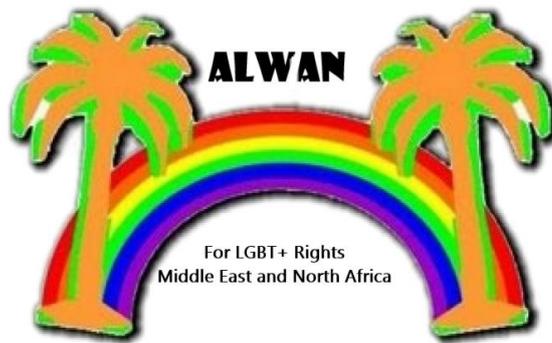




# Nouakchott Solidarité

## Association



## REPORT ON HUMAN RIGHTS MAURITANIA 2016

## EXECUTIVE SUMMARY

Mauritania is a very centralized Islamic republic whose head of state is

A president and whose Constitution is inspired by both the French civil law and the Shariah Islamic Law The Senate and the National Assembly exercise legislative functions but have had relatively little power over the executive. Voters elect city councilors who, in turn, elect senators. In 2014, Mohamed Ould Abdel Aziz was re-elected to the presidency by the population for a second and final five-year term. In 2013, the Union for the Republic (UPR), the party to which the president belongs, won 76 of the 147 seats in the National Assembly after direct legislative elections, which some opposition parties boycotted. Several political parties, including none of the major opposition parties, agreed in late October to hold a referendum on draft amendments to the Constitution. By the end of the year, this referendum had .not yet taken place

Civil authorities have maintained effective control of the security forces. The main human rights issues have been: the use of torture by law enforcement officials, arbitrary arrests, long-term and incommunicado detention, harsh, overcrowded and dangerous prison conditions, the persistence of slavery and related practices and trafficking in persons. Attacks on freedom of the press and on freedom of association and conscience have also been worrying. Other issues reported in the field of

human rights include the incarceration of a minor company of adult detainees, the influence of the government on the judiciary, arbitrary limits on freedom of assembly, government corruption and restrictions on freedom of religion. Only Muslims have the right to citizenship. Gender-based violence against women and girls, discrimination against women, female genital mutilation / cutting (FGM / C), early or forced marriage, political marginalization of sub-Saharan ethnic groups ( non-Arab) and the caste of the descendants of slaves (Harratines), racial and ethnic discrimination, discrimination against lesbian, gay, bisexual, transgender and intersex (LGBTI) slaves and people with HIV-AIDS, especially the Lgbt community we call it the Gordjiguen or often PD

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Child labor, and the inadequate and selective enforcement of laws, including those

On the job, have also been reported. The government has taken modest steps to punish state agents who have committed abuses and has prosecuted some of them, but these agents have often acted with impunity. Civil society .organizations have denounced the low number of indictments

### .Section 1

Respect for the integrity of the person, including the right to live free from: arbitrary deprivation of life and other extrajudicial executions or

Political motives No arbitrary or unlawful execution attributed to public authorities or their

Agents have been reported. B Disappearances No disappearances for political reasons have been reported.

## Torture and other cruel, inhuman or degrading treatment or punishment

The Constitution and the law prohibit torture, but non-governmental organizations Governmental Organizations (NGOs) have reported that security forces and Police forces had tortured some of their members. These included beatings, stripping and starvation. There has also been credible reports of torture, beatings and beatings in Police detention centers, several prisons in the country and facilities Military and gendarmerie. Some defendants said that the police had taken them At the beach, part of them had been buried and had been subjected to mock executions Others have testified in court that they have been beaten or . .tied to chairs for several days in a row

In August 2015, the government passed a law against torture that provides for the Establishment of a prevention mechanism. This law stipulates ,that torture Acts of torture and inhuman or degrading punishments are crimes against The imprescriptible humanity. The law focuses specifically on what is happening in Mauritania Prisons, juvenile rehabilitation centers in conflict with the law, places

In police custody, psychiatric institutions, detention centers, transit zones and border crossings. In April, the government set up the National Mechanism for the Prevention of Torture (NPM), an independent government body to investigate credible allegations of torture. At the end of the year, the government had not yet opened an investigation. On August 9, the Initiative for the Resurgence of the Abolitionist Movement (IRA), an NGO working against slavery and for "human rights Harratines," said 13 of its members had been tortured. These individuals had been arrested and sentenced following a riot in Nouakchott on 29 June, during which several police officers were wounded. The IRA complained that the authorities had arrested and held incommunicado these militants for nearly two weeks, the maximum duration allowed by anti-terrorism legislation. The IRA has also reported that its activists have been regularly subjected to torture in police custody. Some defendants at the IRA said they were not tortured while others said they were tortured and named their alleged perpetrators. At their trial, on August 3, Moussa Ould Bilal Ould Biram, the first accused interviewed, said he suffered heavy torture and Abdellahi Ould Maatallah, the accused who made the following statement, also said he was beaten and insulted. . The arrests took place during Ramadan and many defendants reported that the police did not feed them after the end of the fast at sunset. The defendants, their lawyers and several other members of the IRA reported that they repeatedly reported these allegations to the authorities and the NPM without the prison administration, the NPM or the prosecutor acting on them. On December 7, the information-Akhbara website reported that minors held at Nouakchott Central Prison were regularly tortured. The prison administration rejected this allegation. On 2 February, the Cridem news website reported that the UN Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment had, after a 10-day visit in

Mauritania, asked the authorities to apply existing laws and to protect suspects and detainees from torture and ill-treatment. According to Cridem, the UN Rapporteur stated that some prisoners, including Salafist terrorists, were being tortured, but the authorities have not carried out any investigation into this. The United Nations informs him that on 20 December she had received two charges of exploitation and sexual abuse involving Mauritanian peacekeepers and related to facts that would have occurred during the past year. These allegations concerned staff members of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic. According to the UN, by the end of the year, both allegations were to be investigated by the UN and the Mauritanian government. Conditions in prisons and detention centers Conditions of imprisonment were harsh and harmful. Throughout the country, the prison administration has grouped prisoners sentenced to very different terms in the same places. Persons held in Provisional Detention were often detained in the same premises as convicted prisoners. Many drug trafficking took place between prisoners. The Government acknowledged that the lack of security controls imposed on visitors was the cause. Prisoners have often rebelled and refused to obey the authorities to protest the violence and inhumane treatment inflicted by the guards. Poor security conditions and the fact that dangerous detainees shared cells with other less dangerous ones forced prisoners to live in a climate of violence and some had to pay other prisoners to avoid being brutalized or harassed. Human rights groups continued to report that prisons were overcrowded and lacked adequate health and medical facilities. Material conditions: In 2015, the Mauritanian Human Rights Observatory reported that there were seven large prisons, four in Nouakchott and three in the interior of the country. He continued to denounce the bad conditions that prevailed in these prisons. There were

two prisons reserved for women, one in the capital, Nouakchott, and the other in the second city of the country, Nouadhibou. Most of the supervisors were men; there was a serious shortage of women supervisors. Male guards provided security in women's prisons as this task was assigned to the National Guard (exclusively composed of men) across the country. Prisoners were women who were not part of the National Guard. An Italian NGO administered a Juvenile Detention Center, the only institution that is almost compliant with the MAURITANIAN International standards. In addition to these prisons are detention centers located in police stations across the country. Prison overcrowding continued. Dar Naim Prison, the main civilian prison in Nouakchott, was expected to receive 300 detainees, but had a total of 5,95, including 239 convicted prisoners and 356 remand prisoners. Pretrial detainees were frequently detained with convicted and often dangerous prisoners. It has frequently happened that male guards supervise women prisoners in the Nouakchott Women's Prison, a practice criticized by the National Commission on Human Rights (CNDH). Women's conditions of detention were generally better than those of men. . According to prison officials, Nouakchott Women's Prison was significantly less crowded. Among them there is even the Gay, Bisexual, and Lesbian arrested by the Mauritanian Police and the National Guards during the patrol and often abuse by pouring them spilled water in the night and they undress and tear their phone no food or wood and even eat The prison of Salah Ad Dine, a maximum security facility in the Adrar, remained open. Prisoners convicted of terrorism-related offenses were held incommunicado. Due to deteriorating conditions of detention, the authorities closed the Beila Juvenile Detention Center and transferred 62 young people between the ages of 15 and 17 to Nouakchott Central Prison and 15 others to Nouadhibou Prison. Minors have been in contact with adult prisoners, including

some who have been convicted of terrorism-related and other violent crimes. The Ministry of Justice has sometimes temporarily assigned the custody of children of prisoners to another family member so that they are not deprived of liberty. The authorities have reported the deaths of seven detainees during the year. Two of them died of infectious diseases. Families of deceased inmates have the right to request an autopsy. Only one autopsy was requested during the past year. She determined that the inmate in question had died of natural causes. According to the Mauritanian Human Rights Observatory, most prisoners' access to food has generally been inadequate, as well as sanitary conditions in the kitchens of penitentiaries. Medical facilities and personnel were equally inadequate, particularly at Dar Naim Men's Prison and Central Prison. The government allocated a budget of about 600 ouguiyas (US \$ 1.71 per day) and Mauritania Prisoner for food and medical supplies. Most of the shortcomings were due to widespread corruption in the penitentiary system, drug smuggling and the shortage of qualified medical personnel. In many detention facilities and cells, ventilation, lighting and drinking water supplies were either inadequate or non-existent.

Prison Administration: Efforts to improve record keeping continued to progress slowly. Local NGOs continued to report that prison officials often misplaced the Prisoners' files, resulting in some postponements of release. In January, at the Nouakchott Central Prison, prisoners who had served their sentences started a riot when the authorities did not release them on the scheduled date. There was no independent mediator in the prison system, but the Prisoners had the right to file complaints of ill-treatment with the CNDH. The regulations also allowed inmates to choose one of theirs to represent them to the administration, which they did from time to time. From 1 May, visits of imams to detainees were organized three times a week , whereas they took place only

every week before. The prison administration has every week chosen an imam to conduct Friday prayers in all prisons. The government has been aware of allegations of inhuman conditions, but has rarely taken corrective action. Independent monitoring: The government has allowed NGOs, diplomats and observers from international human rights bodies to visit prisons and detention centers. The International Committee of the Red Cross (ICRC) had unrestricted access to prisons and made numerous visits, including to suspected terrorists. It cooperated with the prison authorities to improve the conditions of Detention and treatment of prisoners, by renovating the infrastructure and providing food and medical assistance, water and sanitation services, providing advice on prison management and legal safeguards for the protection of Prisoners' rights and contacts with families. The ICRC frequently visited Dar Naim Prison and Nouakchott Central Prison, as well as Aleg, Selibabi and Kaedi Prisons. Prison authorities continued Mauritania To allow diplomats to visit several prisons in Nouakchott, where they were able to converse with detainees and staff members. Improvements: In August, the ICRC renovated and equipped Kaedi Prison. The Noura Foundation, an NGO, provided training in sanitation and hygiene in the prisons of Nouakchott and Aleg. Caritas Mauritania opened a library at Dar Naim Prison to allow prisoners to read. The organization has also set up an awareness program to combat the transmission of infectious diseases such as HIV-AIDS, malaria and tuberculosis. The Ministry of Justice has taken a number of steps to improve conditions and reduce overcrowding, including by sending foreign prisoners back to their country of origin, granting amnesties, commuting sentences and conditionally releasing foreign prisoners. prisoners sentenced for minor offenses. In Nouadhibou, the prison administration placed the detainees in separate premises located inside the main prison. d. Arbitrary Arrest or

DetentionThe Constitution and the law prohibit arbitrary arrest and detention, but the authorities did not respect these prohibitions. In some cases, the authorities arrested and arbitrarily detained demonstrators, human rights defenders and journalists (see section 2.a) .The role of the police and the security apparatus The national police, which is responsible for of the Ministry of the Interior of Decentralization, is responsible for law enforcement and policing in urban areas. The National Guard, which is also part of the Ministry of the Interior and Decentralization, has limited policing functions as part of its peacetime mandate to provide security for Government facilities, including prisons. For example, regional authorities may use it to restore public order during riots and other major disturbances. The Gendarmerie, a specialized paramilitary group under the Ministry of Defense, is responsible for maintaining public order in the metropolitan areas, as well as police services in rural areas. The latest edition of the Police Department of the Ministry of Interior and Decentralization, the General Road Safety Group, is responsible for road safety and has checkpoints throughout the country. police were poorly paid, poorly trained and poorly equipped. Corruption and impunity have been serious problems. Police and gendarmes have regularly demanded bribes at roadblocks set up at night in Nouakchott and checkpoints between towns. It has been reported many times that police arrest people - often without probable cause - at these roadblocks and arbitrarily detain them for several hours or all night. Arrest Procedures and Treatment of DetaineesThe law requires that warrants be of arrest are issued in due form, which, however, has rarely been the case. Authorities generally do not have Informal detainees charged against them before the end of an investigation. The law requires that in most cases courts review the lawfulness of the detention of a person within 48 hours of arrest, but the police may extend that period by 48 hours and,

in domestic terrorism cases, a prosecutor or a court may extend detention for another 15 days. The authorities generally respected this two-week detention limit for the indictment or release of suspected terrorists in national security cases. It was only after the prosecution had been charged that the suspect the right to contact a lawyer. The Typhoon Laws that Indigent Defendants Are Entitled to a Lawyer at the State's Expense, But It Has Often Happened That No Legal Defender Is Available or Lawyers Are Not Talking s the language of the defendant. There is a bail system, but judges have sometimes arbitrarily refused .such requests or have set unusually high bail