

<b>AFRICAN UNION</b>		<b>UNION AFRICAINE</b>
<b>الاتحاد الأفريقي</b> <i>African Commission on Human &amp; Peoples' Rights</i>		<b>UNIÃO AFRICANA</b> <i>Commission Africaine des Droits de l'Homme &amp; des Peuples</i>
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## **Thirty-First Ordinary Session**

**2 to 16 May 2002, in Pretoria, South Africa**

### **Consideration of Reports Submitted by States Parties under the Terms of Article 62 of the African Charter on Human and Peoples' Rights**

#### **Concluding Observations and Recommendations on the Initial Report of the Islamic Republic of Mauritania**

## **I- Introduction**

- 1.** The Islamic Republic of Mauritania (Mauritania) is a State Party to the African Charter on Human and Peoples' Rights (the African Charter) having ratified it on 14 June 1986.
2. The present Concluding Observations on the Initial Report of the Islamic Republic of Mauritania (Mauritania) follow from the contents of the Report, the dialogue between the African Commission on Human and Peoples' Rights (the African Commission) and the Delegation of Mauritania following the latter's presentation of the Report at the 31<sup>st</sup> Ordinary Session of the African Commission in Pretoria, South Africa from 2 to 16 May 2002.

## **II- Positive Aspects**

The African Commission:

3. Commends the Government of Mauritania for having created an enabling environment for the submission and presentation of its Initial Report in compliance with its obligations under Article 62 of the African Charter on Human and Peoples' Rights (the African Charter).
4. Welcomes the preparation of the Initial Report of Mauritania in accordance with the African Commission's guidelines for reporting. In

addition to highlighting on the progress made to promote and protect human and peoples' rights in the country, it contains illustrative figures.

5. Appreciates the Delegation of high-ranking officials of the country led by the Minister of Justice of Mauritania, H.E Mr. Sghair Mbareck that presented the Report. This is indicative of the importance Mauritania attaches to its reporting obligations and to the African Commission as a whole.
6. Commends that the Report combines all the outstanding Reports that Mauritania owes to the African Commission. This practice could be emulated by other states similarly owing more than one overdue report to the African Commission.
7. Commends the Government of Mauritania for setting up the Commission of Human Rights, Fight Against Poverty, and Rehabilitation.
8. Commends the steps that the Government of Mauritania has taken as per its report in fighting poverty and encourages it to continue towards its total eradication.
9. Notes with appreciation that the Report was submitted at the 30<sup>th</sup> Ordinary Session of the African Commission in October 2001 thereby allowing enough time for preparation for its examination.

### **III- Factors Restricting the Enjoyment of the Rights Guaranteed in the African Charter**

9. Despite the Government's efforts to comply with the provisions of the African Charter, the limited resources at its disposal inhibit its ability to ensure that all its citizens enjoy the rights under the African Charter.
10. The entrenched and unhealthy look of the society on some aspects of human rights, including regarding minorities and women, stands in the way to extensively and effectively implement the African Charter in Mauritania.

### **IV- Areas of Concern**

While recognising the efforts of Mauritania to promote and protect human rights and to create awareness on the principles and provisions of the African Charter, the African Commission remains concerned that:

11. There are inadequate measures in place to address the special needs of vulnerable and minority groups such as the nomadic tribes, the elderly and people with disabilities;
12. The perception of women in Mauritania remains to hamper their equal enjoyment of their human rights. Of particular concern is the potentially discriminatory application of repudiation in marriages;
13. The Report does not address the current situation of the practice of the often-alleged modern slavery in Mauritania.
14. Opposition parties and some Non-Governmental Organisations are said to have been unable to freely operate in Mauritania and there are reports of arbitrary arrests and detentions among them.

#### **V- Recommendations**

The African Commission recommends that the Government of Mauritania should:

15. Enhance its efforts to raise awareness of human and peoples' rights in Mauritania;
16. Particularly emphasise on women and children in its programmes to fight poverty in Mauritania;
17. Intensify its efforts to ensure access to education of women and children in Mauritania;
18. Intensify its awareness campaign to combat the spread of HIV/AIDS in the country;
19. Continue cultivating a culture of respect for human rights in order to reduce tension within the society and allow peaceful coexistence of the various ethnic groups in Mauritania;
20. Inform the African Commission on the status of its ratification of the African Charter on the Rights and Welfare of the Child and the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights.
21. Inform the African Commission, in its next Periodic Report, of the steps it has taken to address the areas of concern, as well as how it has implemented the recommendations in this Concluding Observations.

**Adopted at the 31<sup>st</sup> Ordinary Session of the African Commission on Human and Peoples' Rights held from 2 to 16 May 2002, Pretoria, South Africa**

Concluding Observations and Recommendations on the Initial Report of the Islamic Republic of  
Mauritania