

MAURITANIA 2018 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution defines the country as an Islamic republic and designates Islam as the sole religion of the citizenry and state. Only Muslims may be citizens. In April the National Assembly voted to amend the penal code to remove the discretion of the courts in imposing death sentences for apostasy or blasphemy. The amendment removed all references to repentance, essentially making the death penalty a mandatory sentence in both cases. Mohamed Cheikh Ould Mohamed Ould Mkheytir, a blogger sentenced to death in 2014 for apostasy after he allegedly posted statements on social media critical of the Prophet Muhammad, hereditary slavery, and discrimination, remained detained in an unknown location, despite a 2017 appeals court decision that he be released. On May 28, government authorities closed a Shia religious center, the Ali bin Abi Talib complex in Nouakchott's Dar al-Na'im district, after which the Ministry of Islamic Affairs and Traditional Education (MIATE) confiscated the property. In September authorities closed a religious training center and Abdallah Ibn Yasin University, a private Islamic studies graduate school, that had affiliations with the Muslim Brotherhood-affiliated Islamist political party, Tawasoul. For the first time in the country's history, the government accredited an ambassador of the Holy See to the country. The MIATE continued to collaborate with independent Muslim religious groups as well as with foreign partners to combat extremism, radicalization, and terrorism through a series of workshops in all 15 provinces.

During the annual Eid al-Adha observance, Imam Ahmedou Ould Lemrabott Ould Habibou Rahman, the imam of the Grand Mosque of Nouakchott, renewed his warnings about the growing influence of Shia Islam in the country and stated the government should sever ties with Iran in order to stop the spread of Iranian-backed Shia Islam.

U.S. embassy representatives, including the Ambassador, discussed religious tolerance with senior government officials, such as the minister of Islamic affairs. Embassy officials raised apostasy and religious freedom-related issues with authorities on multiple occasions and urged them to follow through on the court decision concerning Mkheytir. The Ambassador and embassy officials hosted two iftars, during which they discussed religious tolerance with government officials and religious and civil society leaders.

Section I. Religious Demography

The U.S. government estimates the total population of the country at 3.8 million (July 2018 estimate). According to official sources, Sunni Muslims constitute an estimated 99 percent of the population. Unofficial estimates, however, indicate that Shia Muslims constitute 1 percent of the population and non-Muslims, mostly Christians and a small number of Jews, make up a further 1 percent. Almost all the Christians and Jews are foreigners.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution defines the country as an Islamic republic and recognizes Islam as the sole religion of its citizenry and the state. Only Muslims may be citizens. Persons who convert from Islam lose their citizenship. The law and legal procedures derive from a combination of French civil law and sharia. The judiciary consists of a single system of courts that uses principles of sharia mainly in matters concerning the family and secular legal principles in other matters.

The law prohibits apostasy. The criminal code, as amended in April, requires a death sentence for any Muslim convicted of apostasy, although the government has never applied capital punishment in this regard.

The amended criminal code also treats blasphemy as a capital offense and subject to the death penalty. The amendments remove the possibility that courts may take into account an individual's repentance as a mitigating factor in determining the punishment for offenses related to blasphemy and apostasy.

The penal code stipulates that the penalty for unmarried individuals of any gender caught engaging in sexual activity is 100 lashes and imprisonment of up to one year. The penalty for married individuals convicted of adultery is death by stoning, although the last such stoning occurred more than 30 years ago. The penal code requires death by stoning for those convicted of consensual homosexual activity. These punishments apply only to Muslims.

The government does not register Islamic religious groups, but all nongovernmental organizations (NGOs), including humanitarian and development NGOs affiliated with religious groups, must register with the Ministry of Interior. Faith-based NGOs must also agree to refrain from proselytizing or otherwise

promoting any religion other than Islam. The law requires the Ministry of Interior to authorize in advance all group meetings, including non-Islamic religious gatherings and those held in private homes.

By law, the MIATE is responsible for enacting and disseminating fatwas, fighting “extremism,” promoting research in Islamic studies, organizing the Hajj and Umrah pilgrimages, and monitoring mosques. The government also appoints the High Council for Fatwa and Administrative Appeals, which advises the government on conformity of legislation to Islamic precepts, and which has sole authority to regulate fatwa issuance and resolve related disputes among citizens and between citizens and public agencies.

The law requires members of the Constitutional Council and the High Council of Magistrates to take an oath of office that includes a promise to God to uphold the law of the land in conformity with Islamic precepts.

Public schools and private secondary schools, but not international schools, are required to provide four hours of Islamic instruction per week. Religious instruction in Arabic is required for students seeking the baccalaureate.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

On April 27, the National Assembly voted to amend Article 306 of the penal code to remove the discretion of the courts in imposing death sentences for apostasy and blasphemy. The amendment removed all references to repentance, essentially making the death penalty a mandatory sentence for such crimes. The government has never carried out a death sentence pursuant to Article 306 and has not carried out any death sentences since 1989.

Mohamed Cheikh Ould Mohamed Ould Mkheytir, a blogger sentenced to death in 2014 for apostasy after he allegedly posted statements on social media critical of the Prophet Muhammad, hereditary slavery, and discrimination, remained detained in an unknown location. In November 2017, before passage of the amendment removing the courts’ discretion in sentencing under Article 306, an appeals court ordered that Mkheytir be freed after determining that he had repented and therefore was not subject to the death penalty. During the year, Mkheytir had contact with his family and attorney and at least one visit from human rights officials.

On May 28, government authorities closed a Shia religious center, the Ali bin Abi Talib complex in Nouakchott's Dar al-Na'im district, in what media sources said was an attempt to hinder public expressions of Shia Islam. Government officials said a large quantity of Shia literature sent to the center was seized at the airport on the grounds that its dissemination was not authorized by the state. Following the closure, the MIATE confiscated the property.

During the year, the government took a series of actions against the Islamist opposition political party, Tawasoul. On September 24, after Tawasoul won 14 seats in the parliament to become the second-largest party overall and the dominant opposition party, authorities closed a religious training center led by Imam Cheikh Mohamed El Hassen Ould Dedew, the spiritual leader of the party. On September 26, the government closed Abdallah Ibn Yasin University, a private Islamic studies graduate school also led by Dedew. These actions were based on a 2017 law that imposes a criminal penalty of between one and five years in prison against anyone who speaks in a manner "contrary or hostile" to the dominant Maliki school of Sunni Islamic jurisprudence, which sources stated was generally regarded by citizens as endorsing a more tolerant interpretation of Islam than competing Sunni schools of thought.

Many NGOs, particularly those campaigning against slavery, reported that the government failed to register their organizations, leaving them vulnerable to government harassment. Several international Christian NGOs reported they continued to operate successfully in the country.

The MIATE continued to collaborate with independent Islamic religious groups and other foreign donors to combat extremism, radicalization, and terrorism through a series of workshops in all 15 provinces. On March 18, the MIATE organized a scientific symposium entitled, "Scientists' responsibilities to combat the phenomena of extremism and intellectual deviation." The Minister of MIATE, Ahmed Ould Ehel Daoud, opened the symposium, which the Grand Imam of Nouakchott and the Grand Sheikh of Al-Azhar Ahmed el-Tayeb attended. On May 27, the MIATE organized a seminar on terrorism and extremism, emphasizing the causes and methods of treatment according to the "Mauritanian approach," which is to fight terrorism based on interfaith dialogue.

Although there remained no specific legal prohibition against non-Muslims proselytizing, the government prohibited such activity through a broad interpretation of the constitution that states Islam shall be the religion of the people

and of the state. Any public expression of religion except that of Islam was banned.

Authorized churches were able to conduct services within their premises but could not proselytize. An unofficial government requirement restricted non-Muslim worship to the few recognized Christian churches. There were Roman Catholic and other Christian churches in Nouakchott, Kaedi, Atar, Nouadhibou, and Rosso. Citizens could not attend non-Islamic religious services, which remained restricted to foreigners. The Ministry of Interior did not act on requests by a group of foreign Protestant Christians for authorization to build their own place of worship in Nouakchott. The group first sought authorization to construct a place of worship in 2006. They renewed their efforts in 2012 and 2016, and were still awaiting approval at year's end.

On October 23, President Mohamed Ould Abdel Aziz accepted the credentials of Michael Banach as the nonresident Ambassador (Nuncio) of the Holy See to the country. This marked the first time in the country's history that the government accredited an ambassador from the Holy See.

The possession of non-Islamic religious materials remained legal, although the government continued to prohibit their printing and distribution. The government maintained a Quranic television channel and radio station. Both stations sponsored regular programming on themes of moderation in Islam.

The government continued to provide funding to mosques and Islamic schools under its control. The government paid monthly salaries of 5,000 ouguiyas (\$140) to 200 imams who passed an examination conducted by a government-funded panel of imams and heads of mosques and Islamic schools. It also paid monthly salaries of 2,500-10,000 ouguiyas (\$70-\$280) to 30 members of the National Union of Mauritanian Imams, an authority established to regulate the relationship between the religious community and the MIATE.

Islamic classes remained part of the educational curriculum, but class attendance was not mandatory and not required for graduation. The results in the classes did not count significantly in the national exams that determine further placement. Additionally, many students reportedly did not attend these religious classes for various ethnolinguistic, religious, and personal reasons. The Ministry of National Education and the MIATE continued to reaffirm the importance of the Islamic education program at the secondary level. In this regard, the government

reportedly considered religious education a tool to protect children and society against extremism and to promote Islamic culture.

Section III. Status of Societal Respect for Religious Freedom

On August 21, during the annual Eid al-Adha observance, Imam Ahmedou Ould Lemrabott Ould Habibou Rahman, the imam of the Grand Mosque of Nouakchott, renewed his warnings about the growing influence of Shia Islam in the country. Rahman stated for a third successive year that government authorities should sever ties with Iran in order to stop the spread of Iranian-backed Shia Islam.

Section IV. U.S. Government Policy and Engagement

U.S. embassy representatives, including the Ambassador, discussed religious tolerance with senior government officials, including with MIATE officials. Embassy officials raised apostasy, blasphemy, and other religious freedom issues with authorities on multiple occasions. The Ambassador urged authorities to ensure that judicial proceedings were transparent, and he pressed for the release of the detained blogger Mkheytir as ordered by the court in 2017.

The Ambassador met regularly with religious leaders to discuss religious tolerance. On May 23, the Ambassador hosted an iftar in Nouadhibou in the northern part of the country, which local officials, journalists, religious leaders, and civil society representatives attended. On May 31, the Ambassador hosted an iftar in Nouakchott attended by the minister of Islamic affairs, other senior government officials, journalists, and civil society leaders. On September 1, Abba Mohamed Mahmoud, president of the local human rights NGO Association for Tolerance and Dialogue of Civilizations, which spearheaded highly visible public campaigns to denounce religious extremism and violence, traveled to the United States on a U.S. government exchange program to promote interfaith dialogue and religious freedom. In November a U.S. imam visited the country on a U.S. government exchange program to promote the importance of moderate Islam and the Islamic faith in the United States. The imam gave a presentation on Islam in the United States at the International Annual Conference for Moderate Imams held in Nouakchott on November 16 and facilitated a session on “Islam in America” at the High Institute for Research and Islamic Studies.