

MAURITANIA: Tier 3

The Government of Mauritania does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Mauritania remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking. The government convicted three slaveholders; allocated increased funding to the Ministry of Social Affairs, Childhood, and Family (MASEF) to improve shelter and services trafficking victims could access; and Tadamoun, the government agency mandated to address poverty and the “vestiges of slavery,” continued efforts to reduce socio-economic inequality. However, authorities penalized trafficking victims, continued to prevent certain anti-slavery activists from operating within the country, and increased harassment of anti-slavery activists. Government agencies charged with combating trafficking and slavery continued to lack the resources, personnel, and political will to prosecute politically-connected offenders, and reports persisted of officials refusing to investigate or prosecute perpetrators. Despite an increase in convictions, there remained a fundamental lack of commitment to combat hereditary slavery and other forms of human trafficking.

RECOMMENDATIONS FOR MAURITANIA

Hold government officials accountable for trafficking-related complicity, including the failure to investigate alleged slavery offenses and interference with ongoing investigations; significantly increase efforts to investigate, prosecute, and convict traffickers and slaveholders with sufficiently stringent sentences using the 2003 anti-trafficking and 2015 anti-slavery laws; sufficiently fund the anti-slavery courts, and train prosecutors and judicial officials on the 2003 anti-trafficking and 2015 anti-slavery laws; develop and train authorities on standard procedures to identify and refer trafficking and slavery victims to care; institute measures to support trafficking and slavery victims during investigations, including providing easier access to legal assistance and protection from intimidation and threats from their alleged traffickers; cease penalization of trafficking victims; investigate and prosecute individuals accused of fraudulently recruiting Mauritians abroad for exploitation; legally recognize eligible anti-trafficking NGOs, allow them to operate freely within the country, and cease harassment of anti-slavery activists; with input from civil society, develop and implement a plan to provide economic resources—through monetary or property allotment—to former slaves and members of traditional slave castes to allow them the opportunity to leave their communities of enslavement; finalize and implement the anti-trafficking national

action plan; and increase public awareness of trafficking, including hereditary slavery.

PROSECUTION

The government made uneven anti-trafficking law enforcement efforts. The 2003 Law Against Trafficking in Persons criminalized sex and labor trafficking, except hereditary slavery, and prescribed penalties of five to 10 years imprisonment, which 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.

The government investigated 19 suspects in three cases and prosecuted and convicted three slaveholders, a slight increase from one investigation, two prosecutions, and two convictions the previous reporting period. The government also continued 15 investigations from previous reporting periods, although their statuses were unclear. In one case, Mauritanian police and an international organization arrested 15 Quranic school teachers, known as marabouts, for child forced begging. The prosecutor declined to press charges and released the marabouts when they promised not to force the children to beg. International authorities reported the same children were begging in the streets after the marabouts' release, but the government did not take any further action. Three regional anti-slavery courts had exclusive jurisdiction over trafficking and slavery cases; however, the courts lacked the staff, funding, and resources to investigate and prosecute trafficking and slavery crimes throughout their regions. The three courts received a total of 4.5 million Mauritanian ouiguya [all amounts shown in the Dec. 31, 2017 MRO ouiguya] MRO (\$12,670) during the reporting period, although the government had announced a budget of 7,000,000 MRO (\$20,000), and none of the appointed judges were specifically trained to address the unique challenges of investigating slavery cases, including how to prevent slaveholders from intimidating victims and victims from withdrawing their cases. Moreover, while other topical courts had specialized prosecutors, there were no specialized prosecutors for the anti-slavery courts. Despite these limitations, the Nouadhibou court heard and completed its first two slavery cases since its inception in 2016 and convicted three slaveholders. In the first case, one slaveholder received a sentence of 10 years imprisonment and a fine. In the second case, one father, now deceased, and his son, who had fled Mauritania prior to the trial, were sentenced to 20 years imprisonment and a fine. These sentences were significantly higher than in the

previous reporting period, when judges sentenced two slaveholders to five years imprisonment with four years suspended. The Nouakchott anti-slavery court had never heard a slavery case. The Ministry of Justice directed all courts to transfer cases under the 2003 anti-trafficking and 2015 anti-slavery laws to the anti-slavery courts; judges transferred 13 slavery cases, but at least four slavery cases remained with local courts. The government did not report information on the additional 29 investigations that were ongoing at the close of the previous reporting period. NGOs reported trafficking and slavery victims had begun to file complaints with international courts due to a lack of faith in the Mauritanian judiciary. NGOs reported the government did not initiate any investigations into fraudulent recruitment or continue the investigation initiated in 2016 into a recruitment agency that had allegedly fraudulently recruited more than 200 Mauritanian women to Saudi Arabia for domestic servitude and forced prostitution; NGOs alleged the case was closed and the agency continued to operate. In a second case, a Mauritanian domestic servitude victim in Saudi Arabia attempted to file a complaint against her employer, but the Mauritanian embassy reportedly refused to assist. At the close of the reporting period, an NGO within Mauritania had filed a complaint on her behalf, as well as on behalf of approximately 20 other Mauritanian women exploited in domestic servitude and forced prostitution in Saudi Arabia.

Efforts to address hereditary slavery remained weak. Despite serious concerns of official complicity and corruption in slavery cases, the government did not report any prosecutions or convictions of government officials complicit in human trafficking offenses. Some police, prosecutors, and judges reportedly refused to investigate and try cases of hereditary slavery. Heavy government influence over the judiciary restricted its independence, and reports persisted that prosecutors and judges often prosecuted alleged slave owners for lesser offenses to avoid bringing a slavery case to trial. However, Tadamoun remained a civil party to seven ongoing slavery investigations. During the reporting period, two former slaves appealed to the African Union the lenient sentence given to their former slaveholder in 2011. After the verdict in 2011, the prosecution had appealed the lenient sentence and the defendant had appealed the verdict; the defendant was released pending the appeal, and the judiciary had not taken any further action on the case in the last seven years. In December 2017, the African Union ruled the government had failed to adequately enforce its anti-slavery law, had not duly compensated the victims, and had given too lenient of a sentence to the convicted

slaveholder. It further ruled that by failing to fully investigate or prevent cases of slavery, authorities had created a culture of impunity for trafficking. In coordination with NGOs, the government co-led two trainings on the anti-trafficking legal framework for judges and prosecutors.

PROTECTION

The government maintained minimal efforts to protect trafficking victims. The government reported identifying 35 child forced begging victims—20 Mauritanian children and 15 children from neighboring countries—a significant decrease from the previous reporting period, when police identified more than 649 child slavery and trafficking victims. The government did not have formal measures to identify trafficking victims or refer them to care, but it used existing referral procedures for child victims of crime. NGOs noted social workers lacked training to identify trafficking victims, including in domestic work and prostitution, and where to refer them for care. One NGO assisted, including with repatriation, 44 Mauritanian women exploited abroad in forced prostitution. The NGO also identified a Mauritanian man in debt bondage abroad, but neither his alleged trafficker nor the destination government provided authorization for him to return to Mauritania; he remained in debt bondage at the close of the reporting period. NGOs reported caring for 4,616 vulnerable children during the reporting period, which included child victims of violence, abuse, and exploitation, including trafficking. Some of the children received socio-legal assistance, medical care, and educational support from NGOs. The government did not provide financial or in-kind support to NGOs that continued to provide the majority of protective services to trafficking victims.

MASEF managed seven public day centers for the protection and social integration of children, which child trafficking victims could access. In addition, it expanded two of its day centers in Nouakchott to overnight shelters that could provide overnight and long-term care for child victims of crime. The Ministry of Interior's Special Brigade for Minors referred 305 vulnerable children to MASEF's day centers, including an unknown number of talibes exploited in forced begging, and 170 disabled children to MASEF's training center for handicapped children, compared with 540 children assisted in these centers in the previous reporting period. MASEF's day centers closed at night, so the talibes and other vulnerable children had to return to their exploitative situations or sleep on the streets. After short-term care, MASEF generally referred victims to other government shelters or NGOs for long-term care and vocational training; MASEF continued to assist 700 vulnerable children identified in previous years. The government allocated 35.5

million MRO (\$100,000) to MASEF's day centers to fund staff and psycho-social assistance, a slight increase from 35 million MRO (\$95,600) the previous reporting period. The government also allocated 3.66 million MRO (\$10,300) to MASEF's Office of Childhood and 105 million MRO (\$296,000) to MASEF's Vocational Training Center. Shelters accommodated both Mauritanian and foreign victims, although no shelters could accommodate adults; victims had to depart MASEF centers at age 18. The lack of long-term rehabilitative care rendered victims vulnerable to re-trafficking. The government did not provide any services to protect victims from threats or intimidation from their traffickers, nor did it provide training or services to help slavery victims adjust to life after slavery. The Ministry of Justice and MASEF conducted two capacity-building trainings for civil society organizations and government social workers to improve care for child victims of crime.

During the reporting period, the African Union ruled in favor of two former Mauritanian slaves who argued that the government had failed to uphold the anti-trafficking law in their 2011 case. The court ruled the government should enroll the victims in school, provide identity documents, and provide psychological support; the government did not report providing these services after the ruling. The government did not have a formal policy to encourage victims to assist in investigations and prosecutions against their alleged traffickers. The 2015 anti-slavery law provided for comprehensive legal assistance for victims of hereditary slavery and the creation of support centers in each province; however, the government did not report implementing such provisions during the reporting period. While Tadamoun made efforts to reduce poverty, it did not make efforts to protect victims of slavery, which was a central component of its mandate. The law allowed victims to obtain restitution and file civil suits against their traffickers, although the complex and opaque legal system made such efforts extremely difficult; there were no reports any victims did so during the reporting period. The government did not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution. There were reports the government penalized and imprisoned on fornication charges girls who had been sexually abused, some of whom were likely victims of domestic servitude. Officials jailed women suspected of prostitution and held illegal migrants in detention until their refugee status had been resolved, without screening for trafficking. In 2017, the Ministry of Interior deported 4,971 foreign residents to their countries of origin without screening for trafficking.

PREVENTION

The government maintained minimal efforts to prevent human trafficking but increased harassment of anti-trafficking advocates. No single government agency was responsible for leading national anti-trafficking efforts. The inter-ministerial anti-trafficking committee, which reported to the prime minister, met twice during the reporting period to oversee implementation of the 2014-2017 roadmap to fight the vestiges of slavery, an action plan drafted in collaboration with an international organization. The Commission for Human Rights conducted a public workshop to showcase its draft 2016-2020 anti-trafficking national action plan but did not finalize it for the second consecutive year; it continued to review the draft in collaboration with international organizations. Tadamoun opened five new schools in communities of former slaves and continued to provide income-generating activities in poverty-stricken areas, focusing particularly on communities of slave descendants and groups vulnerable to exploitation. The government organized two slavery awareness campaigns outside of Nouakchott. The government continued to harass and prevent anti-slavery activists from operating in Mauritania; it denied entry into the country to two prominent human rights organizations and denied a national NGO authorization to conduct anti-slavery trainings for gendarmes, who were responsible for identifying and investigating trafficking cases in the country's interior. The government did not make efforts to reduce the demand for forced labor or commercial sex acts. Despite large groups of Mauritians fraudulently recruited for work abroad, the government did not make efforts to oversee labor recruitment or investigate labor recruiters or brokers allegedly involved in fraudulent recruitment. The government signed a Memorandum of Understanding with Saudi Arabia to increase protections for prospective domestic workers, although it did not implement it during the reporting period and denied requests to consult with civil society organizations on implementation. The government did not provide anti-trafficking training to its diplomatic personnel. The government, in partnership with foreign donors, provided Mauritanian troops with anti-trafficking training prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, Mauritania is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Adults and children from traditional slave castes in the Black Moor and Afro-Mauritanian 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 the total number of slaves does not exist, local and international experts agree hereditary slavery continues to affect a significant portion of the country's population in both rural and urban settings. Many former slaves and their descendants remain in a dependent status with their former slave owners, in part due to cultural tradition and a lack of marketable skills, poverty, and persistent drought. Some former slaves and descendants of slaves are forced or have no other viable option than to work for their old masters in exchange for some combination of lodging, food, and medical care. Some former slaves reportedly continue to work for their former masters or others under exploitative conditions to retain access to land that they had traditionally farmed. Some boys from Mauritania and other West African countries who study at Quranic schools are forced to beg for food and money to pay corrupt marabouts; boys from low-income families in the Halpulaar community are particularly vulnerable. Approximately 41 percent of Mauritanian children lack birth certificates and are thus generally not permitted to enroll in school, which increases their risk for trafficking. Fraudulent recruiters promise Mauritanian women and girls—especially those from the traditional slave castes and Afro-Mauritanian communities—shelter and an 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 girls in border towns have been forced to carry drugs. West African women and girls, especially Senegalese and Ivoirians, are vulnerable to domestic servitude and sex trafficking in Mauritania. Mauritanian, Nigerian, and Senegalese traffickers in the port city of Nouadhibou forced into prostitution Mauritanian women and West and Central African migrants transiting Mauritania en route to Europe. Refugees in Nouadhibou reportedly engage in prostitution due to their dire financial situations, increasing their vulnerability to forced prostitution. Sub-Saharan African migrants transit Mauritania en route to Morocco and Europe, where some are exploited in forced labor and sex trafficking. Mauritanian women and girls are fraudulently recruited by foreign agencies and Mauritanian middlemen for nursing and teaching jobs abroad and exploited 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 into 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 forced prostitution in Saudi Arabia and other Gulf countries. 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.