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الاتحاد الأفريقي African Commission on Human & Peoples' Rights		UNIÃO AFRICANA Commission Africaine des Droits de l'Homme & des Peuples
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Press release on the Mission of the Committee for the Prevention of Torture in Africa of the African Commission on Human and Peoples' Rights to the Islamic Republic of Mauritania

In accordance with its mandate under Article 45 of the Charter on Human and Peoples Rights and pursuant to the resolution of the African Commission on Human and Peoples' Rights (ACHPR) on the Robben Island Guidelines and Measures for the Prohibition and Prevention of Torture, Cruel or Inhuman or Degrading Treatment or Punishment in Africa, a delegation of the Committee for the Prevention of Torture in Africa (CPTA), of the African Commission undertook a Promotion Mission to the Islamic Republic of Mauritania from 26 to 31 March 2012.

The delegation comprised:

Honourable Commissioner **Dupe Atoki**, Chairperson of the ACHPR and of the CPTA

Mr. **Jean-Baptiste Niyizurugero**, Vice-President of the CPTA

Mrs. **Hannah Forster**, Member of CPTA

Dr. **Feyi Ogunade**, and Mr. **Tem Fuh Mbuh**, ACHPR Secretariat staff.

The objective of the mission was, among other things, to disseminate, promote and facilitate the effective implementation of the Robben Island Guidelines; to engage in a constructive dialogue with relevant stakeholders in order to exchange views on ways and means of strengthening the prohibition and prevention of torture, cruel, inhuman and degrading treatment, as well as slavery and the situation of persons deprived of liberty in the Islamic Republic of Mauritania.

During the mission, the delegation was received by His Excellency Mohamed **Ould Abdel Aziz**, President of the Islamic Republic of Mauritania.

The delegation also had constructive discussions with various state authorities including the following:

- H. E the Commissioner for Human Rights, Humanitarian Action and Relations with Civil Society;
- H. E the President of the National Assembly;
- H. E the President of the Supreme Court;
- H. E the Minister of Interior and Decentralization;
- H. E. Mr. Minister of Justice;
- The Director of State Security;
- A representative of the National Gendarmerie,

The delegation further met with other stakeholders relevant to the mission's mandate, including the Representative of the United Nations High Commissioner for Human in Mauritania, the president and members of the National Human Rights Commission, the president and members of the Mauritanian Bar Association, and members of various civil society organizations.

The delegation visited the Dar Naim prison, the women's prison at Beyla and the Rehabilitation Center for Children in Conflict with the Law and discussed with the detainees about their living conditions as well as with officials of these institutions on issues related to the management of the detention centers.

The CPTA will prepare a detailed report of the mission containing its recommendations to the various stakeholders. In the meantime, the delegation wishes to commend the authorities of the Islamic Republic of Mauritania for their political to promote and protect human rights in general and to fight against torture, and other forms of ill-treatment, eradicate slavery and improve prison conditions, in particular.

The delegation notes with satisfaction the recent constitutional amendments which prohibit slavery, torture and cruel, inhuman or degrading treatment or punishment and considers such acts as crimes against humanity. The delegation further welcomes the ongoing process to ratify the Optional Protocol to the Convention against Torture. In this regard, the delegation welcomes the Council of Ministers' approval of the ratification of this instrument.

The delegation appreciates the positive steps taken in the fight against slavery, including the enactment of the law against this practice in 2007, and the putting in place of the Program for the Eradication of the Legacy Slavery (P.E.S.E.)

Notwithstanding the existence of a conducive political, legislative and institutional framework for the promotion and protection of human rights, the delegation however

notes that a lot still remains to be done in order to ensure that no one is subjected to slavery, torture or other forms of ill-treatment in the Islamic Republic of Mauritania.

With regard to the living conditions of detainees, the delegation notes the measures taken by the competent authorities for their improvement. It is however concerned with the high percentage of pretrial detainees in the Da Naim Prison and the Women's Prison at Beyla, as well as long periods of pre-trial detention.

The delegation also notes that despite the existence of a law criminalizing slavery, the practical application of this law remains inadequate.

The delegation is equally concerned with the absence of specific legislation criminalizing torture. In that regard, the delegation recommends that measures should be taken without delay to criminalize torture and to speed up the process of OPCAT ratification and implementation.

The delegation notes with concern that legal aid is inexistent and that lawyers do not have easy access to places of detention.

Finally, the delegation is concerned by numerous reports of torture and ill-treatment in police stations that have been brought to its attention, in particular, reports about students who were allegedly involved in public demonstrations and who were arrested and later charged with crimes punishable by death. Some of them have reportedly been expelled from the university and have been subjected to threats and intimidation. In this regard, the delegation calls on the Government of the Islamic Republic of Mauritania to open a prompt and impartial investigation into these allegations of torture and to ensure that the physical and mental integrity of the persons concerned is upheld in all circumstances in accordance with Articles 12 and 13 of the Convention against Torture.

The delegation avails itself of this opportunity to thank the authorities of the Islamic Republic of Mauritania for their hospitality and cooperation. The delegation extends its appreciation to the Office of the Commissioner for Human Rights, Humanitarian Action and Relations with Civil Society, for taking the necessary measures to ensure the success of the mission.

Done in Nouakchott, 30 March, 2011