

Mauritania

Country:

Mauritania

Year:

2016

Freedom Status:

Not Free

Political Rights:

6

Civil Liberties:

5

Aggregate Score:

30

Freedom Rating:

5.5

Overview:

The political climate in Mauritania remained tense in 2015. Major opposition parties, which boycotted the 2014 elections, continued to denounce President Mohamed Ould Abdel Aziz as illegitimate even as they attempted to negotiate with the government on the terms of their reentry into the political process. Among their demands were the release of political prisoners, greater respect for civil liberties and the rule of law, and a reduction in the power of the security services. New rounds of dialogue between the government and opposition took place in April and May, but they failed to achieve concrete results.

The government also continued its pattern of passing legislation meant to appease international partners while undermining personal freedoms and civil liberties in practice. Though Mauritania adopted new laws that ostensibly addressed abuses such as slavery and torture, authorities also jailed antislavery activists and harassed journalists who reported on politically sensitive topics.

Political Rights and Civil Liberties:

Political Rights: 9 / 40 [Key]

A. Electoral Process: 3 / 12

Under the 1991 constitution, the president has the power to appoint and dismiss the prime minister and cabinet. A 2006 amendment imposed a limit of two five-year terms on the presidency.

President Abdel Aziz first came to power through a military coup in 2008. A coalition of four political parties that supported ousted president Sidi Mohamed Ould Cheikh Abdallahi formed the National Front for the Defense of Democracy (FNDU) and refused to participate in the junta-led government.

After winning the presidential election in 2009, Abdel Aziz won a second term in June 2014, taking 82 percent of the vote. The FNDU, currently comprising about a dozen opposition groups, boycotted the election, claiming that Abdel Aziz would not engage in meaningful dialogue to resolve governance and electoral issues. The antislavery activist Biram Dah Abeid ran as an independent and captured 9 percent of the vote. His allegations of misconduct and fraud were dismissed by the authorities, and the international community deemed the election satisfactory. Turnout lagged at 56 percent, which opposition parties cited as a sign of their boycott's success.

Mauritania's bicameral legislature consists of a 147-seat National Assembly, elected by popular vote to five-year terms, and a 56-seat Senate, with 53 members elected by mayors and municipal councils and 3 members chosen by the chamber to represent Mauritians living abroad. One-third of the Senate is meant to be elected on a rotating basis every two years, but voting has been repeatedly postponed in recent years amid opposition boycott threats. After repeated delays, Mauritania held a first round of National Assembly and municipal elections in November 2013, and a second round in December. The president's Union for the Republic (UPR) party won 76 seats, and about a dozen allied parties gave the governing majority a total of 108 seats. Most major opposition parties boycotted the elections, claiming the results were predetermined and the process nontransparent. An exception was the Islamist party Tawassoul, which is associated with North Africa's Muslim Brotherhood and won 16 seats.

Under a 2005 law, party lists for the National Assembly elections must include district-based quotas for female candidates, and 20 percent of all municipal council seats are reserved for women.

B. Political Pluralism and Participation: 2 / 16

Political parties are free to operate, but Mauritania's party system is poorly developed, and clan and ethnic loyalties, as well as the military, strongly influence the country's politics. Most opposition parties boycotted the 2014 presidential and 2013 parliamentary elections, citing a system dominated by the president and the UPR—both of which won by large margins.

Although Haratin make up about 40 percent and Afro-Mauritians about 30 percent of the country's population, Bidhan Mauritians dominate the political sphere and occupy most elite government and military positions. According to a November 2014 report by the Initiative for the Resurgence of the Abolitionist Movement in Mauritania (IRA Mauritania), they held 30 of 35 ministerial, 52 of 54 prefectural, and 12 of 13 gubernatorial posts.

The most recent legislative and presidential elections were conducted before the completion of the national census. As a result, Mauritians without a newly issued identity card were unable to vote. Though the government was forced to implement reforms in 2012 in response to protests over extraordinary obstacles faced by Haratin and Afro-Mauritians when trying to enroll in the census and register to vote, critics cite ongoing discrimination against these groups in the electoral process.

C. Functioning of Government: 4 / 12

Corruption and lack of fiscal transparency are serious problems, especially in bank loans, fishing licenses, land distribution, government contracts, and tax payments. Mauritania has been compliant with the standards of the Extractive Industries Transparency Initiative (EITI) since 2012, and EITI officials have made headway in improving transparency in some areas of the country's mining and hydrocarbon industries. Nevertheless, abuses persist. In October 2015, it was reported that the U.S. government was investigating allegations of corruption involving the Canadian mining corporation Kinross and Mauritanian government officials. Mauritania was ranked 112 out of 168

countries and territories surveyed in Transparency International's 2015 Corruption Perceptions Index.

Civil Liberties: 21 / 60 (-1)

D. Freedom of Expression and Belief: 9 / 16 (-1)

Despite constitutional guarantees of press freedom, journalists practice self-censorship, and private newspapers face closure for publishing material considered offensive to Islam or threatening to the state. In 2011, the government ended a 51-year monopoly on broadcast media, allowing the formation of private outlets. Defamation was decriminalized in 2011, though fines can still be levied. No civil defamation suits against journalists have been reported since 2013. The government does not restrict internet access; about 15 percent of the population used the medium in 2015.

Journalists and other writers can still face criminal charges and harassment for their work. In December 2014, a court in Nouadhibou sentenced Mohamed Cheikh Ould Mohamed M'Kheitar, a 28-year-old independent blogger, to death for apostasy in an expedited judicial process. In an anonymous online article published on the news website Aqlame in January of that year, Ould M'Kheitar had criticized the unequal social order in Mauritania and the prophet Muhammad. He appealed the sentence, but his court-appointed lawyers resigned in February 2015 for fear of reprisal from religious conservatives who had vocally denounced their client. Ould M'Kheitar remained in prison at year's end pending his appeal.

Several journalists were summoned for questioning by the authorities during the year. In April 2015, for example, the editor of the online newspaper *Al-Bayan El-Souhoufi* was summoned to a police station and interrogated after he published an article on the strained relations between Mauritania and Morocco. In December, a journalist with the website *Mushahid* received death threats and was interrogated by authorities after he reported on corrupt dealings between a member of parliament and a businessman connected to the ruling party.

The 1991 constitution identifies Mauritania as an Islamic republic. Proselytizing by non-Muslims is banned, non-Muslims cannot be citizens, and those who convert from Islam lose their citizenship. In practice, however, the small non-Muslim communities have not been targeted for persecution. Individuals perceived as anti-Islamic are frequently threatened by leading religious figures. Combined with the government's hostility toward independent antislavery activism, such threats have increasingly hampered Mauritians' ability to address sensitive topics in free and open private discussion. Academic freedom is largely respected.

E. Associational and Organizational Rights: 4 / 12

While the constitution guarantees freedom of assembly, organizers are required to obtain consent from the authorities for large gatherings, and such permission is often denied. Gatherings of individuals seen as opposed to the government are sometimes subject to surveillance.

The environment for civil society groups and nongovernmental organizations (NGOs) is often marked by intimidation, violence, and repression. In January 2015, a court sentenced two leaders of IRA Mauritania, Biram Dah Abeid and Brahim Bilal Ramdhane, and the leader of a similar organization, Kawtal, to two years in prison on charges related to their participation in antislavery demonstrations in 2014. Protests demanding the release of the activists following their conviction were violently dispersed by police, leading to at least four injuries. Their sentences were upheld on

appeal in August, though the Kawtal president, Djiby Sow, was released on medical grounds in June.

Workers have the legal right to unionize, but unions require approval from the public prosecutor and often face hostility from employers. Although only about a quarter of Mauritians are formally employed, about 90 percent of workers in the industrial and commercial sectors are unionized. Nevertheless, workers are often wrongfully terminated, and organized workers are sometimes subject to pressure to withdraw their union membership or forgo legal processes. The right to strike is limited by notice requirements and bans on certain forms of strike action. In late January 2015, mineworkers in Zouerat went on strike over the state-owned mining company's failure to deliver on promised pay increases. The action ended in April after the company agreed to reinstate fired strikers, pay back wages to cover the strike period, and hold negotiations on wages, though management was still resisting a pay increase as of late 2015.

F. Rule of Law: 4 / 16

The government heavily influences the judicial system. Many decisions are based on Sharia (Islamic law), especially in family and civil matters, which discriminates against women. Suspects are routinely held for long periods of pretrial detention, and security forces suspected of human rights abuses operate with impunity. Prison conditions are harsh, torture is prevalent, and children are sometimes held with the adult prison population. In August 2015, the National Assembly adopted a law that would establish a commission to monitor prisons, border crossings, medical facilities, and other installations to prevent torture and other state abuses, though it was unclear at year's end how effective this body would be.

Members of Al-Qaeda in the Islamic Maghreb (AQIM) have carried out a number of terrorist attacks in Mauritania in recent years. In December 2015, AQIM released a video showing the execution of a Mauritanian man and two Malian men whom it accused of spying for Mauritania and France. A 2010 antiterrorism law removed previous restrictions on wiretaps and searches, allowed for individuals under age 18 to be charged, and granted immunity to terrorists who inform the authorities of a plot. The U.S. and European governments view President Abdel Aziz as a crucial partner in the fight against terrorism in the Sahel region.

Racial and ethnic bias persists in all spheres of political and economic life, with discrimination almost exclusively targeting Afro-Mauritians and Haratin.

Same-sex sexual activity is illegal in Mauritania and punishable by death for men. LGBT (lesbian, gay, bisexual, and transgender) individuals generally hide their sexual orientation or gender identity.

G. Personal Autonomy and Individual Rights: 4 / 16

While the Bidhan population is relatively free to make personal decisions about residence, employment, and education, the choices of Afro-Mauritians and Haratin are often constrained by racial and caste-based discrimination.

Discrimination against women persists. Under Sharia, which is widely applied, a woman's testimony is given only half the weight of a man's. Legal protections regarding property and pay equity for women are rarely respected in practice. Female genital mutilation is illegal but common. Abortion is legal only when the life of the mother is in danger.

Despite a 1981 law banning slavery, significant numbers of black Mauritians are believed to live in hereditary slavery-like conditions, and many more suffer from some degree of continuing labor exploitation or economic deprivation as a legacy of past slavery. The government's official stance is to deny the existence of slavery within its borders. In August 2015, the National Assembly passed a law that doubled prison sentences for those convicted of practicing slavery to 20 years, and expanded the definition of slavery to include other forms of servitude, such as forced marriage. While the measure also allows NGOs to file complaints on behalf of slavery victims, they must first be registered for at least five years, effectively disqualifying groups for which the government has denied registration, including IRA Mauritania. Victims often lack awareness of their legal rights, and both investigating agencies and courts are seen as biased against victims. No successful prosecutions for slavery had occurred by the end of 2015.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

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