains* (FONADH), which includes relevant groups like *SOS Esclaves* and GERDDES-Mauritania<sup>47</sup>.

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<sup>41</sup> 'Money, tactics derail Mauritania's transition debate' (23 May 2006) Afrol News, at <http://www.afrol.com/articles/19354> (Last accessed on 12 August 2006).

<sup>42</sup> 'Mauritania candidate gets boost' (30 January 2007), BBC News, at <http://news.bbc.co.uk/2/hi/africa/6313217.stm> (Last accessed on 31 January 2007).

<sup>43</sup> See various articles at the Nouakchott Info at <http://www.mapeci.com/index.php> (Last accessed on 2 October 2006)

<sup>44</sup> Op.Cit. BBC News 'Mauritania candidate gets boost'.

<sup>45</sup> Op. cit. Club of Madrid Report, p7. Also: Op. cit. Amnesty International Report 2006.

<sup>46</sup> 'Civil society forms democracy watchdog in Mauritania' (6 August 2006) Angola Press, at [www.angolapress-angop.ao/noticia-e.asp?ID=465024](http://www.angolapress-angop.ao/noticia-e.asp?ID=465024) (Last accessed on 21 August 2006).

<sup>47</sup> Mauritanian branch of the International Study and Research Group on Democracy and Economic and Social Development in Africa (GERDDES-Africa).

# MAURITANIA

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## *Freedom of religion*

Despite being an Islamic state in which “by statute, all citizens are Muslims who may not possess other religious texts or enter non-Muslim households”, freedom of religion is not a real problem in Mauritania. Non-Muslims are permitted to worship privately, and some churches operate openly<sup>48</sup>. Former President Taya firmly targeted Muslim extremism, and the current regime also combats radicals, although it liberated 21 Islamists jailed by Taya.

## *Freedom of Assembly*

Although Mauritanian law provides for freedom of assembly, the former government often restricted it in practice, using violence to disperse demonstrations and protests. The transition government has largely respected this right except in two pro-Taya demonstrations, a human-rights march, and a sit-in protesting the return of refugees<sup>49</sup>.

## **Freedom of the Press**

According to international observers, press freedom is the area in which the CMJD has achieved most improvement. Reports talk about a “genuine springtime” for the media in Mauritania<sup>50</sup>. Although newspapers still have to undergo ministerial scrutiny before publication, censorship is to be abolished under the draft law on press and audiovisual reform made public in June 2006 and elaborated by a National Consultative Commission created in December 2005. The new law also defines the journalism profession and eases the requirements in order to establish new media<sup>51</sup>. The Provisional Government has also legalized the Association of Editors of Independent Press (AEPI) and appointed an independent figure to head the Mauritanian Information Agency (AMI)<sup>52</sup>. Another positive measure has been the lifting in late 2005 of the ban that the Taya regime had imposed on Radio France International.

Despite substantial advances, freedom of the press still confronts serious challenges in Mauritania. Access by political parties and civil society to the media remains limited, and the lack of means makes the development of a truly independent, private media sector difficult. While there are already approximately 25 privately owned newspapers, it will be harder to emancipate the audiovisual sector from the state’s control. In addition, the Mauritanian constitution still has strong provisions against the dissemination of reports deemed to “attack the principles of Islam or the credibility of the state, harm the general interest, or disturb public order and security”<sup>53</sup>. Finally, although the record of censorship and prosecution of journalists has significantly improved, the transitional government has been involved in occasional episodes of censorship, like the banning in

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<sup>48</sup> Op. cit. Freedom in the World 2006.

<sup>49</sup> Op. cit. State Department Report 2006.

<sup>50</sup> Op. cit. Report Club of Madrid, pp9, 13.

<sup>51</sup> Op. cit. African Union Report, p4.

<sup>52</sup> Op. cit. ICG Report, p11.

<sup>53</sup> Op. cit. Freedom in the World 2006.

## MAURITANIA

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August 2005 of an edition of the French-language newspaper *Le Mehariste* that included a story on slavery, or the prohibition on 3 October 2005 of a televised program in which political parties discussed sensitive issues of repatriating displaced Afro-Mauritanians. Two newspaper employees of the weekly *Points Chauds* were also arrested on October 2005 for publishing a story on a pornographic film reportedly made in Nouakchott's central prison<sup>54</sup>.

### Slavery

Although slavery was officially banned in 1981, Mauritania continues to be one of the few places in the world where this terrible practice persists, particularly in remote regions of the east and southeast, where education levels are low and a greater need exists for manual labor<sup>55</sup>. In 2003, the government passed a law making slavery a crime and providing for severe punishment of violators. However, slavery continues along ethnic lines, with the dominant Maur community continuing to expect the oppressed Haratins to provide them with free services. An estimate of a few thousand Haratins still live in conditions of servitude<sup>56</sup>. Despite the Taya regime's public commitment to end slavery, its prosecution of the NGO *SOS Esclaves* and any journalist who investigated slavery cases posed an obstacle to combat this practice<sup>57</sup>. The CMJD recognition that slavery remains a serious issue in Mauritania and its manifested willingness to work with groups like *SOS Esclaves* is a positive sign on this front<sup>58</sup>.

Other practices less severe than slavery still pose a serious breach of human rights in the country. The U.S. Embassy in Mauritania remarked in a recent report that the country is a source and destination for children trafficked for the purpose of forced labor. Religious leaders called *marabouts* force children called *talibes* to beg in the streets, often for more than 12 hours a day. However, the same communiqué stated that the current government is making significant efforts to combat this illegal practice. A newly created National Commission for Human Rights has also been tasked with coordinating efforts to prevent human trafficking.<sup>59</sup>

### Gender equality and women rights

Discrimination against women is widespread in Mauritania, partly as a result of the interpretation many groups have of the Sharia. However, the situation is improving according to international reports. For instance, a 20 percent quota for female political participation has been established. At present, three of the 26 transitional government

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<sup>54</sup> Op. cit. State Department Report 2006.

<sup>55</sup> 'Slavery: Mauritania's best kept secret' (13 December 2004) BBC, at <http://news.bbc.co.uk/2/hi/africa/4091579.stm> (Last accessed on 12 July 2006). Also: Op. cit. State Department Report 2006.

<sup>56</sup> Op. cit. Freedom in the World 2006.

<sup>57</sup> Op. cit. Amnesty International Report 2006.

<sup>58</sup> Op. cit. Economist Intelligence Unit, p15.

<sup>59</sup> Embassy of the United States in Mauritania, at [http://mauritania.usembassy.gov/tip\\_2006.html](http://mauritania.usembassy.gov/tip_2006.html) (Last accessed on 11 August 2006).

## MAURITANIA

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ministers and two of the 15 members of the National Independent Electoral Commission are women.

It is estimated that three-fourths of all women between the ages of 15 and 49 have been subjected to female genital mutilation. At present, at least one-fourth of Mauritanian girls undergo this practice, signaling the partial achievements of the government's campaign against it, whose main results have been attained in urban areas<sup>60</sup>. NGOs also report that rape cases are high in the country, with the government not enforcing the law effectively and denunciation being rare<sup>61</sup>.

### Minorities and ethnic conflict

Ethnic tension between the white Moor, the black Moor, and the non-Moor groups challenges national unity in Mauritania, a country where tribal loyalties remain a basic feature of political, economic and social life. Memories of the harsh repression of the Sub-Saharan population—Halpulaar, Wolof, Soninke—in 1989-1991 are still fresh, especially as a result of the continued discrimination of these groups and their underrepresentation in political life. For years, the Taya regime created an economic-political-military elite based on the advancement of certain tribes and families. Most leaders of the CMJD still belong to the same tribal groups, a fact that raises skepticism over their commitment to confront the endemic problem of clientelism and ethnic marginalization<sup>62</sup>.

In addition, the CMJD has opted to defer the solution of the pending issue of the Mauritanian refugees to the next democratic government. The United Nations Refugee Agency estimates that around 20,000 Mauritanian refugees are still in Senegal as a result of the violence of the late 1980s and early 1990s in the southern region, a situation that has received the name of *passif humanitaire*<sup>63</sup>. The conflict displaced to Senegal over 65,000 Mauritanians in 1989<sup>64</sup>. Unlike the old regime, the CMJD has publicly acknowledged the existence of this problem, but has opted for not confronting it.<sup>65</sup>

## 4. SUGGESTIONS FOR IMPROVEMENT

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Mauritania is currently undergoing a process of political transformation. The country has not been invited to any Community of Democracies Ministerial meetings in the past as a result of its undemocratic character under the prolonged rule of President Taya. While democratic institutions have been suspended during the last year and a half by the CMJD, there are positive indications that the military junta has a genuine commitment to restore democratic institutions in the short term. The clear calendar for a democratic

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<sup>60</sup> Op. cit. Freedom in the World 2006. Also: State Department Report 2006.

<sup>61</sup> Op. cit. State Department Report 2006.

<sup>62</sup> Op. cit. ICG Report, pp1-4.

<sup>63</sup> 'Mauritanians no closer to returning home, 16 years after exodus' (5 August 2005), IRIN News, at [http://www.irinnews.org/report.asp?ReportID=48481&SelectRegion=West\\_Africa](http://www.irinnews.org/report.asp?ReportID=48481&SelectRegion=West_Africa) (Last accessed on 18 July 2006).

<sup>64</sup> Op. cit. State Department Report 2006.

<sup>65</sup> Op. cit. Club of Madrid Report, p12. Also: ICG Report, p14.

## MAURITANIA

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transition with successive electoral consultations culminating in the 11 March 2007 presidential election has been respected so far, with various elections carried out successfully<sup>66</sup>. The June 2006 referendum has been an important step forward, and there is notable improvement in several human rights areas, such as freedom of the press and expression. Issues like slavery or the *passif humanitaire* are still far from being adequately tackled, but they are being acknowledged and discussed for the first time, a promising first step in the road to solution.

Many observers are rightly cautious about the CMJD, pointing out that the domestic and international popularity garnered in the last months could easily propel the CMJD to try to hold on to power in some form, reversing its democratic promises<sup>67</sup>. Inaction to hold the previous regimes accountable for its abuses fuels this suspicion, as do recent accusations of CMJD interference in the internal functioning of political parties. Nevertheless, the decision by CMJD, CENI and provisional government members to not run in the 2007 elections and the new limitation of the presidential rule to two consecutive terms are very encouraging signs. The CMJD has also given positive steps to fight corruption by removing nearly all prefects and district heads, creating a new State General Inspection (IGE) aimed at promoting transparency in both the public and private sectors, and becoming a member of the international Extractive Industries Transparency Initiative (EITI) in September 2005. Opposition leaders like Mohammed Ould Maouloud, president of the Union of the Forces of Progress, state that “the transition is moving ahead on the right track, leading to the establishment of a credible democracy”<sup>68</sup>. The people of Mauritania also agree that everyday corruption by security forces has clearly decreased<sup>69</sup>.

A series of actions and improvements could help consolidate Mauritania’s transition, guaranteeing the establishment of a solid and democratic regime. The CMJD has the responsibility to direct the current transition and be ready to fully step aside from politics following the March 2007 elections. In a country with little democratic tradition this is a major challenge, but the only possible way Mauritania can ever achieve a truly democratic regime. The CMJD must build upon the CENI and other institutions in order to make the presidential election transparent and successful, with a special focus on adequately completing the review of voters lists under the RAVEL-2 program. Similar efforts must be made to allow the emergence of a viable political parties’ landscape, without interfering in the parties’ internal functioning and facilitating the integration of the PRDR and the supporter of the exiled Taya into the system.

In the end, no democracy will ever take root in Mauritania if political changes do not permeate into daily life, delivering better living standards in one of the poorest countries in the world, where 44 percent of households are precariously food-insecure. That is why institutional consolidation must be accompanied by substantial improvement in food

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<sup>66</sup> Op. cit. African Union Report, p8.

<sup>67</sup> Op. cit. Economist Intelligence Unit, p3-7. Also: Op. cit. ICG Report, p18.

<sup>68</sup> ‘Military junta completes yearlong transition in Mauritania’ (11 August 2006) Angola Press, at <http://www.angolapress-angop.ao/noticia-e-asp?ID=461753> (Last accessed on 12 August 2006).

<sup>69</sup> Op. cit. Club of Madrid Report, p9.

## MAURITANIA

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security in the short term, given the ongoing “silent nutritional crisis which could have difficult consequences for the country in the months ahead”<sup>70</sup>. With oil production forecasted to boost real GDP growth from an estimated 5.5 percent in 2005 to 18.4 percent in 2006 and 13.6 percent in 2007<sup>71</sup>, the management of oil revenues expected to reach \$467 million in 2006 is going to be critical. So far, by joining the EITI and setting up three funds to manage oil revenues—a stabilization fund, a savings fund, and a development assistance fund—steps have been taken in the right direction. The international community has a responsibility to monitor and help in this process. Economic aid and cooperation are their main tools CD countries have to achieve this objective. Following the initial cancellation of international aid, donors have reactivated their funding. Mauritania has been awarded relief on outstanding IMF debt, with further debt relief from the World Bank and the African Development Bank expected to follow. The total debt relief to Mauritania could amount to \$830 million. Reactivation of European aid - the EU committed in April 2006 an additional aid worth \$200 million, a portion of which was earmarked for democratic transformation - is the best indication that donors have an important role to play in facilitating the transition to democracy in Mauritania<sup>72</sup>.

### 5. STATISTICS AND INDICATORS

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World Bank Institute Governance Indicators 2005	Mauritania Score	Key
Voice and Accountability	19.8	Range 0-100 (Lower value indicates weak voice and accountability; higher value indicates strong voice and account)
Political Stability and Absence of Violence	35.4	Range 0-100 (Lower value indicates weak political stability and high violence; higher value indicates opposite)
Government Effectiveness	48.8	Range 0-100 (Lower value indicates weak government effectiveness; higher value indicates strong govt. effectiveness)
Regulatory Quality	49	Range 0-100 (Lower value indicates weak regulatory quality; higher value indicates strong regulatory quality)
Rule of Law	37.7	Range 0-100 (Lower value indicates weak rule of law; higher value indicates strong rule of law)
Control of Corruption	50.2	Range 0-100 (Lower value indicates weak control of corruption; higher value indicates strong control of corruption)

Freedom House: Freedom in the World 2007	Mauritania Score	Key
Political Rights	5	Range 1-7 (Lower value indicates good system of political rights; higher value indicates bad system political rights)

<sup>70</sup> ‘Silent food crisis plagues Mauritania’ (14 July 2006), IOL at [http://www.int.iol.co.za/index.php?set\\_id=1&click\\_id=68&art\\_id=qw1152824944197R131](http://www.int.iol.co.za/index.php?set_id=1&click_id=68&art_id=qw1152824944197R131) (Lat accessed on July 14 2006).

<sup>71</sup> Op. cit. Economist Intelligence Unit, p3,17.

<sup>72</sup> Ibid., p19.

## MAURITANIA

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Civil Liberties	4	Range 1-7 (Lower value indicates good system of civil liberties; higher value indicates bad system civil liberties)
Status	PF	3 Categories: F (Free); PF (Partly Free); NF (Not Free) / (*) Indicates electoral system

Freedom House: Freedom of the Press 2006	Mauritania Score	Key
Total Score	65NF	Range 0-100 (Lower value indicates total free press; higher value indicates less freedom) / 3 Categories: F (Free); PF (Partly Free); NF (Not Free)

Corruption Perceptions Index 2006	Mauritania Score	Key
Total Score	3.1	Range 0-10 (lower value indicates high corruption; higher value indicates lower values of corruption)

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