



# Convention on the Rights of the Child

Distr.: General  
17 November 2017  
English  
Original: French  
English, French and Spanish only

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Committee on the Rights of the Child

## Combined third to fifth periodic reports submitted by Mauritania under article 44 of the Convention, due in 2013\*

[Date received: 10 January 2017]

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\* The present document has been issued without formal editing.



## Introduction

1. The present report on measures taken by Mauritania to implement the Convention was prepared pursuant to article 44, paragraph 1 (b), of the Convention. It was drafted in compliance with the general guidelines on the form and content of reports adopted by the Committee on the Rights of the Child at its sixty-fifth session on 31 January 2014.
2. It constitutes the third, fourth and fifth periodic reports of the Islamic Republic of Mauritania on the country's implementation of the Convention and highlights the progress made and the problems that still hamper effective fulfilment of some obligations under the Convention.
3. The report sets out the measures taken to follow up on the observations and recommendations made by the Committee on the Rights of the Child (CRC/C/MRT/2) subsequent to its review of the second periodic report at its meeting on 12 June 2009 (CRC/C/SR.1405 and CRC/C/SR.1406). The information it contains covers measures taken by Mauritania since September 2007, when the second periodic report was submitted.
4. The first part of the report provides general information on the country, while the second highlights the measures taken to implement the Convention.

## Part one General information

### A. Demographic and socioeconomic characteristics

#### 1. Demographic indicators

5. Mauritania is a multi-ethnic and multicultural country. While most of the population is Arab, there are Pulaar, Soninke and Wolof minorities. It has a population of 3,537,628 (Census, 2013), 27.1 per cent of whom live in the capital, Nouakchott.<sup>1</sup>

Table 1  
Population distribution by sex and age

Age group	1977			1988			2000			2013		
	Male	Female	Total									
0–4	110 261	106 526	216 787	154 808	150 305	305 113	218 087	208 370	426 457	316 217	298 475	614 692
5–9	113 809	105 397	219 206	154 546	144 263	298 809	186 741	175 736	362 477	263 263	256 839	520 102
10–14	81 141	71 524	152 665	114 455	104 288	218 743	154 508	148 164	302 672	212 838	216 667	429 505
15–19	67 504	70 770	138 274	92 683	96 807	189 490	131 240	138 512	269 752	176 116	185 288	361 404
20–24	52 776	58 542	111 318	74 901	86 562	161 463	100 667	114 292	214 959	144 478	157 962	302 440
25–29	40 969	48 060	89 029	67 126	77 870	144 996	86 990	100 554	187 544	121 586	135 767	257 353
30–34	33 043	40 681	73 724	56 457	60 691	117 148	72 906	81 525	154 431	99 834	113 691	213 525
35–39	28 905	32 804	61 709	44 513	45 159	89 672	64 465	70 887	135 352	83 578	95 379	178 957
40–44	32 665	36 021	68 686	34 802	38 077	72 879	53 010	53 129	106 139	72 108	79 228	151 336
45–49	23 807	24 036	47 843	27 593	28 108	55 701	48 653	50 408	99 061	60 297	64 516	124 813
50–54	22 688	24 432	47 120	30 023	31 908	61 931	32 649	33 165	65 814	50 739	51 751	102 490
55–59	16 911	17 487	34 398	16 847	14 875	31 722	23 010	21 638	44 648	41 075	40 645	81 720
60–64	12 754	14 508	27 262	20 190	20 603	40 793	25 093	24 467	49 560	31 660	30 459	62 119
65–69	6 979	7 593	14 572	11 518	11 131	22 649	16 062	15 582	31 644	24 120	23 055	47 175
70–74	7 708	10 706	18 414	10 812	12 968	23 780	13 773	13 425	27 198	18 167	17 129	35 296

<sup>1</sup> Source: National Statistics Office.

Age group	1977			1988			2000			2013		
	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total
75 and over	6 441	11 382	17 823	11 901	17 446	29 347	13 858	16 593	30 451	26 998	27 443	54 441
<b>Total</b>	<b>658 361</b>	<b>680 469</b>	<b>1 338 830</b>	<b>923 175</b>	<b>941 061</b>	<b>1 864 236</b>	<b>1 241 712</b>	<b>1 266 447</b>	<b>2 508 159</b>	<b>1 743 074</b>	<b>1 794 294</b>	<b>3 537 368</b>

## 2. Socioeconomic indicators

6. Mauritania launched a Poverty Reduction Strategy Framework for the period 2001–2015. Its implementation resulted in a drop in poverty from 51 per cent in 2001 to 31 per cent in 2014. During the same period, economic growth averaged 4.3 per cent, despite an unfavourable international economic climate.

7. Notwithstanding this economic climate, efforts were made to develop human resources and expand basic services. For the 2012/13 school year, (i) the gross enrolment ratio in primary education was 99.3 per cent; (ii) it was 102.5 per cent for girls, compared with 95.9 per cent for boys, with a gender parity index of 1.07 for the period, indicating that the efforts had yielded stronger benefits for girls; and (iii) the retention rate in primary education was 75 per cent, compared with 67.4 per cent in 2011/12, in other words, a substantial increase.

8. In secondary education, (i) the gross enrolment ratio rose from 24.9 per cent in the 2009/10 school year to 29.5 per cent in 2012/13; (ii) the attendance rate for girls stood at 47.6 per cent in 2012/13; and (iii) the transition rate was 52.7 per cent in 2012/13.

9. The efforts made by the Government to improve the health status of the population by improving the quality and accessibility of health services resulted in (i) the construction, renovation and equipping of health centres; (ii) the construction of nursing schools; (iii) the acquisition of medical equipment; (iv) the acquisition of ambulances and four-wheeled motorcycles; and (v) the recruitment of 582 health workers (doctors and paramedics), the training of 440 paramedics and the hiring of 54 medical workers from abroad.

10. The main health indicators are as follows: (i) the rate of health-care coverage within a 5-kilometre radius is 74 per cent; (ii) under-5 mortality is 114 per 1,000 live births; (iii) 78 per cent of 1-year-olds have been vaccinated against measles; (iv) the maternal mortality rate is 585 per 100,000 births; (v) the contraception prevalence rate is 11.4 per cent; (vi) the HIV/AIDS prevalence rate among 15- to 24-year-olds has remained below 1 per cent, at 0.7 per cent; and (vii) the proportion of deaths of children under 5 from malaria is 5.1 per cent.

11. Regarding access to drinking water, the infrastructure built in 2013 and the projects under way have given 58 per cent of the population — 48 per cent in rural areas and 60 per cent in urban areas — access to an improved source of drinking water. The work done on sanitation increased the rate of access to improved sanitation from 22 per cent of the population in 2010 to 34.5 per cent in 2013.

12. Regarding universal access to basic services, the start of electrification projects using solar energy kits and renewable energy has significantly improved access to such services.

13. When the Poverty Reduction Strategy Framework period came to an end, the Government decided to put in place a new strategy for accelerated growth and shared prosperity for the period 2015–2030. The strategy aims, inter alia, to foster economic growth which is diversified, inclusive, green and sustainable, reduces inequalities and is geared towards job creation. It also aims to tackle unemployment, strengthen resilience and ensure that prosperity is shared more fairly.

14. The Government has strengthened political and democratic governance by (i) setting up an independent National Electoral Commission and (ii) organizing free and transparent legislative and municipal elections.

## B. Constitutional and judicial structure

### 1. Constitutional framework

15. The Constitution of 20 July 1991, amended in 2006 and 2012, established several institutions, notably the Constitutional Council, the Economic and Social Council, the Court of Auditors, the Islamic High Council and the National Human Rights Commission.

16. Article 1 of the Constitution states: “Mauritania is an indivisible, democratic and social Islamic Republic. The Republic guarantees equality before the law to all its citizens, regardless of origin, race, sex or social condition.” Article 3 enshrines the principle of democracy: “Sovereignty belongs to the people, who exercise it through their representatives or by referendum.”

17. The republican form of the State is based upon the principle of the separation of powers. The President is elected by direct universal suffrage for a five-year term, which may be renewed once. The President defines national policy, which is implemented by the government under the leadership of the Prime Minister.

18. Legislative power is exercised by the Parliament, which adopts laws and is responsible for oversight of government action. The Parliament is composed of the National Assembly and the Senate.

19. Mauritania has a decentralized and devolved administrative structure. The territory is organized into several administrative levels: governorates (*wilayas*) (15), departments (*moughataas*) (58) and districts (*communes*) (218). The different levels of government all contribute to the political, economic and social development of the country.

### 2. Judicial institutions

20. The Mauritanian system of justice is based on the double-hearing principle. The system consists of courts at the department and governorate levels, courts of appeal and a supreme court. The High Court of Justice hears cases involving the highest authorities of the State (the President and members of the Government). The Constitutional Council rules upon constitutional matters.

21. A high council dealing with fatwas and administrative appeals guides users of the justice system towards solutions that comply with Islamic law.

22. The Government has improved the effectiveness of the justice system by bringing the courts closer to the people with the establishment of an appeal court in Aleg, two regional courts in North and South Nouakchott, a labour court in Zouerate and three criminal courts specialized in anti-slavery law. It has also introduced a national strategy to combat corruption, and sectoral plans to combat corruption are implemented by government departments in collaboration with civil society.

Table 2

#### Work of the courts of first instance (2014) Civil, commercial and administrative cases

<i>Type</i>	<i>Number</i>
Cases brought	5 937
Judgments handed down	1 339
Conciliation proceedings	2 040
Appeals	984
Appeals on points of law	37
Provisional orders	4 601
Appeals against provisional orders	323
Applications to set aside judgments	49

**Work of the criminal courts, criminal chambers and juvenile courts**

<i>Type</i>	<i>Number</i>
Cases brought	2 159
Judgments handed down	1 589
Provisional orders	565
Appeals	1 237
Appeals against provisional orders	30
Applications to set aside judgments	16

**Work of investigating judges (2014)**

<i>Type</i>	<i>Number</i>
Cases brought	2 414
Accused persons	3 962
Cases referred to the criminal court	594
Cases referred to the criminal chamber	757
Cases in which the investigation was closed	1 395
Detention orders	1 579
Release orders	421
Orders for release under judicial supervision	915
Dismissal orders	140
Orders resulting from conciliation proceedings	364
Sureties	440
Prison visits	689
Letters rogatory	145
Decisions to release on bail	43
Expert evaluations	63
Arrest warrants	297

**Data from the Nouakchott prosecution service (2012)****Serious offences**

<i>Classification</i>	<i>Number</i>
Aggravated theft	156
Rape	49
Possession, sale and importation of drugs	56
Sale of alcohol	52
Unlawful sexual intercourse ( <i>zina</i> )	12
Murder	22
Forgery and use of forged documents with intent to defraud	21
Destruction of the property of others	36
Death threats	15
Deliberate assault	47
Terrorism	7

**Other punishable offences**

<i>Classification</i>	<i>Number</i>
Theft	445
Assault and battery	104
Unintentional wounding	105
Manslaughter	73
Fraud	89
Fraudulent breach of trust	67
Drug use	49
Use of psychotropic substances	65
Forgery and use of forged documents with intent to defraud	21
Writing uncovered cheques	106
Obstruction of justice	10
Filial disobedience	12
Sexual assault	22
Corruption	10
Threats of violence	15
Witchcraft and charlatanism	15
Gambling	4
Kidnapping	1
Vagrancy	3
Importation of weapons	2
Driving without a licence	21
Driving without insurance	27
Acting under false pretences	13
Desertion	12
Escape from custody	4
Setting fire to homes	1
Other offences	16

**C. General framework for the protection and promotion of human rights****1. Acceptance of international human rights norms**

Table 3

**Main international human rights instruments ratified by Mauritania**

<i>No.</i>	<i>Instrument</i>	<i>Date of adoption</i>	<i>Date of ratification</i>	<i>Reservations/Comments</i>
1	Universal Declaration of Human Rights	1948	Preamble of the Constitution of 20 July 1991	Incorporated in the preamble of the Constitution of 20 July 1991
2	United Nations Convention against Corruption	2003		
3	International Convention on the Elimination of All Forms of Racial Discrimination	1965	1988	Reservation: Mauritania has not made the declaration under article 14 recognizing the competence of the Committee to receive individual complaints

No.	Instrument	Date of adoption	Date of ratification	Reservations/Comments
4	Convention on the Elimination of All Forms of Discrimination against Women	1979	1990	Reservation
5	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	1990	2003	
6	Convention on the Rights of the Child	1989	1990	Reservations
7	Convention on the Rights of Persons with Disabilities	2006	2010	
8	International Convention for the Protection of All Persons from Enforced Disappearance	2006	2012	
9	International Covenant on Civil and Political Rights	1966	1999	Reservations
10	International Covenant on Economic, Social and Cultural Rights	1966	1999	
11	Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment		2012	
12	Optional Protocol to the Convention on the Rights of Persons with Disabilities	2006	2010	
13	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	1984	1999	Reservations

## 2. Scope and nature of the reservations

### (a) Scope of reservations

23. Mauritania has entered reservations to several human rights conventions. These reservations are either general or specific in scope.

#### *Convention on the Elimination of All Forms of Discrimination against Women*

24. The reservations concern article 13, paragraph (a), and article 16.

#### *Convention on the Rights of the Child*

25. All parts of the Convention that are not contrary to sharia law have been approved.

#### *International Covenant on Civil and Political Rights*

26. The reservations concern article 18, paragraphs 2–4, and article 23, paragraph 4.

*Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*

27. The reservations concern article 20, paragraphs 1–5, on the competence of the Committee, and article 30, paragraph 1, on the International Criminal Court.

**(b) Reasons for the reservations**

28. These reservations were deemed necessary because the provisions concerned are contrary to sharia law, the sole source of law under the Constitution.

**(c) Effect of the reservations**

29. Only the provisions to which the reservations relate are not applied; other provisions retain their full legal force as stipulated in article 80 of the Constitution.

**(d) Follow-up to declarations emanating from conferences**

30. Through its participation in international human rights conferences, Mauritania has given effective support to the declarations, recommendations and commitments adopted by those conferences.

31. Pursuant to the declarations and recommendations of international conferences, notably the one held in Vienna in 1993, Mauritania withdrew and replaced its general reservation to the Convention on the Elimination of All Forms of Discrimination against Women and is contemplating similar action in respect of its general reservation to the Convention on the Rights of the Child.

**(e) Derogations, restrictions and limitations**

32. Other than the reservations it has entered, Mauritania has not restricted, limited or derogated from the international instruments it has ratified.

Table 4

**Main International Labour Organization (ILO) conventions ratified by Mauritania**

<i>No.</i>	<i>Instrument</i>	<i>Date of adoption</i>	<i>Date of ratification</i>	<i>Reservations/Comments</i>
1	ILO Discrimination (Employment and Occupation) Convention (No. 111)	1958	8 November 1963	
2	ILO Equality of Treatment (Accident Compensation) Convention (No. 19)	1925	8 November 1963	
3	ILO Equal Remuneration Convention (No. 100)	1951	3 December 2001	
4	ILO Equality of Treatment (Social Security) Convention (No. 118)	1962	15 July 1968	Accepted in respect of branches (d) to (g) and (i).
5	ILO Abolition of Forced Labour Convention (No. 105)	1957	3 April 1997	
6	ILO Forced Labour Convention (No. 29)	1930	20 June 1961	
7	ILO Maternity Protection Convention (No. 3)	1919	8 November 1963	
8	ILO Night Work (Women) Convention (No. 4)	1919	20 June 1961	Denounced by the Islamic Republic of Mauritania on 2 August 1965.
9	ILO Night Work (Women) Convention (No. 41)	1934	20 June 1961	Denounced on ratification of Convention No. 89.

<i>No.</i>	<i>Instrument</i>	<i>Date of adoption</i>	<i>Date of ratification</i>	<i>Reservations/Comments</i>
10	ILO Night Work (Women) Convention (No. 89)	1948	8 November 1963	
11	ILO Worst Forms of Child Labour Convention (No. 182)	1999	3 December 2001	
12	ILO Minimum Age (Industry) Convention (No. 5)	1919	20 June 1961	Denounced on ratification of Convention No. 138.
13	ILO Night Work of Young Persons (Industry) Convention (No. 6)	1919	20 June 1961	
14	ILO Minimum Age (Trimmers and Stokers) Convention (No. 15)	1921	8 November 1963	
15	ILO Minimum Age (Non-Industrial Employment) Convention (No. 33)	1932	20 June 1961	
16	ILO Minimum Age (Sea) Convention (No. 58)	1936	8 November 1963	
17	ILO Night Work of Young Persons (Industry) Convention (No. 90)	1948	8 November 1963	
18	ILO Minimum Age (Fishermen) Convention (No. 112)	1957	8 November 1963	
19	ILO Minimum Age Convention (No. 138)	1973	3 December 2001	Minimum age specified: 14 years.
20	ILO Holidays with Pay Convention (No. 52)	1936	8 November 1963	
21	ILO Paid Vacations (Seafarers) Convention (Revised) (No. 91)	1949	8 November 1963	
22	ILO Right to Organise and Collective Bargaining Convention (No. 98)	1949	3 December 2001	
23	ILO Holidays with Pay (Agriculture) Convention (No. 101)	1952	8 November 1963	
24	ILO Social Security (Minimum Standards) Convention (No. 102)	1952	15 July 1968	Accepted parts V to VII, IX and X.
25	ILO White Lead (Painting) Convention (No. 13)	1921	20 June 1961	
26	ILO Weekly Rest (Industry) Convention (No. 14)	1921	20 June 1961	
27	ILO Workmen's Compensation (Accidents) Convention (No. 17)	1925	8 January 1963	
28	ILO Workmen's Compensation (Industrial Diseases) Convention (No. 18)	1925	20 June 1961	
29	ILO Seamen's Articles of Agreement Convention (No. 22)	1926	8 November 1963	
30	ILO Repatriation of Seamen Convention (No. 23)	1926	8 November 1963	
31	ILO Minimum Wage-Fixing Machinery Convention (No. 26)	1928	20 June 1961	

<i>No.</i>	<i>Instrument</i>	<i>Date of adoption</i>	<i>Date of ratification</i>	<i>Reservations/Comments</i>
32	ILO Officers' Competency Certificates Convention (No. 26)	1936	8 November 1963	
33	ILO Safety Provisions (Building) Convention (No. 62)	1937	8 November 1963	
34	ILO Labour Inspection Convention (No. 81)	1947	8 November 1963	
35	ILO Freedom of Association and Protection of the Right to Organise Convention (No. 87)	1948	20 June 1961	
36	ILO Labour Clauses (Public Contracts) Convention (No. 94)	1949	8 November 1963	
37	ILO Protection of Wages Convention (No. 95)	1949	20 June 1961	
38	ILO Fee-Charging Employment Agencies Convention (Revised) (No. 96)	1949	31 March 1964	Accepted the provisions of part II.
39	ILO Fishermen's Articles of Agreement Convention (No. 114)	1959	8 November 1963	
40	ILO Final Articles Revision Convention (No. 116)	1961	8 November 1963	
41	Employment Policy Convention (No. 122)	1964	30 July 1971	

Table 5

**Ratification of instruments on international humanitarian law and refugees**

<i>No.</i>	<i>Instrument</i>	<i>Date of adoption</i>	<i>Date of ratification</i>	<i>Reservations/Comments</i>
1	Convention on the Status of Refugees	1951	1987	
2	Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field	1949	1962	
3	Geneva Convention for the Amelioration of the Conditions of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea	1949	1962	
4	Geneva Convention relative to the Treatment of Prisoners of War	1949	1962	
5	Geneva Convention relative to the Protection of Civilian Persons in Time of War	1949	1962	
6	Protocol Additional to the Geneva Conventions of 1 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol 1)	1977	1980	

<i>No.</i>	<i>Instrument</i>	<i>Date of adoption</i>	<i>Date of ratification</i>	<i>Reservations/Comments</i>
7	Protocol Additional to the Geneva Conventions of 1 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II)	1977	1980	
8	Convention relating to the Status of Refugees	1951	1987	
9	Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa	1969	1972	
10	Protocol to the Convention relating to the Status of Refugees	1967	1987	
11	Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on their Destruction	1997	2000	

Table 6  
**Ratification of regional human rights instruments**

<i>No.</i>	<i>Instrument</i>	<i>Date of adoption</i>	<i>Date of ratification</i>	<i>Reservations/Comments</i>
1	African Charter on Human and Peoples' Rights	1981	1986	Incorporated into the preamble of the Constitution of 20 July 1991
2	Protocol to the African Charter on Human and People's Rights on the Establishment of an African Court on Human and Peoples' Rights	1988	2005	
3	African Charter on the Rights and Welfare of the Child	1990	2005	
4	Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa	2003	2005	
5	African Charter on Democracy, Elections and Governance	2011	2008	
6	Protocol to the African Charter on Human and People's Rights on the Establishment of an African Court on Human and Peoples' Rights	1998	2005	
7	Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa	1969	1972	

### 3. Legal framework for the protection of human rights at the national level

#### (a) Enshrinement in the Constitution

33. The Constitution of Mauritania enshrines human rights in its preamble: "The Mauritanian people, fortified by their spiritual values and the development of their civilization, solemnly proclaim their attachment to Islam and to the principles of democracy

as defined by the Universal Declaration of Human Rights of 10 December 1948 and the African Charter on Human and Peoples' Rights of 28 June 1981 and by the other international conventions to which Mauritania is a party." The Constitution protects all the rights and freedoms set forth in the instruments to which Mauritania is a party.

**(b) Incorporation of human rights treaties**

34. Under the country's monist legal system, the human rights treaties ratified by Mauritania are incorporated into national legislation in accordance with article 80 of the Constitution.

**(c) Authorities with powers in human rights matters**

35. The principal authorities with powers in human rights matters are the Constitutional Council, the courts, the National Human Rights Commission, the relevant ministerial departments, the Office of the Ombudsperson, the High Council for Fatwas and Administrative Appeals, and the National Mechanism for the Prevention of Torture. They have powers throughout the country in relation to questions falling within their respective remits.

**(d) Ability to invoke human rights conventions before the courts**

36. All the provisions of the conventions ratified by Mauritania can be invoked directly before the courts, and judges are required to apply them.

**(e) Remedies**

37. Administrative and judicial remedies are available and may result in the award of civil damages and the imposition of administrative and/or criminal penalties on perpetrators.

**(f) National mechanisms for the protection and promotion of human rights**

38. The Commission for Human Rights and Humanitarian Action is responsible for drawing up and implementing national policy on the promotion, defence and protection of human rights.

39. The responsibilities of the Ministry of Social Affairs, Children and the Family include the advancement of women and their integration in the development process, and the promotion and protection of the rights of the child, persons with disabilities and older persons.

40. The independent National Human Rights Commission is responsible for giving, at the request of the Government or on its own initiative, advisory opinions on general and specific issues relating to the promotion and protection of human rights and respect for individual and collective freedoms.

41. The public authorities and human rights organizations disseminate the various treaties and conventions to which Mauritania is a party through the press, workshops and promotional materials, and ensure that these instruments are accessible by explaining their content in the different national languages, as necessary.

42. The Parliament legislates and ensures that national legislation complies with the provisions of the international treaties Mauritania has ratified. The parliamentary group on human rights ensures that the principles of human rights are promoted, disseminated and protected.

43. The National Mechanism for the Prevention of Torture sees that the legislation in force in this area is respected.

44. The High Council for Fatwas and Administrative Appeals does the same in its area of competence.

45. More than 6,028 national NGOs and 57 international NGOs work in Mauritania. The number of associations has increased significantly since 2008, when there were only 1,106. Associations are active in many different fields.

**(g) Recognition of the jurisdiction of a regional court for human rights or a similar mechanism**

46. Mauritania has recognized the jurisdiction of the African Court on Human and Peoples' Rights.

**(h) Dissemination of human rights instruments**

47. Several conventions have been the subject of information and awareness campaigns, including the following:

*Convention on the Elimination of All Forms of Discrimination against Women*

48. This convention has been disseminated through:

- Its translation into the four national languages.
- Preparation of an explanatory handbook and the organization of large-scale awareness-raising campaigns through the media (radio and television).

*Convention on the Rights of the Child*

49. This convention has been disseminated through:

- Preparation and distribution of an explanatory handbook on the Convention.
- Organization of annual awareness-raising campaigns on the rights of the child in conjunction with Children's Days.
- Provision of training to members of civil society on the rights of the child.

*Convention on the Rights of Persons with Disabilities*

50. This convention has been disseminated through:

- The organization of campaigns in all governorates throughout the country.
- The establishment of several organizations of persons with disabilities.

*Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*

51. Several activities have been organized to disseminate this convention:

- Training and awareness seminars for members of law enforcement agencies on the prohibition of torture and other cruel, inhuman or degrading treatment or punishment.
- The administrative and judicial authorities are required to investigate all allegations of torture.
- The penalties applied are those provided for in Act No. 2015.033 of 10 September 2015 on the punishment of torture.

52. All the international instruments subject to monitoring by treaty bodies that have been ratified by Mauritania have been published in the Official Gazette.

**(i) Raising human rights awareness among public officials and other human rights professionals**

53. Human rights awareness and training plans for civil servants have been implemented. Seminars have been organized by different ministries and the National Human Rights Commission with support from the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Association for the Prevention of Torture.

**(j) Raising awareness through educational programmes and the dissemination of information with the support of the authorities**

54. Human rights education is included in the civics and religious instruction syllabus. There are mandatory annual modules, and human rights is one of the topics covered in assessed coursework and in the examinations that students must pass if they are to move up to the next year.

55. Primary school provides the ideal environment for citizenship training. Open to all children, it is a fitting place for the transmission of fundamental values. In universities, human rights modules have been introduced into the curricula of various disciplines.

56. Human rights education in primary schools is provided through two channels:

- Official course content (on civics, citizenship and so forth), taught in Arabic from year 5
- Pilot initiatives that incorporate the rights of the child at a number of primary schools, e.g., through health, hygiene and environment clubs

**(k) Promotion of human rights awareness through the media**

57. State and private media are regularly asked to provide national coverage of activities to promote and protect human rights. Radio and television programmes are produced periodically on human rights-related themes.

**(l) Role of civil society**

58. Civil society works with the authorities to produce awareness-raising programmes on human rights for the general public.

**(m) Allocation of budgetary resources**

59. Budgetary resources are allocated annually to ministerial departments, institutions and other bodies and NGOs working in the human rights field.

**(n) Development cooperation and assistance**

60. Technical assistance for the promotion and protection of human rights is provided by OHCHR, the United Nations Development Programme (UNDP), the United Nations Children's Fund (UNICEF), the United Nations Population Fund (UNFPA) and other partners.

**D. Factors hampering implementation of international human rights obligations**

61. The main challenges the country still faces regarding full enjoyment of human rights are:

- The inadequate human and financial resources of the institutions and organizations defending human rights
- The low level of specialization among human rights defenders

**E. The reporting process****1. Interministerial technical committee responsible for drafting reports on international human rights instruments**

62. The Government has set up an interministerial technical committee responsible for drafting reports and following up on implementation of the recommendations of treaty bodies and the universal periodic review. All ministerial departments, the National Human Rights Commission and the Office of the Ombudsperson are represented on this committee. The OHCHR country office has observer status.

## **2. Transmission of reports to stakeholders before submission to treaty bodies**

63. The national report, submitted in accordance with the universal periodic review procedure, was sent for observations and comments to the parliamentary authorities before its submission to the working group. This practice is followed for all reports that are to be submitted to treaty bodies.

## **3. Participation of non-governmental and independent bodies**

64. Recommendations made at consultation and discussion workshops with civil society and parliamentary authorities are taken into account for validation of the reports.

## **F. Follow-up to concluding observations and recommendations of human rights treaty bodies**

65. Observations and recommendations are shared and discussed at workshops, the conclusions of which are sent to the relevant authorities. This is the case with the recommendations of the other committees. With assistance from the OHCHR country office, a national action plan is currently being prepared to implement the recommendations of the treaty bodies and the universal periodic review.

## **G. Measures to ensure wide dissemination of observations and recommendations issued by treaty bodies after review of a State party report**

66. The interministerial technical committee responsible for drafting reports shares those reports as well as the conclusions and recommendations of treaty bodies and the universal periodic review with the members of the Parliament. They are also distributed through the media.

### **1. Follow-up to international conferences**

67. Mauritania systematically follows up on the declarations adopted at various world conferences, in particular those held in Vienna in 1993, in Durban in 2001 and Beijing in 1995, and the Commission on the Status of Women in New York. The Government implements the commitments made at the different conferences through its ministries and institutions.

### **2. Information on non-discrimination, equality and effective remedies**

#### **(a) Non-discrimination and equality**

68. The principle of non-discrimination is embodied in the Constitution. It is reflected in national legislation and given practical expression in many areas, including taxation, access to justice, equal pay for equal work and access to public services.

69. The Constitution guarantees women the right to participate in political and public life. It also gives them all the civil, political, economic, social and cultural rights proclaimed by the Universal Declaration of Human Rights of 1948 and the African Charter on Human and Peoples' Rights of 1981.

70. Article 1, paragraph 2, of the Constitution provides: "The Republic guarantees equality before the law to all its citizens, regardless of origin, race, sex or social condition."

71. Article 12 provides: "All citizens shall enjoy access to public positions and employment with no conditions other than those established by law."

72. Positive discrimination and special temporary measures have been applied in electoral processes and functions. The quota reserved for women has increased significantly. Places are reserved for women in all recruitment processes.

- The Personal Status Code of 2001 sets the minimum age of marriage at 18 years.

- The Children’s Code of 2005 (*Ordonnance No. 2005-015 du 5 décembre 2005 portant protection pénale de l’enfant*) prohibits and provides punishments for female genital mutilation.
- The Compulsory Basic Education Act of 2001 sets school age at 6 to 14 years.
- The Order on Women’s Access to Elected Offices sets a quota of 20 per cent for women.
- The Legal Aid Act makes assistance available to low-income defendants.
- The Order on Protection and Promotion of the Rights of Persons with Disabilities makes provision for special treatment of this group of persons.
- The Labour Code and the act governing civilian pensions under the Pension Fund authorize the payment of a pension to the eligible beneficiaries of female civil servants on the same terms as for male civil servants.
- Pension granted to the eligible beneficiaries of women civil servants upon their death.
- Harmonization of retirement age at 60 years for women whose conditions of employment are governed by a collective agreement.

73. The authorities have put in place an institutional mechanism to ensure that gender is mainstreamed in public policy. This mechanism covers:

- The Ministry of Social Affairs, Children and the Family
- The national group and the regional groups that monitor gender mainstreaming

**(b) Measures taken to improve women’s political participation and involvement in decision-making**

- Adoption of a national list of 20 women for the election of members of the National Assembly
- Adoption of a national list of 20 seats and a second list of 18 seats for Nouakchott
- Increase in the number of constituencies with three seats to be filled by proportional representation
- Granting of financial incentives to political parties that elect more women
- The organization of a competitive selection procedure specifically to allow the entry of 50 additional women to the National School of Administration, Journalism and Legal Service Training
- The creation of eight university teaching posts for women
- Increase in the number of study grants reserved for girls

**(c) Principle of non-discrimination and principle of compulsory application**

74. The Constitution of 1991, as amended in 2006 and 2012, states: “Liberty, equality and human dignity can only be guaranteed in a society that respects the rule of law.” It also guarantees the basic principles of non-discrimination.

**(d) Measures to prevent and combat discrimination in all its forms**

75. Several institutions are involved in preventing and combating all forms of discrimination. They include the ministries responsible for human rights issues, the Tadamoun National Agency for the Eradication of the Vestiges of Slavery, Social Integration and Poverty Alleviation, the National Human Rights Commission, the Office of the Ombudsperson, the High Council for Fatwas and Administrative Appeals, as well as the courts.

(e) **General information on the human rights situation of persons belonging to specific vulnerable groups**

76. The Poverty Reduction Policy attaches particular importance to addressing the situation of the more vulnerable sectors of the population.

**2. Specific measures to reduce disparities**

77. Several measures have been planned to reduce economic, social and geographic disparities, in particular where women are concerned. They include the development and implementation of the National Action Plan on Gender-based Violence 2015–2018 and the organization of campaigns against child marriage.

78. Measures have been taken to raise public awareness of stereotypes and practices harmful to women, such as the following:

- Celebration of the International Day of Zero Tolerance for Female Genital Mutilation
- Organization of several campaigns to raise awareness about harmful practices (female genital mutilation, force-feeding of girls, forced and early marriage, etc.)

**3. Equality before the law and equal protection under the law**

79. The Mauritanian system of justice is based on the double-hearing principle, and access to the courts has been facilitated through the provision of legal aid.

**K. Effective remedies**

80. International instruments ratified by Mauritania are incorporated in the domestic legal order pursuant to article 80 of the Constitution. All human rights provisions under ratified conventions may be invoked in the courts and judges are bound to apply them.

**Part two  
Implementation of the Convention**

**First subpart: Measures of general application (arts. 4, 42 and 44, para. 6)**

**A. Measures to bring domestic legislation and policy into line with the Convention**

**1. Legislation adopted to improve the situation of children**

81. The following laws and texts have been adopted to promote the rights of the child:

- The act amending Act No. 61-016 of 30 January 1961 governing civilian pensions under the Pension Fund. This legislation ends discrimination against women and children by guaranteeing a pension to surviving spouses and children.
- Act No. 2007-042 of 3 September 2007 on the prevention, treatment and control of HIV/AIDS.
- Decree No. 797 of 18 August 2011 regulating the employment of domestic staff.
- A fatwa prohibiting female genital mutilation.

**2. Measures to improve the situation of children**

82. These are essentially:

- The organization of national consultations on education

- The establishment of a children's parliament
- The National Gender Mainstreaming Strategy
- The Social Protection Strategy
- The National Migration Management Strategy

### **3. Improvement of institutions responsible for safeguarding the rights of children**

83. The work of coordinating and advocating for the protection and promotion of the rights of the child has been improved by (i) putting in place regional committees and units to deal with and resolve family disputes; (ii) establishing the Centre for the Protection and Social Integration of Children; and (iii) putting in place juvenile courts; (iv) police stations and (v) specific centres for juveniles in conflict with the law. The establishment of the National Executive Secretariat to Combat AIDS has resulted in several day treatment centres being set up where antiretroviral medicines are distributed free of charge to all patients, including children. The Ministry of Social Affairs, Children and the Family has conducted several prevention and screening campaigns for women and girls with sectoral coordination provided by the Executive Secretariat.

### **4. Coordination within the justice system**

84. Several advocacy, training and consultation events have been organized for the presidents of courts, lawyers, senior police officials, gendarmes, police chiefs, social workers and police officers to inform them of developments in child protection legislation adopted by Mauritania.

85. The tools available to those working in the justice system have been simplified to ensure better protection and promotion of children's rights. This has found expression in the preparation and dissemination of a handbook on judicial procedures, the production and launching in six governorates of a guide on standard operating procedures for combating violence and the development of a training module for combating female genital mutilation.

### **5. Strengthening awareness and efforts to counter gender-based violence**

86. The effort to prevent gender-based violence has been intensified through (i) the implementation of a national strategy to promote abandoning the practice of female genital mutilation; (ii) the carrying out of a national survey on gender-based violence; (iii) the country's joining of the United Nations Secretary-General's campaign to combat gender-based violence; (iv) implementation of a programme for the voluntary abandonment of female genital mutilation; (v) annual celebration of the International Day of Zero Tolerance for Female Genital Mutilation; and (vi) organizing campaigns to promote the abandonment of female genital mutilation.

## **B. Coordination and data-gathering**

87. The Children's Affairs Directorate of the Ministry of Social Affairs, Children and the Family is responsible for gathering and compiling data on children. It publishes an annual report that includes all the recommended outputs and indicators with regard to children.

## **C. Achievement of the economic, social and cultural rights of children and budgetary resources allocated**

### **1. Ministry of Social Affairs, Children and the Family**

88. The Ministry of Social Affairs, Children and the Family is responsible for ensuring national solidarity and providing a social safety net for vulnerable groups, safeguarding the family and the welfare of children, and fostering the advancement of women.

89. The Centre for the Protection and Social Integration of Children, the Centre for Early Childhood Training and the Centre for Training and Inclusion of Children with Disabilities have been receiving increased allocations to their budgets.

## **2. National Child Protection Strategy and Action Plan**

90. The National Child Protection Strategy aims to protect children from violence, exploitation, discrimination, abuse and negligence. It focuses on (i) children with disabilities; (ii) children who are exploited for labour purposes or who are victims of trafficking; (iii) children with little or no parental care (children in street situations, orphans, abandoned children, children who beg, children who are victims of family disputes); (iv) child victims of harmful cultural practices (female genital mutilation, child marriage); (v) orphans and other children in situations of HIV/AIDS-related vulnerability; (vi) child victims of sexual exploitation and violence; and (vii) children in conflict with the law. A child protection system has been put in place, comprising 13 regional and 30 district-level structures that provide coverage for most of the country's governorates.

91. Child protection institutions in Mauritania include a public and semi-public component and a civil society component.

### **(a) Legal protection**

92. The legislative framework provides a firm basis for the protection of children from abuse and all forms of exploitation.

### **(b) Health protection**

93. Maternal and child health is an important aspect of health-care efforts, with a focus on disease prevention and integrated care of mother and child and on initial and follow-up training for the various categories of health workers. A State-funded programme has been established to vaccinate children against infectious diseases. The opening of the Mère et Enfant (Mother and Child) Hospital has brought about an improvement in the quality of maternal and child health care available.

### **(c) Education**

94. Primary education is compulsory and free of charge. Of the country's 510,000 students, 100,000 are in secondary school, 14,000 are in higher education and the rest are in primary school. There are 3,768 primary schools, 231 secondary schools and 3 public universities. As for teaching staff, the country has 15,000 primary school teachers, 5,000 secondary school teachers and 300 instructors at the higher education level; a total of 310 school inspectors monitor the primary schools. National education policy is implemented through the National Programme for the Development of the Education Sector, which covers preschool, traditional teaching and basic literacy, primary and secondary education, technical and vocational training, and higher education.

### **(d) Protection from abuse**

95. This protection is assured through:

- The establishment of several juvenile police units within the investigative police branch.
- A major awareness-raising effort launched by the Ministry of Social Affairs, Children and the Family.
- Prohibition of corporal punishment and other types of physical violence against children.
- The involvement of NGOs active in the sphere of child protection, with financial support from international donors.
- The protection of children from the consequences of family disputes is ensured by the Family Dispute Resolution Service.

- UNICEF provides support for the planning, implementation, follow-up and evaluation of child welfare and protection activities.
- UNFPA lends support for such activities as the advancement of women and efforts to combat female genital mutilation.
- GIZ is working to strengthen gender mainstreaming as part of a good governance programme.

**(e) Strengthening of the economic and cultural rights of children**

96. With a view to promoting and protecting the rights of women, children and persons with disabilities, Mauritania has strengthened its commitment by:

- Ratifying the relevant international conventions
- Adopting the regulations to implement the Order on Protection and Promotion of Persons with Disabilities
- Putting in place an awards-based programme to encourage girls to study sciences (from primary to higher education)
- Providing study grants for the girls who win awards
- Strengthening the vocational training programme offered by the training centre for the advancement of women and the Centre for Early Childhood Training
- Adapting vocational training content to market needs by offering new courses

**3. Budgetary resources allocated to children's welfare issues**

97. The operating budget of the Ministry of Social Affairs, Children and the Family is more than 2 billion ouguiya (UM). The budget of the Ministry of Education is about UM 50 billion. The Ministry of Culture and the Ministry of Youth and Sport together have a budget of UM 2 billion. These two budgets are supplemented by the allocation of 1 per cent of annual customs revenues to actions programmed by the Department of Youth and Sport. The budget of the Ministry of Health is more than UM 12 billion, and that of the Ministry of Islamic Affairs and Traditional Teaching is over UM 3 billion. These various units devote a large proportion of their budgets to promoting and protecting children's rights.

**F. Measures to make the principles and provisions of the Convention widely known**

**1. Communication unit of the Ministry of Social Affairs, Children and the Family**

98. The unit has done the following: (i) held several advocacy seminars on the Convention on the Rights of the Child for the judicial authorities; (ii) trained trainers on the Convention; (iii) developed and disseminated a handbook on the judicial procedures of the Convention; (iv) promulgated a fatwa prohibiting female genital mutilation; (v) conducted a study on gender-specific stereotypes; (vi) prepared and implemented a handbook on standard operating procedures for combating violence and prepared a module on combating female genital mutilation; (vii) conducted a campaign on female genital mutilation addressed to 700 imams (religious leaders); (viii) prepared for Mauritania to join the United Nations Secretary-General's campaign to end violence against children; (ix) produced a film on gender-based violence; (x) implemented a programme on voluntary abandonment of female genital mutilation in governorates where it is highly prevalent; and (xi) celebrated the International Day of Zero Tolerance for Female Genital Mutilation.

**2. Raising the awareness of persons working with children**

99. The Ministry of Social Affairs, Children and the Family has organized several awareness-raising seminars on the Convention for primary and secondary school teachers. An effort has been made to provide continuing education on the Convention to persons working with children and other categories of workers. The National School of

Administration, Journalism and Legal Service Training has included human rights and the rights of the child in the training provided to judges and others working in the justice system.

### **3. Promotion of the Convention in the media**

100. The weekly magazines have sections on child-related issues. They deal with the principles of the Convention, their application and the problems they present. The daily newspapers *Horizons* and *Chaab* publish articles about young people and often take stock of implementation of the Convention on the occasion of child-related celebrations. Websites and social media have contributed to dissemination and awareness of the Convention.

### **4. Role of civil society in promoting the Convention**

101. During the reporting period, associations and NGOs played a major role in disseminating a culture of children's rights. They organized awareness-raising campaigns around the country on the provisions of the Convention.

## **G. Measures to ensure widespread dissemination of the report**

102. Measures have been taken to ensure widespread dissemination of the report.

### **1. Methodology of preparation of the report**

103. The drafting of this report took place through a series of information-related activities, technical meetings, interviews and information-gathering with various players in the sphere of children's rights. Preparation took place in three phases: (i) documentary review; (ii) meeting with those who work in the field of child welfare and rights and with beneficiaries; and (iii) writing of the first draft, which was followed by (iv) its presentation at a feedback workshop, and drafting and submission of the final report. The methodology was based on dialogue, participation and analysis from a children's rights approach. This process was both proactive and inclusive. As a result, it was possible to analyse the current state of implementation of the Convention, with particular emphasis being placed on the Millennium Development Goals and other goals with related commitments arising from world, regional and national conferences and summits on child welfare matters.

104. Pursuant to article 44 (6) of the Convention, the authorities took several measures to guarantee that all the relevant public institutions and civil society participated in the preparation of the report on implementation of the Convention. In response to the observations of the Committee, other measures have been taken to make the report and observations available to the public.

### **2. Participation of ministerial departments in preparation of the report**

105. The Government has established an interministerial technical committee responsible for drafting reports of the State. The committee is composed of representatives of all the ministerial departments and institutions concerned with human rights issues.

### **3. Measures to disseminate and publish the report**

106. After publication of the observations of the Committee, the report is sent by the drafting committee to all the parties concerned. National human rights reports drafted by the Commission for Human Rights and Humanitarian Action refer to the various periodic reports on the rights of the child. Because it is aware of the importance of the Committee's observations for guiding programmes and adjusting policies, the drafting committee systematically sends them to the various ministries, NGOs and the Parliament.

## **Second subpart: Definition of the child**

107. The definition of the child in Mauritanian law complies with article 1 of the Convention and the associated rights are identical for girls and boys. National legislation makes no distinction between girls and boys regarding the different types of responsibilities: (i) from age 6 to age 14 — education is compulsory; (ii) 16 — minimum age of employment; (iii) 18 — minimum age for hazardous work; (iv) 15 — criminal liability; (v) 18 — minimum age of marriage under Act No. 2001-052 on the Personal Status Code.

## **Third subpart: General principles**

### **A. Non-discrimination (art. 2)**

#### **1. Anti-discrimination framework**

108. Mauritanian law, starting from article 1 of the Constitution, prohibits incitement to racial and ethnic discrimination and contains a range of provisions criminalizing the dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination and all acts of violence or provocation directed against any race or group of persons of another colour or another ethnic origin. Article 3 of Order No. 91-023 of 25 July 1991 on Freedom of the Press prohibits hatred, ethnic and regional prejudice and any act categorized as a serious crime or offence. In addition, article 4 of Order No. 091-024 of 25 July 1991 on Political Parties stipulates: “In their statutes, programmes, speeches and political action, political parties shall refrain from any incitement to intolerance and violence and any propaganda the aim of which is to violate the territorial integrity or unity of the nation.” The provisions contained in the chapter of the Criminal Code entitled “Serious crimes and offences against persons” enable the courts to adjust the punishment for any racist act in accordance with the act’s gravity.

109. The Ministry of Social Affairs, Children and the Family and the Ministry of the Interior together deal with the issue of children in street situations. Children in street situations are provided with education and vocational training by the Centre for the Protection and Social Integration of Children and are also provided with shelter. A programme has been launched to combat the practice of begging, and a project for the integration and education of child beggars is under way that is helping to put an end to this practice.

110. The Government organized the repatriation of all child jockeys from the United Arab Emirates and they have been provided with compensation.

#### **2. Non-discrimination against girls**

111. The Constitution of 20 July 1991 is based on the principle of the equality of all citizens regardless of their gender. In addition, the principle of equality before the law and before the courts means that women and girls can initiate legal action and, if necessary, receive legal and judicial assistance.

112. Sociocultural behaviours that are prejudicial to women and girls are regularly reported on by the public and private media. Educational programmes presenting Mauritanian legislation and the norms of international law on the family, women, girls, young people and children are broadcast on the national television channel and private channels.

### **B. The best interests of the child (art. 4)**

#### **1. Guidance based on the best interests of the child**

113. The Parental Education Service of the Ministry of Social Affairs, Children and the Family provides information and guidance to parents on respecting the best interests of children. The Service is mandated to impart the necessary skills, knowledge and motivation

to enable effective protection of children and to identify and take action when a situation of discrimination, negligence or ill-treatment is identified. Such protection is vital to children's welfare inasmuch as they are especially vulnerable to ill-treatment, exploitation, discrimination and violence.

## **2. Incorporation of the interests of the child in legislation**

114. The principle of the best interests of the child is reflected in the national legal order, notably in the Personal Status Code.

## **C. The right to life, survival and development (art. 6)**

115. The death penalty is not applicable to juvenile offenders. Legislation safeguards their lives by providing protection against and penalizing infanticide. Under the Criminal Code, acts that violate a child's right to life are punishable offences, including (i) infanticide (art. 278); (ii) abortion (art. 293); (iii) abandonment of a child (art. 326); (iv) ill-treatment of children (art. 10 of the Children's Code); sexual abuse of children (art. 25 of the Code); (v) sexual abuse of children by relatives or persons with authority over them (art. 27 of the Code); (vi) sexual exploitation of children and subjecting them to prostitution (art. 25 of the Code); (vii) rape of children and acts of violence resulting in death (art. 24 of the Code); and (viii) kidnapping and abduction of children (art. 45 of the Code). Measures have been taken to register and establish the cause of death of children using a reporting system that analyses all the information on such deaths according to age and gender.

## **D. Respect for the views of the child (art. 12)**

116. The courts guarantee children the right to freely express their views, which are given due weight in accordance with the age and maturity of the child.

## **Fourth subpart: Civil rights and freedoms**

### **A. Name and nationality (art. 7)**

#### **1. Legal framework on registration of birth**

117. The legal framework guarantees registration of births. The recommendations of the Committee in this area led to a reform of the civil registry system, which now includes biometric registration since 2011. The responsible agency is the National Agency for Population Registration and Secure Documents.

#### **2. Registration of newborns of unknown parentage**

118. If a newborn is found and its identity and parentage are unknown, the State Prosecutor writes to the head of the relevant local office of the National Agency for Population Registration and Secure Documents instructing him or her to register the birth.

### **B. Preservation of identity (art. 8)**

#### **1. Right to identity**

119. Parents are required to inform the authorities of the family name, given name and date of birth of all newborns. By registering the birth, the authorities recognize the child's existence and establish its legal status.

#### **2. Right to nationality**

120. Children have the right to a nationality from birth. Mauritanian nationality may be acquired either by descent (*jus sanguinis*), if the parents are Mauritanian, or by birth in

Mauritanian territory (*jus soli*), even if the parents have another nationality. Nationality is acquired when the birth is registered. It is an attribute of the child's citizenship. A newborn of unknown parentage found in Mauritania is Mauritanian.

**C. Freedom of expression (art. 13)**

121. The Government has implemented a programme that enables children to express themselves freely on matters that concern them. It also aims to make the public aware of the necessity of children's participation, which takes place first and foremost through freedom of expression (children's parliament, youth clubs, etc.).

**D. Freedom of thought, conscience and religion (art. 14)**

122. Article 5 of the Constitution states that Islam is the religion of the people and the State. Freedom of thought is guaranteed by article 10 of the Constitution. Non-Muslim foreign children are free to practise their religion.

**E. Freedom of association and peaceful assembly (art. 15)**

123. Freedom of association and of peaceful assembly are enshrined in legislation. Article 10 of the Constitution guarantees freedom of association and assembly within the ambit of the law. This also applies to children. There are several young persons' movements (scouts, children's holiday camps and even specific groups for young people of the same age) that provide settings for the free association of children and young people. Secondary schools have cultural and sports clubs for children and young people.

**F. Protection of privacy (art. 16)**

124. The Children's Code provides for a punishment of "two to six months' imprisonment and a fine of UM 160,000 to UM 300,000 for the intentional violation of a child's privacy by any means whatsoever".

**G. Access to appropriate information (art. 17)**

125. The Order on Freedom of the Press guarantees children access to appropriate information. The High Authority on the Press and Audiovisual Media, an independent regulatory body, sees that the principles of education contained in the Press Act are respected.

**H. The right not to be subjected to torture or other, cruel, inhuman or degrading treatment or punishment, including corporal punishment (art. 37)**

126. Torture is defined as a crime against humanity under Mauritanian law. A national mechanism to prevent torture has been put in place. Subjecting a child to torture or barbarous acts is punishable by 6 years' imprisonment. The penalty is 15 years' imprisonment if torture is committed repeatedly against the child or if it leads to sequelae, mutilation or permanent disability. If torture results in the unintentional death of a child, the penalty is life imprisonment.

## **Fifth subpart: Family environment and alternative care**

### **A. Parental guidance (art. 5)**

127. The legal framework guarantees respect of parental rights and duties in providing guidance to children and providing appropriate advice on the exercise of rights that are not contrary to Islamic law. The Constitution of 20 July 1991 states that the family is the basic unit of society; article 16 provides that “The State and society protect the family.”

### **B. Parental responsibilities (art. 18, paras. 1 and 2)**

128. Mauritanian law imposes a series of obligations on parents regarding education, health and maintenance, all designed to benefit the child. Failure to meet these obligations results in pecuniary and custodial sentences.

### **C. Separation from parents (art. 9)**

129. The law guarantees children the right not to be separated from their family. This principle is embodied in article 123 of the Personal Status Code, which provides: “Custody of the child is a duty of the father and the mother while they remain united by marriage. If the marriage is dissolved, custody of the child shall be given in priority to the mother.” If the mother is not given custody, the article sets out the order in which other persons may be awarded custody (art. 123, para. 2). Article 122 sets out the conditions to be fulfilled by the individual who has custody of the child. In the event of separation, article 136 stipulates: “Where custody of the child is given to one of the parents, the other parent may not be prevented from visiting the child and being informed of his or her situation. Similarly, that parent may request that the child be transported to his or her home for a visit at least once a week, unless the court decides otherwise in the interests of the child.” This legislation is applied by the courts, and civil society assists children in the event of divorce proceedings or if their interests are threatened.

### **D. Family reunification (art. 10)**

130. Mauritania is a party to several international human rights conventions (refugees and migrants) that enshrine the right of family reunification. The courts give visiting rights to the parent who does not have custody, either in the place of usual residence of the child or in exercise of a right to cross-border visits.

### **E. Recovery of maintenance for the child (art. 27, para. 4)**

131. The Personal Status Code defines the content of maintenance and sets out the criteria for its calculation. In the event of divorce, the mother is generally given custody of the child and the father is required to pay maintenance.

132. The Family Dispute Resolution Service follows up applications for recovery of maintenance. To this end, it has developed a procedure for helping the parents to find common ground for payment of the amounts due. In the absence of such an agreement, the child’s mother may go to court to have her right to receive child support enforced.

### **F. Children deprived of a family environment (art. 20)**

133. The Personal Status Code provides for various placement measures for children who are temporarily or permanently deprived of a family environment. Family judges are in all cases bound to make a placement decision that is in the best interests of the child. Children are either placed with families according to the Islamic *kafalah* system or they are placed at the Centre for the Protection and Social Integration of Children.

134. To ensure that children who do not have the support of a family environment receive appropriate protection, the following actions have been taken: (i) support has been strengthened for the provision of care and awareness-raising by specialized bodies and the voluntary sector; (ii) a study has been conducted on the social situations that lead to loss of social support and how they are dealt with; (iii) the Centre for the Protection and Social Integration of Children has been opened to receive children who have no family support or are in a difficult situation so that they may be placed with a new family or returned to their own family. The centre is located in the interior of the country.

### **G. Adoption (art. 21)**

135. In Mauritania, adoption has no legal validity and does not create any relationship of filiation. Islamic law does, however, make provision for a form of adoption known as *kafalah*, or the lawful taking of a child into one's family. Persons wishing to take in a child under the *kafalah* arrangement must meet the following criteria: (i) be married; (ii) have Mauritanian nationality; (iii) have a permanent source of income and a social environment conducive to the child's education and development; and (iv) accept and fully assume responsibility for the child. Priority is given to couples without children. A bill on *kafalah* is currently under consideration and would provide children with the appropriate status in compliance with the Committee's recommendations.

### **H. Illicit transfer and non-return (art. 11)**

136. Mauritania has concluded an agreement with the United Arab Emirates that has put an end to trafficking in child jockeys. This has resulted in (i) the return of 530 children who were being used in camel racing, and (ii) payment of compensation to their parents. In addition, in the context of resolving the issue of Mauritanian refugees in Senegal, Mauritania has concluded a tripartite agreement with Senegal and the United Nations High Commissioner for Refugees for the repatriation of all Mauritians, including children, who had fled to Senegal following the painful events of 1988. These two agreements have facilitated the return of children to their country and represent the course of action taken by the authorities to address situations involving displaced children.

137. The Malian refugees in the camps at M'Berra and Bassiknou receive health care, education and food, all provided by the State.

### **I. Abuse and neglect (art. 19), including physical and psychological recovery and social reintegration (art. 39)**

138. The strategic and political framework takes into account gender and combating violence against children.

139. The Reception and Social Reintegration Centre for Children in Conflict with the Law is responsible for the rehabilitation of children in conflict with the law. The Personal Status Code contains a series of provisions that aim to prevent situations that may expose children to violence. The Labour Code prohibits the employment of children under 16 years of age. Articles 525, 276, 293, 310, 311, 312, 319, 323, 326, 331, 332 and 334 of the Criminal Code prohibit the use of children for begging and criminalize infanticide, abortion, rape, procuring, prostitution, false imprisonment and the kidnapping and abduction of children. The Code of Obligations and Contracts continues to be the basic law on compensation and includes provisions on damages for all victims of offences, including children. The Trafficking in Persons Act contains both protective measures as well as provisions on punishment for those who perpetrate acts of violence against children, i.e., the recruitment, transportation, harbouring or receipt of children for the purpose of exploitation. The Children's Code put in place a mechanism to punish violence against children.

140. The selling of and trafficking in children are offences under the Trafficking in Persons Act. Under the Criminal Code, sexual abuse, including prostitution and procuring,

is a crime. The Children's Code further defines such violence and provides severe penalties for perpetrators, in accordance with the second recommendation of the study of the Secretary-General of the United Nations on violence against children.

141. The Ministry of Social Affairs, Children and the Family has several social workers and assistant social workers whose responsibilities include compiling detailed information on child abuse.

## **1. Institutional framework for protecting children from violence**

142. The Ministry of Social Affairs, Children and the Family is responsible for following up and monitoring the implementation of the Convention on the Rights of the Child in collaboration with various public and private institutions: (i) the Ministry of Justice; (ii) the Ministry of Education; (iii) the Ministry of Youth; and (iv) the Commission for Human Rights and Humanitarian Action. The Ministries of Justice, Education and Youth each have a unit responsible for addressing the issue of violence against children. Public consultative bodies, such as the National Childhood Council in the Prime Minister's Office, are other official mechanisms. There are two parliamentary groups for children's welfare issues, while the Association of Mayors for the Defence of Children includes almost all the country's mayors. Coordination between these various bodies takes place through regular exchanges of data and various meetings and seminars on the question of violence against children.

143. A proportion of the resources allocated to children's issues in general is devoted to combating violence against children.

## **2. Role of civil society in combating violence against children**

144. Civil society has taken a series of initiatives to combat violence against children. For example, the Mauritanian Maternal and Child Health Association has organized several seminars on sexual violence, it opened a centre to provide psychosocial support to rape victims and it organizes awareness-raising campaigns and training for target groups (e.g., centre staff and doctors). The National Association to Support the Women's Initiative on the Protection of Children and the Environment has conducted awareness-raising activities and set up groups to detect and identify child victims. The Children and Development Association has conducted a study to identify the main forms of violence committed against children in street situations. The Association of Journalists Defending the Rights of Women and Children conducts awareness-raising activities through articles in the press, in line with the fourth recommendation of the United Nations Secretary-General's study on violence against children. Specific action — coordinated by a group of NGOs — has been launched for child victims of sexual exploitation through the establishment and development of counselling, rehabilitation, protection and social reintegration centres. The National Forum for the Advancement of Women's and Children's Rights provides legal and judicial assistance to victims of violence and rape, children in street situations and *talibé* children. The Association of Women Heads of Families and the Association to Prevent Dependency each operate a centre that provides support and assistance to child victims of violence.

145. The authorities encourage the provision of psychosocial support and medical care to victims of sexual violence (rape) in accordance with the sixth recommendation of the United Nations Secretary-General's study on violence against children. The Ministry of Social Affairs, Children and the Family, in collaboration with most of the NGOs concerned, has made an inventory of practices harmful to children. Physicians, ulamas, sociologists and representatives of civil society have been involved in drawing up this inventory. A programme to combat female genital mutilation has been implemented to inform and raise the awareness of the public. Seventy-five imams were trained to conduct this campaign, which was then taken over by local women acting as outreach workers. The campaign targeted the regions most affected by this phenomenon and where primary school enrolment for girls was poor. It addressed issues that were previously taboo in Mauritania. The Women Lawyers Association and journalists from rural radio stations also received training in this context. Some programmes are jointly conducted by official bodies and NGOs, similar to the programme for children in street situations that is run with the NGO Children and Development in Mauritania in Nouakchott and Nouadhibou.

146. The Mauritania-UNICEF cooperation programme aims to promote an environment conducive to the protection of children, in particular the most vulnerable children, by supporting the development of national policies and legislation. The civil society cyberforum and the platform of non-State players provide a framework for consultation and dialogue between NGOs and the Government. Several journalists have been trained with UNICEF support. Journalists with Radio Rurale have also received training and taken part in awareness-raising campaigns.

### **3. Participation of children in combating violence**

147. Children are involved directly in combating violence against them first and foremost through the children's parliament and the children's municipal council, in accordance with the seventh recommendation of the United Nations Secretary-General's study on violence against children. Indirectly, their opinions and suggestions are also taken into account through various programmes based in the schools. NGOs involve children in disseminating the Convention on the Rights of the Child. Children raise awareness of violence against them through messages and information disseminated by way of all different kinds of channels: the press, radio, television, theatre, schools and posters.

148. The Government has developed and implemented a national action plan to follow up and implement the Convention on the Rights of the Child. This nine-year action plan serves as the point of reference for overall policy to combat violence against children. The action plan covers all the various avenues for combating violence against children in all its forms: prevention; protection; medical, psychological, legal and social assistance for victims; as well as laws to punish perpetrators. A second action plan has been under way since the General Assembly special session on children held in New York. The Government plans to make it part of the Accelerated Growth and Shared Prosperity Strategy in order to place children at the heart of the fight against poverty.

## **J. Periodic review of placement (art. 25)**

149. After placement, experts from the Ministry of Social Affairs, Children and the Family make several follow-up visits to the child's new family and offer support in the form of payment of medical expenses, monitoring of psychological well-being, financial assistance, etc. If they find that the placement conditions are not being met, they may remove the child from the family.

## **Sixth subpart: Health and welfare**

### **A. Children with disabilities (art. 23)**

150. Mauritania adopted Order No. 2006.043 of 23 November 2006 on Promotion and Protection of Persons with Disabilities and its two implementing decrees, which concern the multi-partner council tasked with the advancement of persons with disabilities and the definition of disability. It also ratified the Convention on the Rights of Persons with Disabilities on 3 April 2012.

151. Several government bodies are concerned with the issues faced by persons with disabilities: the Ministry of Social Affairs, Children and the Family, the National Orthopaedics and Rehabilitation Centre, the Neuro-Psychiatric Centre, the Ministry of Education, the Ministry of Youth, Culture and Sport, the Ministry of Communication and Relations with the Parliament, the Ministry of Traditional Teaching, the National Agency for Population Registration and Secure Documents, the Commission for Human Rights and Humanitarian Action, the Food Security Commission and the National Social Security Fund. The Ministry of Social Affairs, Children and the Family has a directorate that deals specifically with the integration of children with disabilities. Away from the central offices of the Ministry, each governorate has at least one social worker who has been trained by the National Public Health School. Other government bodies formulate and implement policies and programmes for children in general; but children with permanent disabilities or

incapacities, some of whom are beneficiaries of services provided by these bodies, access those services in the same way as other children without their specific needs being taken into account (health facilities, schools, etc.).

152. Several civil society organizations are active in issues concerning persons with disabilities; each organization usually focuses on a specific type of disability. These associations deal with persons with disabilities generally, although, to the extent that their resources allow, they also engage in targeted advocacy for children with disabilities. Other NGOs also work with children with disabilities, even though that group may not be their main focus.

153. Progress has been achieved by incorporating the rights of persons with disabilities into the National Plan for the Protection and Promotion of Human Rights. Similarly, the National Child Protection Strategy makes provision for several activities aimed at protecting children with disabilities, while the Poverty Reduction Strategy Framework has put in place safety nets for the most deprived groups, which include “children in situations of difficulty and those with physical and mental disabilities”.

154. The Government and civil society have launched a number of programmes and projects to assist children with disabilities in different spheres. In the health field, (i) significant progress has been made in combating disabilities connected with certain communicable diseases thanks to the organization of national vaccination days and the strategy of vaccinating all children younger than age 5. In particular, the incidence of poliomyelitis-related disabilities has diminished greatly thanks to successive campaigns to eradicate this disease. The action taken to combat leprosy, tuberculosis, measles and guinea-worm disease has limited the disabilities connected with these diseases. (ii) Several specialized bodies have been established to improve the lives of persons with disabilities. The National Orthopaedics and Rehabilitation Centre employs a team of physiotherapists and specialized doctors and its orthopaedic, physiotherapy and follow-up services enable it to provide rehabilitation and surgical appliances for persons with physical disabilities. The Centre each year conducts 10,000 consultations, administers 4,000 physiotherapy sessions and provides 100 surgical appliances.

155. With regard to expenses, the Ministry of Social Affairs, Children and the Family pays for the hospitalization, surgical appliances and medical evacuation of children with disabilities who come from poor families. Parents affiliated to the national social security system receive partial reimbursement of these costs by the Budget and Accounts Department of the National Social Security Fund.

156. The NGO Association for Social Development in Mauritania has opened a workshop that makes tricycles and wheelchairs for women and children living with permanent physical disabilities. The NGO Terre des Hommes covers the costs of treatment and medical evacuation for some children with disabilities upon request of the parents.

157. With regard to specialized education, the schools for deaf, mute and blind children that have existed since 1985 have been transformed into training and support centres for children with disabilities. Some children with minor physical disabilities are subsequently able to be integrated into the mainstream school system. Children with physical disabilities attend classes at regular primary schools.

158. With support from the Commission for Human Rights, the NGO Health and Development of Women and Children with Disabilities launched a programme focused on reintegrating these women and children back into active life following a study that was conducted on begging by persons with disabilities; the study had identified 110 individuals engaging in this activity, some of them children. It has responded to requests for financial assistance for 25 unemployed graduates with disabilities. It has also supported vocational training for blind persons so that they may have an alternative to begging. In Nouakchott, many persons with leprosy have found a source of income by looking after parked cars.

159. These activities are supplemented by the steps taken by the Ministry of Social Affairs, Children and the Family. These include the establishment of a Directorate for Persons with Disabilities and a joint commission for the advancement of persons with disabilities, strengthening national organizations of persons with disabilities, supporting

functional accessibility for these persons, providing schooling for deaf, mute and blind children and appliances for deaf children, capacity-building of teachers in sign language and Braille and teaching sign language and Braille to the parents of deaf, mute and blind children, the introduction of integration classes for children who are hard of hearing, improved infrastructure for persons with disabilities and the allocation of plots of land for homes.

160. Children with disabilities have benefited from the progress that has resulted from the work undertaken by the directorate responsible for their interests in the following specific domains: (i) 337 deaf-mute children enrolled in school; (ii) 300 wheelchairs and 800 crutches; (iii) 400 white sticks/canes; 110 children with multiple disabilities have received care; (iv) 38 individual microprojects benefiting persons with various types of disabilities; (v) 18 microprojects (16 individual and 2 collective) benefiting persons with various types of disability; (vi) 58 microprojects (36 individual and 22 collective) launched by associations for the benefit of their members; (vii) 100 unemployed graduates with disabilities recruited by the civil service; (viii) 53 persons with various types of disability have received financial assistance; (ix) 200 housing plots allocated to persons in need of housing; (x) 103 persons with disabilities assisted in Aleg, Kaédi, Kiffa and Néma; (xi) 50 association officers trained in mounting and managing projects; (xii) adoption of Decree No. 2013-129/PM/ defining the status of persons with disabilities and setting out measures to prevent disabilities; (xiii) validation of the National Strategy for the Advancement and Protection of Persons with Disabilities; (xiv) adoption of Decree No. 22/471 of 23 December 2013 appointing the members of the multisector council tasked with the advancement of persons with disabilities.

## **B. Health and health services (art. 24)**

### **1. Increased budget allocations to health**

161. This recommendation of the Committee has been implemented by increasing expenditure on health during the period preceding this report. Public spending on health increased from UM 10.8 billion in 2005 to UM 27.4 billion in 2010, for an average annual increase of 20.5 per cent. This means that per capita health expenditure rose from UM 3,709 in 2005 to UM 6,171 in 2010, for an average annual increase of 10.7 per cent. This demonstrates the significant increase in resources allocated to the health sector.

### **2. Priority given to health**

162. In accordance with this recommendation, the main policies and general and sectoral strategies identify health as a national development priority.

### **3. Reproductive health**

163. In accordance with the Committee's recommendation, the Government is pursuing a reproductive health strategy that includes elements such as the availability of essential and emergency basic obstetric care, the presence of skilled birth attendants, access to prenatal care for pregnant women, preparedness for complications at childbirth, availability of contraceptives, infertility treatment, combating female genital mutilation, screening for and treatment of cervical cancer, prevention of mother-child transmission of AIDS, procedures involving obstetric fistulas and neonatal care.

164. The reproductive health strategy includes building capacity and upgrading health facilities. This has taken the form of outfitting several health facilities with medical and surgical equipment (e.g., a second operating theatre for the Sebkha health centre, the inpatient facility for women with obstetric fistulas in Nouakchott, the Guérou health centre in Assaba and other health facilities in the governorate of Gorgol); hospitals (Cheikh Zayed, regional hospitals in Kiffa and Kaédi), enabling them to provide full emergency obstetric care; funding the construction of an independent operating theatre for the maternity unit and a ward block at Cheikh Zayed Hospital; the purchase of theatre equipment; making ambulances available to health facilities (access to emergency obstetric care); training in operational research (health staff in Assaba); the availability of contraceptives in health

facilities and the availability of new methods, and availability of condoms in the context of preventing sexually transmitted diseases and HIV/AIDS by involving civil society (national and international NGOs).

165. Regarding staff training, the national reproductive health programme has trained doctors, gynaecologists, paediatricians, midwives and anaesthetists in reproductive health service techniques, including emergency obstetric and neonatal care and training head nurses and auxiliary midwives in essential obstetric care. This has facilitated family planning and use of new techniques, the treatment of obstetric fistulas and training in reproductive health management programmes within the system of having a set fee for a full obstetric care package.

166. Regarding advocacy, the National Reproductive Health Project has done the following: advocacy addressed to decision makers, opinion shapers (local elected representatives, community and religious leaders) and development partners; and awareness-raising and information, education and communication to change behaviour geared towards communities and users of reproductive health services.

### **C. Social security and childcare services and facilities (art. 26 and art. 27, para. 3)**

167. Mauritania has ratified ILO Social Security Convention No. 102 of 1952. Three social security systems are in force: the system managed by the National Social Security Fund for salaried workers who fall under the Labour Code and the Merchant Marine Code; the State Pension Fund system for civil servants; and the health insurance managed by the National Health Insurance Fund for civil servants, military personnel and parliamentarians. In addition, the National Occupational Health Office is tasked with promoting and maintaining the physical, mental and social welfare of workers. Children who are dependants of a person insured under one of these systems benefit from social security.

168. The framework for protection of the rights of the child has been strengthened by the National Child Protection Strategy and the establishment of regional consultative platforms.

169. The early childhood sector has expanded considerably. Childcare facilities for small children include public and private kindergartens, Qur'anic schools, nurseries and community childcare facilities. The number of such facilities has risen steadily in the last few years, thus increasing the number of children attending preschool.

170. Several training sessions have been organized for kindergarten teachers; 110 student kindergarten teachers have been in initial training for two years at the early childhood training centre and support has been given to more than 100 kindergartens and community childcare facilities, which have received equipment and school tables. Overall, 614 kindergarten teachers have been trained at the centre.

171. Several training seminars on the major pillars of the National Parental Education Strategy have been organized for heads of the childhood sections of regional coordination offices of the Ministry of Social Affairs, Children and the Family and the heads of early childhood networks.

172. Several public kindergartens have the necessary equipment, materials and teaching aids. The Early Childhood Development Strategy has enjoyed the support of the cooperation programme between UNICEF and the Government.

### **D. Standard of living (art. 27, paras. 1 to 3)**

173. A considerable effort has been made to develop human resources and expand basic services. In the education sector, this resulted in a significant increase in (i) the gross enrolment ratio in primary education, which rose from 98.8 per cent in 2010 to 98.9 per cent in 2011, thus nearing the target of 100 per cent by 2015; (ii) more pupils in primary education (535,976) and more schools (4,075); (iii) higher retention rates; and (iv) an increased attendance rate for girls.

174. In the health field, the rate of geographic accessibility to health care within a 5-kilometre radius has increased to 80.08 per cent. The rate of coverage of drinking water needs is now 52 per cent at the national level. In urban environments (towns with more than 5,000 inhabitants), the rate of access to private connections is 35 per cent but varies considerably. In rural areas, 60 per cent of households have access to drinking water.

### **Seventh subpart: Education, leisure and cultural activities**

#### **A. Education, vocational training and guidance (art. 28)**

175. In accordance with this set of recommendations, education is free in the public sector. Moreover, educational supply has been improved by a reorganization of the supply of (public and private) schools to bring it into line with demand and thus improve retention in primary education and promote equity in secondary schooling. The quality of teaching has improved, as has internal and external efficiency in order to provide a qualified labour force to boost the productivity of the education sector.

#### **B. Aims of education (art. 29)**

176. Education has been strengthened so that children benefit from an organized education system that includes teaching the rights of the child.

##### **1. Organization of the education system**

177. The education system is organized into four major levels: (i) Primary education, the purpose of which is to provide six years of basic education in primary schools to all children aged at least 6 years, as certified by a certificate of primary education. (ii) General secondary education is organized into two levels: the purpose of the first is to consolidate basic education and to prepare pupils either to continue in a second-level course of general or technical secondary education or to enter the labour market. Children from the sixth year of basic education are admitted to general middle schools after passing an examination. This leads to the first-level certificate of secondary education. The purpose of the second level is to prepare students for higher education. Pupils who have successfully completed first-level studies are admitted, on the basis of a recommendation, to general education high schools to study for the baccalaureate. (iii) Technical and vocational training prepares pupils for employment or to go on to higher technical or vocational education. This includes: technical and vocational education, which, on the basis of an examination, admits pupils who have completed the first and second levels of general secondary education to two- or three-year technical education courses that lead to the *brevet d'études professionnelles*, the *brevet de technicien* (BT), the technical baccalaureate and, two years after the BT or technical baccalaureate, the *brevet de technicien supérieur*. Under the reform, most pupils leaving basic education who have not been admitted to general middle schools will be admitted to regional vocational training centres. (iv) Vocational training admits adults of all ages to prepare for a qualification through initial or continuing training that gives them access to a first job, enables them to remain in a job or, if necessary, trains them for different employment. (v) The purpose of higher education is to prepare students for working life. Students with the baccalaureate are admitted to universities and higher education schools and institutes to study for various national higher education degrees on courses lasting two or four years. Traditional teaching takes place in traditional schools known as *mahdra*. The teaching they provide is mainly based on the Qur'an and the Hadith and Arabic literature and sciences. This type of school and education is available throughout the country, is highly valued by a large section of the population and contributes to the spread of knowledge.

##### **2. Education on the rights of the child**

178. Pursuant to its international commitments, Mauritania has included the compulsory nature of education in its legislation. The act that makes education compulsory for all

children 6 to 14 years of age also provides criminal penalties for parents who contravene it. This demonstrates the Government's will to protect the rights of children and promote their access to education.

179. Modules on the rights of the child are taught at the legal service training and police colleges and in the new curricula for the first, master's and doctoral degrees of public and private universities.

180. In primary and secondary education, civics and religion syllabuses include teaching pupils (i) the values of citizenship and (ii) to know their rights and duties under the Convention on the Rights of the Child and national legislation.

### **C. Rest, play, leisure, recreation and cultural and artistic activities (art. 31)**

181. In the fields of culture, youth and sport, the Government has set objectives that contribute to the advancement of young people. The action plans of the Ministry of Culture, Youth and Sport therefore have the following priorities: (i) to develop national cultural heritage; (ii) to promote a culture rooted in the values of society; (iii) to make culture a factor in economic and social development; (iv) to advance the entrenchment of democracy and civic values; (v) to protect young people from the scourges threatening them, such as drugs, sexually transmitted diseases, HIV/AIDS and illegal immigration; and (iv) to implement a policy to mobilize and assist young people through socio-educational activities and sport.

182. The activities conducted in the field of culture are: (i) establishment of a fund for urban renewal of and restoration of buildings in ancient towns listed as World Heritage Sites; (ii) organization of regional and departmental cultural weeks and of the festival of ancient towns; (iii) organization of several cultural, youth and sports festivals in the interior of the country; (iv) having the country's musical intangible cultural heritage recognized at the global level; (v) restoration of the mosque of Tichit and cultural, youth and sport infrastructure in the department of Nouakchott; the establishment of (vi) the Mauritanian Institute of Music; (vii) the national museums office and (viii) a national library; (ix) celebration of Arabic Language Day; and (x) institutionalization of the poetry festival.

183. With regard to youth, action has included: (i) renovation of the office of the Olympic complex, the National Youth and Sports Workers Training Centre, the new youth centre and the cultural centre; (ii) establishment of the Néma youth centre and inauguration of the Tidjikdja youth centre; (iii) putting in place 13 regional youth networks; (iv) adoption of a national youth, leisure and sports policy; (v) youth awareness-raising programmes; (vi) organization of a consultation meeting between the President and young people and establishment of the High Council on Youth Affairs.

184. Regarding sports, the achievements are as follows: (i) the construction of three stadiums (Zouerate, Kiffa, Néma) and three youth centres (Akjoujt, Nouadhibou, Arafat sector 18); (ii) completion of studies on the plan to construct a fitness trail to the beach in Nouakchott and the plan to build a stadium in Nouadhibou; (iii) the sports and health awareness campaign; (iv) establishment of a fund to support the development of cultural, youth and sports associations; (v) a programme to train human resources in the fields of culture, youth and sports for the public and NGO sectors; (vi) periodic surveys to determine young people's interests and concerns in order to reflect them in government policies and programmes; (vii) the introduction of sport in curricula in order to raise awareness of the advantages of physical education and sport, especially in schools; (viii) organization of national round tables on sport; (ix) recruitment and training of 50 officers; (ix) periodic organization of competitions between governorates; (xv) periodic participation in international competitions; (xvi) allocation of 1 per cent of customs revenues to the development of culture and sports.

## **Eighth subpart: Special protection measures**

### **A. Children in emergency situations**

185. Mauritania is not in a situation of war or conflict and no children are used in such a context.

### **B. Children in conflict with the law**

#### **1. Legal framework for protection of children in conflict with the law (art. 40)**

186. The Children's Code contains several provisions that protect children in conflict with the law when their case is being dealt with by the judicial system. These include (i) the introduction of an irrefragable presumption of innocence regarding children under 7 years of age (art. 2); (ii) presence of a lawyer and a social worker when the child is first questioned by the police (arts. 101–103); (iii) prohibition on holding a child under 15 years of age in police custody (art. 2); (iv) establishment of specialized police stations and courts for children (arts. 101–112 and 142); (v) the presence in juvenile courts of jurors selected from among specialists on childhood who sit alongside experienced judges (art. 42); (vi) the juvenile courts are required to request a social and psychological investigation that includes the opinion of specialists and constructive proposals such as to enlighten the court in its decisions and on the necessary and appropriate measures (art. 110); (vii) respect of the child's integrity (art. 21) and privacy (art. 63); (viii) any serious offence except intentional homicide may be tried on reduced charges (art. 3); and (ix) except in cases involving serious offences, mediation is possible at all stages of judicial proceedings (arts. 155 ff.) in order to avoid the effects of criminal prosecution, trial and sentencing (art. 155).

187. Juvenile offenders are also protected with regard to sentencing, the courts being able to order, giving reasons for their decision, the following, among others: (i) placement of the child with its parents, guardian, the person who has custody or a trusted adult; (ii) placement of the child in a public or private educational or vocational training establishment; (iii) placement of the child in a medical or combined medical and educational facility; (iv) placement of the child in a rehabilitation centre (art. 131). A criminal conviction may be imposed on a child if his or her rehabilitation is necessary.

#### **2. Advances in juvenile justice**

188. Implementation of the reform of juvenile justice has resulted in the following: (i) drafting the legislation necessary for juvenile justice; (ii) putting in place the necessary specialized training modules; (iii) the consolidation of the bodies established in the framework of the reform, namely, the Judicial Protection of the Child Directorate in the Ministry of Justice and the Special Juvenile Squad in the General Directorate of National Security, which comes under the Ministry of the Interior and Decentralization; (iv) putting in place staff trained in the field of juvenile justice; and (v) the identification and protection of children who may be victims of crime.

189. Other notable developments and features in the juvenile justice domain include (i) constant collaboration between the authorities and civil society; (ii) setting up and activating networks of services and grass-roots organizations to support the introduction of district-level child protection systems, which are now operational; (iii) the adoption of decrees to supplement implementation of the Children's Code; (iv) a great many multidisciplinary training courses for the various players, and also for specific categories (police officers, judges, social workers, lawyers, etc.) in order to take into account all the elements of the Code; (v) establishment of a database in the Judicial Protection of the Child Directorate in order to provide follow-up and have access to the most exhaustive information possible on all matters related to juvenile justice; (vi) ongoing training of members of the Special Juvenile Squad; (vii) the activation of consultative circles specific to juvenile justice and promotion of the rights of the child; (viii) the production of training and/or information documents and materials specific to the subject or to the sectors that intervene in juvenile justice (the police, the justice system, social workers, child reception

centres, standards of care, child protection work, etc.); (ix) awareness-raising on the rights of the child through the district-level child protection systems has led to the mobilization and greater involvement of many services (health, education, civil registry, districts, etc.) and civil society organizations; (x) situational studies and analyses (including on minors who are victims of ill-treatment or engaged in child domestic work); and (xi) broad coverage of the system, with a significant number of children having had contact with the system either as perpetrators/suspected perpetrators or as victims of crime.

### 3. Assessment of juvenile justice

190. The efforts of the Government to respond to the Committee's recommendations have resulted in the following: (i) a system of alternative measures has been put in place through the adoption of two decrees — on alternatives to the detention of children and on judicial assistance — which have been consolidated by the opening of the Reception and Social Reintegration Centre for Children in Conflict with the Law in Nouakchott, said centre having developed a fruitful relationship of cooperation with the Centre for the Protection and Social Integration of Children; (ii) establishment of the offices of deputy public prosecutor and investigating judge as well as special criminal courts and a special chamber for juveniles in Nouakchott (in Nouadhibou and Rosso, judges and other judicial staff handle all cases, including those involving children; even so, the Children's Code is effectively applied); (iii) a decree on juvenile criminal courts has been adopted; (iv) judges have received training/information on the Children's Code; (v) a basic training manual for practitioners in the field of juvenile justice has been developed; (vi) at least eight types of alternatives to detention may be applied by specialized judges (1. return to the family; 2. judicial supervision; 3. community work; 4. mediation; 5. compensation; 6. a warning; 7. placement in a rehabilitation centre; 8. placement in an approved medical centre); (vii) all the measures provided for in the Children's Code are applied; and (viii) 80 per cent of judges, court registrars and juvenile lawyers have received a copy of the Code.

191. Very few minors are in detention (34), which shows that alternatives are used in the vast majority of cases: 1,801 in 2012, 1,862 in 2011 and 2,796 in 2010 — in other words, 6,459 over a three-year period. From 2011 onward, the data become more reliable as a result of the establishment of a database. Of the 3,644 children registered with the Judicial Protection of the Child Directorate, 218 (6 per cent) have been rehabilitated. An agreement on guidance for children in conflict with the law has been concluded between the Directorate, the Special Juvenile Squad and civil society organizations. Coordination between the Directorate and the Special Juvenile Squad has been operating well. The National Child Protection Strategy has resulted in (i) training and awareness-raising of the members of the regional child protection groups set up in Nouakchott and Nouadhibou; (ii) formation of 32 municipal protection bodies; (iii) formation of networks of community organizations to raise awareness among families; (iv) 8,110 families made aware through community discussions; (v) development of tools enabling the use of alternatives to the detention of minors in conflict with the law and the specialization of juvenile judges; (vi) organization of multidisciplinary meetings resulting in the networking of juvenile justice practitioners; (vii) in coordination with UNICEF, evaluation of the juvenile justice system based on the degree to which the Children's Code is implemented and the functioning of the Judicial Protection of the Child Directorate; (viii) research and availability of documentation on alternative measures; (ix) adoption of the decree on alternatives to the detention of minors; (x) providing training to juvenile justice practitioners in the southern governorates on alternative measures applicable to juveniles, including reference to legal assistance; (xi) organization of meetings of judges of the Nouakchott court to review the principles specific to the treatment of minors.

192. Other activities have also been organized with technical assistance and cooperation from the Inter-Agency Coordination Panel on Juvenile Justice, which brings together the United Nations Office on Drugs and Crime, UNICEF, OHCHR and NGOs. These include (i) two studies — one on traditional forms of social solidarity and community work and the other on the concept of childhood in a traditional environment — which facilitated the adoption of alternative measures in the Mauritanian context and an analysis of the situation of child domestic workers who are victims of ill-treatment; (ii) organization of two consultation events with juvenile justice practitioners to present the recommendations

emerging from the evaluation of the implementation of the Children's Code and the Judicial Protection of the Child Directorate; (iii) organization of a consultation workshop with partners of the Directorate on the situation and prospects of juvenile justice; (iv) organization of an information day on the protection and reintegration of child domestic workers who are victims of violence and ill-treatment; (v) reactivation of the steering committee on juvenile justice reform in order to take stock of the situation regularly and advocate the fullest possible application of the Children's Code.

193. In cooperation with UNICEF, the Children's Affairs Directorate of the Ministry of Social Affairs, Children and the Family and Terre des Hommes-Mauritania organized a campaign to disseminate child protection principles among the district-level child protection systems. This involved as well the regional child protection consultation bodies established in 13 governorates. Thirty district-level protection boards have been set up. This system dealt with 15,976 children in 2015 (registration of birth, combating child labour, school enrolment, combating all forms of violence against children).

194. A great deal of work has been done regarding judicial assistance of children. For example, 6,459 children (boys and girls) have been seen by social workers and lawyers, all of them receiving some form of assistance, but only those whose cases were brought to court were assisted by lawyers. Since 2010, social workers of the Children's Affairs Directorate have been present in the Special Juvenile Squad every day from 8 a.m. to 10 p.m. Social workers work in pairs with their colleagues in the Squad. Directorate staff carry out research on families and perform social investigations so that proceedings can be conducted according to the rules. For this purpose, a social assistance office has been established in the Special Juvenile Squad to ensure that the Children's Code and the rules on child protection and children's rights are properly applied. This was accompanied by the establishment of a specific database on juvenile justice together with training for its administrators.

#### **4. Intensification of training for juvenile justice practitioners**

195. With the assistance of Terre des Hommes-Mauritania, several multidisciplinary training courses have been conducted for juvenile justice practitioners: 90 practitioners in Nouakchott have received training on alternatives to the detention of children; 68 practitioners in Nouadhibou have received training on principles relating to children, application of the Children's Code, alternative measures and legal assistance for minors; and 70 practitioners in Rosso have received training. These courses have resulted in the establishment of a network linking practitioners in various sectors (police officers, gendarmes, judges, court registrars, lawyers and social workers).

196. The Children's Affairs Directorate, working with UNICEF and Terre des Hommes-Mauritania, organized a workshop to examine current and future implementation of the Children's Code; the workshop was attended by 50 judges, police officers, social workers and lawyers from Akjoujt, Tidjikdja, Kaédi, Aleg, Rosso, Atar, Sélibabi and Nouakchott. Terre des Hommes also organized psychosocial training for 18 social workers who work with children in conflict with the law. More than 35 social workers received training in social protection of children from the Social Work Training Institute. Within the framework of ongoing training for its social workers, Terre des Hommes concluded an agreement with the Institute under which five Terre des Hommes educators completed a 14-month training course in evening classes; the idea behind the initiative was to provide support towards their obtaining a degree in social work. The Children's Affairs Directorate, UNICEF and Terre des Hommes together developed a support plan for social workers, taking into account observations on the ground. Working with the Directorate, Terre des Hommes organized a course on counselling for 24 social workers from the Directorate, the Office of Criminal Justice and Prisons Administration, the Centre for the Protection and Social Integration of Children (CPISE), the Reception and Social Reintegration Centre for Children in Conflict with the Law, the Mauritanian Maternal and Child Health Association, the Association of Women Heads of Families and Terre des Hommes. Social workers hold regular coordination meetings at the Directorate; several such meetings have taken place. An expert from Terre des Hommes ran a course for 32 CPISE staff, and a Terre des Hommes expert on juvenile justice ran a course for 15 CPISE staff and a representative of

the Children's Affairs Directorate. A drafting group composed of three CPISE staff and one representative each of UNICEF and Terre des Hommes prepared a set of rules and procedures, and a dissemination workshop was organized for all CPISE staff (30 persons). Similar work produced a handbook of rules and procedures for the Association of Women Heads of Families that was then distributed to all the workers involved (19 persons). All this capacity-building work produced and put in place materials specific to social work with children in conflict with the law or who are victims of offences.

197. The Government and Terre des Hommes have also carried out training for police officers, gendarmes and lawyers: (i) 3 police officials and 19 police officers received training on procedures and standards of protection of the rights of children; (ii) a first training course for 10 National Police College instructors on dealing with minors in conflict with the law and child victims and a second training course for 10 police instructors on dealing with minors; (iii) a handbook for specialized police officers has been produced for the National Police College; (iv) the Children's Affairs Directorate, the Criminal Investigation Police Directorate and Terre des Hommes organized an awareness-raising event for 31 police superintendents from Nouakchott to encourage them to comply more fully with the Children's Code and the memorandum on referring cases involving children to the Special Juvenile Squad; (v) 20 staff of the Special Juvenile Squad took part in preparing a list of 20 specific points to be kept in mind whenever the Squad engaged with a minor; (vi) 30 members of the Squad were trained in the application of legislation on the handling of juvenile cases, with copies of the handbook for specialized police officers being distributed on this occasion as well; (vii) 24 police officers in the various police stations of Nouadhibou received the same training, while 2 police officials participated in a regional meeting on harmonizing the basic training materials for police officers and gendarmes in western and central Africa; (viii) 9 lawyers attended a course on legal assistance in relation to the Convention on the Rights of the Child and the Children's Code, alternative measures and legal assistance for children.

#### **5. Reception and Social Reintegration Centre for Children in Conflict with the Law**

198. In order that children in conflict with the law may enjoy the protection provided for by the Convention on the Rights of the Child, the authorities established the El Mina Centre for the Reception and Social Reintegration of Children in Conflict with the Law. The Centre falls under the Ministry of Justice and its mission is in line with the Children's Code.

### **C. Children in situations of exploitation, including measures for their physical and psychological recovery and social reintegration (art. 39)**

199. Children in situations of exploitation are referred to the Centre for the Protection and Social Integration of Children, which provides services to help with their integration into society. A total of 1,154 children were supported by the Centre in 2015.

### **D. Children belonging to a minority or an indigenous group (art. 30)**

200. The new paragraph 4 of Act No. 2012.015 of 22 March 2012 amending the Constitution of 20 July 1991 provides: "United through history by shared ethical and spiritual values and aspiring to a common future, the Mauritanian people recognize and proclaim their cultural diversity, the keystone of national unity and social cohesion, and its corollary, the right to difference." Arabic, the official language of the country, and the other national languages — Pulaar, Soninke and Wolof — are each in themselves national heritage common to all Mauritians that the State has a duty, in the name of all, to preserve and promote. Article 6 provides: "The national languages are Arabic, Pulaar, Soninke and Wolof; the official language is Arabic." Accordingly, the teaching of Pulaar, Soninke and Wolof has been introduced into the education system, in addition to Arabic, which is the language that is the bearer of the Islamic culture and tradition shared by all components of the Mauritanian people and is the language of education and government alongside French. A university department is specifically tasked with promoting and teaching these national languages. The education policy of the Government aims to

establish an education system that fosters a sense of cultural belonging, ensures social emancipation and enables the training of a skilled labour force and a high level of national expertise.

201. Curricula include subjects connected with human rights, such as civics and moral and religious education, which are compulsory and instil the ideals of tolerance, friendship, equity and justice and help to consolidate national unity and respect of human rights. They also cultivate citizenship in order to bring together and foster harmony and cohesion among the components of the Mauritanian people and between them and other communities and peoples. The national languages are used on television and radio, where times are set aside every day for programmes in these languages. The rural radio station broadcasts more than 66 per cent of its programmes in Pulaar, Soninke and Wolof. Various cultural associations for the promotion of national languages that bring together speakers of Pulaar, Soninke and Wolof also contribute to growth in other areas of culture, such as theatre, music and folklore in general. Thus, the Government guarantees all citizens, and particularly the younger generations, the conditions in which to develop in a setting of freedom and diversity, and access to health, education, employment and other rights in conditions of equality and justice. Mauritania guarantees all children, regardless of origin, all the rights provided for by the Convention on the Rights of the Child.

## **Conclusion**

202. The Government of the Islamic Republic of Mauritania reiterates its commitment to implementing the Convention on the Rights of the Child and is ready to undertake constructive dialogue with the Committee with a view to overcoming any shortcomings observed in its implementation of this instrument to which it is a party.

203. It wishes to take this opportunity to thank all the partners that have supported the implementation of its policy on the promotion and protection of the rights of the child.

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