



International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

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Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families

Concluding observations on the second periodic report of Mauritania*

1. The Committee considered the second periodic report of Mauritania¹ at its 610th and 612th meetings,² held on 1 and 2 December 2025. At its 626th meeting, held on 11 December 2025, it adopted the present concluding observations.

A. Introduction

2. The Committee welcomes the submission of the State Party's second periodic report, its written replies to the list of issues in relation to the report³ and the additional information provided by the high-level, multisectoral delegation during the dialogue. The delegation was led by Sid' Ahmed Ely Benane, Commissioner for Human Rights, Humanitarian Action and Relations with Civil Society, and included representatives from the Permanent Mission of Mauritania to the United Nations Office and other international organizations in Geneva, the Office of the President, the Ministry of Foreign Affairs, African Cooperation and the Diaspora, the Ministry of Social Affairs, Children and Families, the Ministry of Civil Service and Labour, the Ministry of the Interior, Promotion of Decentralization and Local Development, the Commission on Human Rights, Humanitarian Action and Relations with Civil Society, the National Authority to Combat Trafficking in Persons and the national preventive mechanism.

3. The Committee appreciates the dialogue held with the delegation, the information provided by the State Party's representatives and the constructive approach to the meetings, which allowed for collaborative analysis and reflection. The Committee is also grateful to the State Party for its replies and the additional information it submitted within 24 hours of the dialogue.

4. The Committee recognizes that Mauritania has made progress in protecting all the rights of migrant workers and members of their families. However, it notes that, as a country of origin, transit, destination and return, the State Party faces a number of challenges in protecting these rights.

* Adopted by the Committee at its forty-first session (1–11 December 2025).

¹ CMW/C/MRT/2.

² See CMW/C/SR.610 and CMW/C/SR.612.

³ CMW/C/MRT/RQ/2.



B. Positive aspects

5. The Committee welcomes the adoption by the State Party of the following legislative measures:

- (a) Act No. 2020-017 on the prevention and punishment of trafficking in persons and the protection of victims, on 6 August 2020;
- (b) Act No. 2020-018 on combating the smuggling of migrants, on 6 August 2020;
- (c) Act No. 2020-022 amending Act No. 2017-016 of 5 July 2017 on the composition, organization and functioning of the National Human Rights Commission, on 28 August 2020;
- (d) Act No. 2024-039 establishing the Specialized Court to Combat Slavery, Trafficking in Persons and Smuggling of Migrants, on 8 October 2024.

6. The Committee also welcomes the following institutional and administrative measures:

- (a) The establishment of the national preventive mechanism, on 20 April 2016, pursuant to Act No. 2015-034 of 10 September 2015;
- (b) The establishment of the Central Office for Combating the Smuggling of Migrants and Trafficking in Persons within the national police by Order No. 644 of 26 May 2021;
- (c) The establishment of the National Authority to Combat Trafficking in Persons and the Smuggling of Migrants by Decree No. 2022-102 of 5 July 2022;
- (d) The updating of the National Migration Management Strategy for the period 2021–2030 and its national action plan in 2024;
- (e) The National Action Plan to Combat Trafficking in Persons 2024–2026 and the establishment of the victim referral mechanism in April 2024;
- (f) The National Social Protection Strategy 2025–2035, adopted in July 2025.

7. The Committee welcomes the ratification by the State Party of the International Labour Organization (ILO) Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), on 23 September 2019.

8. The Committee also welcomes the fact that the State Party voted in favour of the Global Compact for Safe, Orderly and Regular Migration and is endeavouring to implement it in accordance with its international obligations under the Convention and other international human rights instruments and with the Committee's general comment No. 6 (2024) on the convergent protection of the rights of migrant workers and members of their families through the Convention and the Global Compact.

C. Principal subjects of concern and recommendations

1. General measures of implementation (arts. 73 and 84)

Legislation and application

9. The Committee notes the measures taken by the State Party to strengthen its legal framework, but is nevertheless concerned about:

- (a) The failure to fully incorporate the Convention's provisions into domestic law, particularly the fact that the concepts of "migrant worker" and "members of the family of a migrant worker" are not included in national legislation, which constitutes an obstacle to the effective implementation of the Convention;
- (b) The lack of data on the effective implementation of various legal provisions safeguarding the rights of migrants, particularly with regard to access to justice, free legal

assistance and due process guarantees in detention and expulsion proceedings, and limited information on measures taken to prevent acts of discrimination;

(c) The lack of mechanisms to assess migration laws and policies so as to understand their impact on the human rights of migrants and members of their families residing in or transiting through the territory of the State Party.

10. The Committee recommends that the State Party:

(a) **Fully incorporate the Convention into its domestic law, by including the concepts of “migrant worker” and “members of the family of a migrant worker” in national legislation, particularly the Labour Code and immigration laws, in order to facilitate the effective implementation of the Convention;**

(b) **Take measures to ensure the full implementation of the legal protections established in national legislation and the Convention, through monitoring, evaluation and reporting mechanisms, with the participation of civil society and other relevant stakeholders, and provide statistical data on complaints lodged, decisions rendered and reparation provided to migrant workers and members of their families;**

(c) **Establish mechanisms to periodically assess the impact of migration laws and policies on the human rights of all migrants and members of their families, in consultation with key stakeholders, including civil society organizations.**

Articles 76 and 77

11. The Committee notes that the State Party has not yet made the declarations provided for under articles 76 and 77 of the Convention.

12. **Reiterating the recommendation made in its previous concluding observations,⁴ the Committee recommends that the State Party make the declarations provided for under articles 76 and 77 of the Convention, recognizing the competence of the Committee to receive and consider communications from States Parties and individuals concerning violations of the rights established by the Convention.**

Ratification of relevant instruments

13. The Committee recalls its previous concluding observations⁵ and notes that the State Party has still not acceded to the following international instruments:

(a) Optional Protocol to the International Covenant on Economic, Social and Cultural Rights;

(b) Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty;

(c) Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women;

(d) Optional Protocol to the Convention on the Rights of the Child on a communications procedure;

(e) ILO Migration for Employment Convention (Revised), 1949 (No. 97);

(f) ILO Minimum Wage Fixing Convention, 1970 (No. 131);

(g) ILO Private Employment Agencies Convention, 1997 (No. 181);

(h) ILO Domestic Workers Convention, 2011 (No. 189).

14. **The Committee recalls its previous concluding observations⁶ and recommends that the State Party consider ratifying the optional protocols to the international human rights treaties and the ILO conventions mentioned above.**

⁴ CMW/C/MRT/CO/1, para. 13.

⁵ Ibid., para. 14.

⁶ Ibid., para. 15.

Comprehensive policies and strategies

15. The Committee welcomes the revision of the National Migration Management Strategy for the period 2016–2030 and the development of a new action plan for 2026 to 2030, and the adoption of the National Social Protection Strategy 2025–2035. However, the Committee remains concerned about:

- (a) The lack of a coherent overview of migration policy, particularly with regard to nationals of sub-Saharan countries for whom Mauritania is primarily a country of transit;
- (b) The lack of information on the results achieved, the difficulties encountered and the lessons learned from the implementation of the National Migration Management Strategy, as revised in 2024, and the monitoring and evaluation indicators used to measure the impact of this strategy and the National Social Protection Strategy on migrant workers' enjoyment of the rights under the Convention;
- (c) The lack of mechanisms to address the root causes of emigration among young Mauritanians, including youth unemployment and a lack of economic opportunities and prospects in rural areas.

16. **The Committee recommends that the State Party:**

- (a) **Develop a coherent overview of migration policy that covers all aspects of the Convention, including migration flows from sub-Saharan countries, and takes a gender-sensitive, child-friendly and human rights-based approach;**
- (b) **Conduct results-based monitoring and evaluation, with clear and measurable indicators, to regularly assess the impact of the National Migration Management Strategy and the National Social Protection Strategy and make the results of these evaluations public, including the challenges encountered and lessons learned;**
- (c) **Identify and address the root causes of emigration among young Mauritanians and take concrete measures to create decent economic and social opportunities in order to reduce irregular migration;**
- (d) **Allocate sufficient resources for the effective implementation of the National Migration Management Strategy and the National Social Protection Strategy.**

Coordination

17. The Committee is concerned about:

- (a) The lack of clear information on the body responsible for coordinating migration policy, its composition, functioning and human, technical and financial resources, and its usefulness in ensuring effective cross-sectoral coordination;
- (b) The fact that the coordination unit provided for in the National Migration Management Strategy is not yet operational even though it is included in the State budget;
- (c) The apparent weakness of interministerial coordination;
- (d) The fact that coordination on migration gives priority to security and border control aspects at the expense of a human rights-based approach.

18. **The Committee recommends that the State Party:**

- (a) **Determine the body responsible for coordinating migration policy and provide information on its composition, mandate, functioning and resources;**
- (b) **Operationalize without delay the coordination unit envisaged in the National Migration Management Strategy and allocate the necessary resources to ensure effective cross-sectoral coordination at all levels (national, regional and local);**
- (c) **Strengthen coordination between all ministries and authorities involved in migration by establishing clear procedures for inter-agency cooperation;**
- (d) **Ensure that coordination adopts a human rights-based approach and gives priority to protecting the rights of migrant workers over security considerations.**

Data collection

19. The Committee remains concerned about the lack of a consistent and regular national system for collecting, analyzing and disseminating disaggregated data on migration. It notes in particular:

- (a) The fact that migration statistics are not systematically integrated into the national statistical framework and are only collected during the decennial census, which leads to significant gaps in the regular monitoring of migration flows;
- (b) The lack of disaggregated qualitative and quantitative data on irregular migration, migrants in transit, Mauritanian migrant workers abroad and members of their families and unaccompanied migrant children, which limits the State Party's ability to obtain a reliable picture of the migration situation and to develop evidence-based policies;
- (c) The low participation of migrants, particularly those in an irregular situation, in surveys and data collection mechanisms owing to their lack of trust or insufficient targeted awareness-raising efforts, which affects the representativeness and reliability of the data collected;
- (d) The insufficient resources allocated to the collection, analysis and dissemination of migration data.

20. **The Committee recommends that the State Party:**

- (a) **Systematically integrate migration statistics into the national statistical framework and increase the frequency of data collection beyond the decennial census;**
- (b) **Regularly collect data disaggregated by sex, age, migration status and country of origin and destination, covering irregular migration, persons in transit, unaccompanied children and Mauritanian workers abroad;**
- (c) **Increase participation in surveys by migrants, including those in an irregular situation, by taking targeted awareness-raising measures in cooperation with civil society and international organizations;**
- (d) **Ensure that sufficient resources are allocated for the collection, analysis and dissemination of migration data and that these data are open to public scrutiny, in accordance with target 17.18 of the Sustainable Development Goals.**

Independent monitoring

21. The Committee welcomes the strengthening of the National Human Rights Commission and the establishment in 2016 of the national preventive mechanism, which is mandated to carry out visits to places of detention, including those housing migrants. Nevertheless, it is concerned about the lack of specific information on independent monitoring activities carried out by the National Human Rights Commission and the national preventive mechanism, particularly with regard to the situation of migrant workers and members of their families, including those in temporary reception centres for foreign nationals and places of detention.

22. **The Committee recommends that the State Party ensure that the National Human Rights Commission and the national preventive mechanism effectively carry out their mandate of independent monitoring of the situation of migrant workers and members of their families in all places of detention, including temporary reception centres for foreign nationals, allocate sufficient human, technical and financial resources to these mechanisms, effectively implement their recommendations aimed at improving the protection of human rights and publish regular reports on the measures taken to follow up on these recommendations.**

Training on and dissemination of information about the Convention

23. The Committee is concerned about:

- (a) The lack of systematic training programmes on the Convention and the rights of migrants for all those involved in the implementation of migration policies, in particular

police officers, officers of the Directorate General of National Security, border guards, labour inspectors, judges, prosecutors, health personnel and staff at temporary reception centres for foreign nationals, including with regard to the prevention of racial profiling, non-discrimination, the prohibition of collective expulsions, the observance of procedural guarantees during operations to escort persons to the border, including individual assessment and the right to an effective remedy, and the identification of victims of trafficking in persons and exploitation;

(b) The lack of awareness among migrant workers and members of their families, particularly those in an irregular situation, of their rights and the complaints mechanisms available to them.

24. The Committee recommends that the State Party:

(a) **Develop and deliver mandatory and ongoing training programmes on the Convention for all persons involved in the implementation of migration policies, with a focus on preventing racial profiling, non-discrimination, the prohibition of collective expulsions, the observance of procedural safeguards during operations to escort persons back to the border, including individual assessment and the right to an effective remedy, the identification of victims of trafficking and exploitation and a human rights-based approach.**

(b) **Carry out targeted awareness-raising campaigns in collaboration with all stakeholders, including civil society and international organizations, and inform migrant workers and members of their families of their rights and the complaints mechanisms available to them, ensuring that this information is accessible in languages that migrants can understand and disseminated through appropriate channels.**

Participation of civil society

25. The Committee welcomes the participation of civil society organizations in the development of the National Migration Management Strategy and the National Social Protection Strategy and their essential role in assisting migrants, particularly during operations for the disembarkation of rescued persons. However, the Committee remains concerned about:

(a) The lack of institutionalized mechanisms for consultation and participation of civil society in the development, implementation and monitoring of migration-related legislation, policies and programmes;

(b) Reports that civil society organizations and individuals defending the rights of migrants or fighting against all forms of racial and intersectional discrimination may be subject to intimidation or reprisals in the course of their legitimate activities.

26. The Committee recommends that the State Party:

(a) **Establish institutionalized and transparent mechanisms for consultation and participation of civil society, including migrants' organizations, in the development, implementation and monitoring of migration-related legislation, policies and programmes;**

(b) **Ensure that civil society organizations and all individuals who defend the rights of migrants or fight against all forms of racial and intersectional discrimination can carry out their legitimate activities without fear of reprisals, intimidation or harassment and establish effective protection mechanisms in the event of threats or reprisals.**

2. General principles (arts. 7 and 83)

Non-discrimination

27. The Committee is deeply concerned about systematic discriminatory practices and acts of racism against migrant workers and members of their families, including:

(a) Acts of racial discrimination and xenophobia and the differential treatment suffered by migrants from sub-Saharan Africa on the basis of their skin colour or ethnic origin during checks, arrests, detentions and expulsion measures, practices that are exacerbated by dehumanizing rhetoric against migrants;

(b) Identity checks, arrests, detentions and expulsion measures against Mauritanian nationals, particularly black Mauritanians, based on their physical appearance, which may constitute discrimination on the grounds of race or ethnic origin, contrary to article 7 of the Convention;

(c) The persistence of modern slavery, trafficking in persons and people smuggling, which disproportionately affect migrants from sub-Saharan Africa;

(d) Migrant workers' access to many regulated professions and certain unregulated jobs being dependant on Mauritanian nationality or special authorization, which constitutes discrimination on the basis of nationality, contrary to article 7 of the Convention;

(e) The lack of access for sub-Saharan migrants to basic social services, including health, education, housing and social protection.

28. The Committee is also concerned about the failure to take into account multiple and intersectional forms of discrimination, including:

(a) The lack of gender, diversity and disability mainstreaming in migration policy, protection measures and public services for migrants;

(b) The lack of trained personnel to respond to the specific needs of people facing intersectional forms of discrimination;

(c) The difficulty for migrants with disabilities to gain physical access to information and services intended for them and available in accessible formats and languages they understand.

29. The Committee recommends that the State Party:

(a) **Publicly acknowledge the existence of racial discrimination and xenophobia against migrants, particularly those of sub-Saharan origin, and adopt structural and systematic measures to prevent racial profiling and all forms of discrimination, both de jure and de facto, based on skin colour, descent or national or ethnic origin;**

(b) **Ensure that all allegations of racial discrimination or differential treatment based on skin colour, ancestry or national or ethnic origin are investigated impartially and effectively, ensure that perpetrators, including public officials, are held accountable by providing for penalties commensurate with the seriousness of the offence and ensure victims effective access to adequate forms of reparation;**

(c) **Review its legislation on access to employment, including in certain professions, in order to remove discriminatory restrictions based on nationality and ensure that migrant workers and nationals are treated equally in terms of access to employment, in accordance with articles 7 and 25 of the Convention;**

(d) **Ensure effective and non-discriminatory access for migrants to basic social services, including health, education, housing and social protection.**

30. The Committee recommends that the State Party:

(a) **Mainstream gender, age, disability and diversity issues in migration policy, protection measures and service delivery and train staff to respond to intersectional forms of discrimination;**

(b) **Ensure that services and information are accessible to migrants with disabilities, in particular by making information available in several languages that migrants can understand, in Braille and in sign language and by providing for reasonable accommodation in all places where these persons are cared for.**

Right to an effective remedy

31. The Committee is concerned about:

- (a) Consistent reports, confirmed by the Special Rapporteur on the human rights of migrants, of a climate of fear created by arbitrary arrests, discriminatory checks, the confiscation and destruction of documents, bribery and expedited removal procedures, which deter migrants, including those in a regular situation, from approaching the authorities or courts for fear of being arrested, detained or expelled and because of a lack of awareness of their rights and the remedies available to them;
- (b) The extremely low number of cases brought before the courts by migrant workers, suggesting serious obstacles to effective access to justice;
- (c) The fact that access to free legal aid appears to be conditional on regular migration status, effectively excluding migrants in an irregular situation, which is contrary to the State Party's obligations under the Convention;
- (d) The inadequacy and ineffectiveness of existing complaints mechanisms, which do not ensure confidentiality and are not sufficiently accessible or adapted to the needs of migrants, particularly those who are in an irregular situation or do not speak the national languages of the State Party, and the widespread lack of awareness of these mechanisms among migrants;
- (e) The lack of information on investigations and punishment of State agents responsible for rights violations, despite allegations of systematic corruption.

32. **The Committee recommends that the State Party:**

- (a) **Take immediate measures to combat the climate of fear, including by ending arbitrary arrests and discriminatory checks, penalizing bribery and extortion and ensuring that filing a complaint or testifying never results in arrest, detention or expulsion;**
- (b) **Ensure effective access to justice for all migrant workers, regardless of their migration status, by removing practical and legal barriers and provide detailed data on cases brought before the courts, broken down by type of case and outcome;**
- (c) **Ensure access to free legal aid for all migrant workers, including those in an irregular situation, particularly in detention and deportation proceedings, in accordance with international standards on the right to a fair trial and articles 16, 18 and 83 of the Convention;**
- (d) **Establish independent, safe, accessible and impartial complaints mechanisms that guarantee confidentiality and are available in languages that migrants can understand and conduct awareness-raising campaigns on the rights and remedies available;**
- (e) **Conduct impartial and effective investigations into all allegations of bribery, extortion, ill-treatment or violations committed by State officials, publish reports on the results of these investigations and punish those responsible in an appropriate manner.**

3. Human rights of all migrant workers and members of their families

Labour exploitation and other forms of ill-treatment

33. The Committee is seriously concerned about:

- (a) Migrants' exposure to labour exploitation in various sectors, including domestic work in exploitative conditions, forced begging (particularly for children attending Qur'anic schools (*mahadras*)) and exploitation in extractive industries (gold washing in the northern gold mines), which are characterized by the confiscation of documents, low or non-existent wages, poor conditions and long working hours;

(b) The particular vulnerability of young migrant girls recruited by intermediaries or employers through informal arrangements and placed in situations of domestic servitude, where they suffer physical and psychological abuse;

(c) Inadequate labour inspection mechanisms in high-risk sectors and lack of training for labour inspectors to identify situations of exploitation.

34. The Committee recommends that the State Party:

(a) **Strengthen the capacity of labour inspectors to identify and prevent exploitation in all sectors, including domestic work, extractive industries and begging, and ensure regular and impartial inspections;**

(b) **Develop mechanisms and tools to systematically identify migrants in situations of exploitation, particularly young migrant girls, conduct campaigns to enhance risk awareness and ensure that all victims of labour exploitation have access to complaints mechanisms without fear of reprisals or deportation;**

(c) **Intensify investigations and prosecutions of perpetrators of exploitation of migrant workers, including employers, intermediaries and recruiters, and ensure access to justice and reparation for victims.**

Border management and migration

35. The Committee notes that Act No. 2024-038 of 8 October 2024, amending Act No. 65-046, facilitates the automatic expulsion of migrants in an irregular situation and criminalizes entry through unofficial crossing points, raising serious concerns about compliance with the principle of non-refoulement and due process guarantees. The Committee is deeply concerned about the consistent reports, confirmed by the Special Rapporteur on the human rights of migrants, that:

(a) Since the beginning of 2025, mass and indiscriminate arrests of migrants, including migrants in a regular situation, asylum-seekers and refugees, have been taking place in the territory of the State Party, in areas with a high concentration of migrants, including public places, private homes and workplaces, and more than 16,000 deportations have been carried out between January and May 2025;

(b) Collective expulsions are carried out without individual assessment of protection needs, within 72 hours of arrest and without access to legal aid, interpreters, consular assistance or the possibility of appeal, and affect persons fleeing conflicts, women, children, refugees and asylum-seekers, in violation of the principle of non-refoulement;

(c) Refugees and asylum-seekers holding documents issued by the Office of the United Nations High Commissioner for Refugees have their documents confiscated and destroyed and are then collectively expelled;

(d) Migrant women reportedly suffer physical and verbal abuse, extortion and sexual harassment during arrests and deportations, particularly during night raids;

(e) There are reportedly no independent mechanisms to verify the State Party's assurances that children, including unaccompanied minors, pregnant women and sick persons are not placed in temporary reception centres for foreign nationals or escorted back to the border.

(f) The lack of coordination with neighbouring countries when persons are escorted back to the border results in the abandonment of deportees, particularly third-country nationals, who find themselves unable to return to their country of origin.

36. The Committee urges the State Party to amend or repeal Act No. 2024-038 to ensure that irregular entry and stay do not in themselves constitute criminal offences and that persons cannot be automatically deported, in accordance with the Committee's general comment No. 5 (2021) on migrants' rights to liberty and freedom from arbitrary detention and their connection with other human rights. The Committee also recommends that the State Party:

- (a) **Immediately cease mass and indiscriminate arrests of migrants and ensure that any arrest is based on individualized legal grounds with procedural safeguards;**
- (b) **Ensure that any decision to expel a person is subject to an individual assessment of his or her protection needs, with effective access to free legal aid, interpreters, consular assistance and effective remedies, in accordance with article 22 of the Convention and the principle of non-refoulement;**
- (c) **Immediately cease all confiscation or destruction of documents belonging to refugees and asylum-seekers, honour documents issued by the Office of the United Nations High Commissioner for Refugees and ensure that refugees and asylum-seekers are never turned back in violation of the principle of non-refoulement, in accordance with the State Party's obligations under the 1951 Convention relating to the Status of Refugees;**
- (d) **Conduct impartial and independent investigations into all allegations of extortion, sexual harassment and violence against migrant women, prosecute and punish those responsible and adopt preventive measures;**
- (e) **Establish independent monitoring mechanisms, with the participation of the National Human Rights Commission, the national preventive mechanism, the Office of the United Nations High Commissioner for Refugees and civil society organizations, for regular, unannounced visits to temporary reception centres for foreign nationals and other places of detention and publish annual reports;**
- (f) **Establish formal coordination mechanisms with neighbouring countries before escorting anyone back to the border, ensure that those expelled can return to their country of origin in safety and dignity and put an end to the practice of abandoning people at the border.**

Due process, detention and equality before the courts

37. The Committee is concerned about:

- (a) **The use of migration-related administrative detention, the lack of a legal maximum period of detention, effective judicial review and a strategy to gradually end immigration detention;**
- (b) **The practice of carrying out deportations within approximately 72 hours of detention, which, given the number of migrants and limited resources, makes it impossible to conduct identification and registration procedures, notify diplomatic missions and ensure the enjoyment of due process guarantees;**
- (c) **Detention conditions characterized by overcrowding, inadequate food and medical care and a lack of interpretation services and screening for vulnerable situations;**
- (d) **The detention of migrant children, particularly unaccompanied children, and their deportation without referral to child protection services;**
- (e) **The destruction or confiscation of documents, in particular documents issued by the Office of the United Nations High Commissioner for Refugees.**

38. The Committee recommends that the State Party:

- (a) **Adopt alternatives to detention subject to judicial review, set a maximum period of detention and develop a strategy to gradually end immigration detention;**
- (b) **Revise the 72-hour time limit to allow for identification, registration, notification of diplomatic missions and the effective enjoyment of due process guarantees, including access to legal assistance and the right of appeal;**
- (c) **Improve conditions of detention, in particular by reducing overcrowding, providing adequate food and medical care and ensuring access to interpretation services and screening for situations of vulnerability;**

(d) **Prohibit, in law and in practice, the detention of children for reasons related to migration, ensure that unaccompanied children are referred to child protection services and uphold the best interests of the child;**

(e) **Prohibit the destruction and confiscation of identity documents or international protection documents.**

Consular assistance

39. The Committee welcomes the establishment of a digital civil registry system enabling Mauritanians to submit their passport and identity document applications online from abroad. However, the Committee is concerned about:

(a) The limited number of Mauritanian consulates in certain regions with high concentrations of Mauritanian migrant workers, particularly in West Africa, Western Europe and the United States of America, which limits Mauritanian nationals' access to consular protection and services, including the obtaining and renewal of civil status and identity documents;

(b) The practical obstacles that migrant workers in Mauritania face in gaining access to consular assistance from their country of origin, including the limited number of permanent consular missions of certain countries of origin in Mauritania, difficulties in verifying identity in the lack of documents and migrants' lack of awareness of the consular services available and their right to consular assistance.

40. **The Committee recommends that the State Party:**

(a) **Increase the number of Mauritanian consulates in regions with high concentrations of Mauritanian nationals, particularly in West Africa, Western Europe and the United States, and provide consular missions with sufficient human, financial and technical resources to ensure effective consular protection and non-discriminatory access to civil registry services, in accordance with articles 23 and 65 of the Convention.**

(b) **Strengthen cooperation with the countries of origin of migrants present in Mauritania to facilitate access to consular assistance, including through mobile consular missions and bilateral agreements, and ensure that migrant workers are systematically informed of their right to consular assistance and how to obtain it.**

Social security

41. The Committee remains concerned about the obstacles faced by migrant workers in gaining access to social security and health coverage schemes. It notes that:

(a) Access to the National Social Security Fund and the National Health Insurance Fund is dependent on having formal, declared employment, which excludes many migrant workers in the informal sector, particularly domestic workers;

(b) The terms and conditions for contributing to the National Health Solidarity Fund, which require migrant workers to pay the full annual contribution while nationals receive a public subsidy, constitute indirect discrimination in access to basic health coverage;

(c) The limited number of bilateral social security agreements and their restricted scope result in the loss of contributions and acquired rights upon return to the country of origin or when migrating to a third country.

42. **The Committee recommends that the State Party:**

(a) **Facilitate access to the National Social Security Fund and the National Health Insurance Fund for migrant workers in the informal sector, particularly domestic workers, and improve information and registration mechanisms;**

(b) **Review the terms and conditions for contributing to the National Health Solidarity Fund in order to eliminate discrimination against migrant workers and ensure they receive equal treatment with nationals;**

(c) **Conclude bilateral social security agreements with the main countries of origin and destination in order to ensure the portability of contributions and acquired rights, in accordance with article 27 of the Convention.**

Medical care

43. The Committee is concerned about the barriers to access to healthcare for migrant workers and members of their families, including:

- (a) The limited use of healthcare facilities by migrants in an irregular situation owing to a fear of arrest, detention or deportation;
- (b) Language, administrative and geographic barriers and the lack of universal coverage;
- (c) The obstacles faced by migrant women and migrants with disabilities in gaining access to health services tailored to their needs.

44. **The Committee recommends that the State Party:**

- (a) **Issue instructions to all State officials, including immigration officials, prohibiting them from carrying out arrests, detentions or deportations in or near healthcare facilities and ensure that the personal data of migrants is protected and not shared with immigration authorities;**
- (b) **Remove linguistic, administrative and geographical barriers by organizing interpretation services and information campaigns and extending health services to areas with large concentrations of migrants and guarantee access to care without discrimination;**
- (c) **Ensure that services are accessible and tailored to the needs of migrant women and migrants with disabilities, in accordance with article 28 of the Convention.**

Registration of birth and nationality

45. The Committee is concerned that, despite efforts to modernize the birth registration system, many children of migrant workers are not registered because of:

- (a) Excessive documentation requirements (identity cards of both parents, marriage certificate and proof of residence);
- (b) Excessive registration fees (5,000 ouguiyas);
- (c) Lack of knowledge about procedures;
- (d) The lack of safeguards specifically aimed at preventing statelessness among children born to migrant workers in the territory of the State Party, in particular the lack of mechanisms enabling children who would otherwise be stateless to acquire Mauritanian nationality.

46. **The Committee recommends that the State Party:**

- (a) **Simplify registration procedures and remove excessive documentation requirements so that the lack of regular status or parents' documentation does not prevent the immediate and free registration of births;**
- (b) **Eliminate excessive registration fees or provide exemptions for children of migrant workers in vulnerable situations;**
- (c) **Conduct information campaigns to raise awareness among migrant workers about the importance of birth registration and the procedures to be followed;**
- (d) **Implement measures to prevent statelessness, in particular by ensuring that children born in Mauritania who would otherwise be stateless acquire Mauritanian nationality, in accordance with article 29 of the Convention;**
- (e) **Consider ratifying the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.**

Education

47. The Committee is deeply concerned about discriminatory barriers to access to education for children of migrant workers, including:

(a) The requirement to present a birth certificate for national education examinations, which excludes unregistered children;

(b) The irregular stay of parents, which prevents children from continuing their education beyond primary school and from enrolling in technical and vocational training programmes.

48. **The Committee recommends that the State Party:**

(a) **Remove the requirement for a birth certificate for national education examinations or put in place alternative procedures;**

(b) **Ensure non-discriminatory access for all children of migrant workers, regardless of nationality and migration status, to all levels of education, examinations and technical and vocational training, in accordance with article 30 of the Convention and the obligations arising from the Convention on the Rights of the Child.**

4. Other rights of migrant workers and members of their families who are documented or in a regular situation (arts. 36–56)

Pre-departure programmes, the right to be informed

49. The Committee is concerned about:

(a) The lack of specific programmes to prepare Mauritanian migrant workers for departure;

(b) The lack of information for migrant workers and prospective migrants on regular migration pathways, procedures for obtaining residence and work permits and their rights and obligations in the State Party and in countries of destination.

50. **The Committee recommends that the State Party:**

(a) **Develop and implement pre-departure programmes, including comprehensive information on working conditions, protection mechanisms and available remedies in the country of destination;**

(b) **Disseminate clear, comprehensive and accessible information on regular migration pathways, procedures for obtaining residence and work permits, associated costs and workers' rights and obligations, in collaboration with consular missions, international organizations and civil society, in accordance with article 37 of the Convention.**

Family reunification

51. The Committee notes the existence of many mixed and cross-border families in Mauritania. It is concerned that increased migration control operations and deportations since early 2025 are having a disproportionate impact on these families, who are at risk of being separated, particularly those in vulnerable economic situations, those without official documents and those who are not fully aware of their rights and procedures. It takes note of:

(a) The complexity of family reunification procedures, lengthy delays and high costs;

(b) The difficulties in proving family ties without official documentation;

(c) The lack of accessible information on procedures.

52. **The Committee recommends that the State Party:**

(a) **Ensure that decisions on removal take family unity into account through an individualized assessment;**

(b) Simplify family reunification procedures, reduce delays and costs and provide clear information in accessible formats and languages that migrants can understand;

(c) Establish relevant alternative procedures for proving family ties for migrants who do not have official documentation;

(d) Ensure that the best interests of the child and the protection of family unity are upheld, in accordance with article 44 of the Convention.

Work permits and residency

53. The Committee is concerned about the practical obstacles to the regularization of migrants, including:

(a) The complexity and high cost of work permits and residence permits and the long processing times;

(b) The linking of the work permit issued to the worker to a specific employer, without the possibility of portability, placing migrant workers in a situation of dependence on their employer and exposing them to risks of exploitation;

(c) The lack of clear and accessible information on procedures for obtaining and renewing permits, particularly with regard to permit validity periods, renewal conditions and safeguards against arbitrary refusal of renewal.

54. **The Committee recommends that the State Party:**

(a) Simplify procedures, reduce costs and delays, clarify the period of validity of permits issued, establish objective and transparent criteria for renewal, ensure the right of appeal and provide clear information on the procedures for obtaining and renewing work and residence permits in accessible formats and in languages understood by migrants;

(b) Ensure the portability of work permits so that migrant workers can change employers without losing their regular status, thereby reducing their vulnerability to exploitation;

(c) Establish regularization mechanisms for long-term migrant workers in an irregular situation, in accordance with articles 49 and 50 of the Convention.

5. Provisions applicable to particular categories of migrant workers and members of their families (arts. 57–63)

55. The Committee is concerned about:

(a) The lack of appropriate procedural safeguards for migrant children, multidisciplinary age assessment procedures and cross-border family reunification mechanisms;

(b) The disproportionate exposure of migrant women, who represent the majority of victims of trafficking and exploitation, to gender-based violence during their migration journey, and the lack of protective measures that take into account their specific needs, particularly in terms of reproductive health and protection against sexual exploitation, notwithstanding the State Party's repeated commitments and consultations aimed at strengthening the legal and policy framework for combating gender-based violence;

(c) The vulnerability of migrant domestic workers, the majority of whom are women and children over the age of 15, their isolation in private households, the impossibility of changing employers without losing their regular status and the lack of labour inspections in private households.

56. **The Committee recommends that the State Party:**

(a) Ensure that migrant children are provided with appropriate procedural safeguards, establish multidisciplinary age assessment procedures, applying the

principle of the benefit of the doubt, and strengthen mechanisms for cross-border family tracing and reunification;

(b) **Adopt measures to protect migrant women from gender-based violence and sexual exploitation and provide them with access to sexual and reproductive healthcare, psychosocial support, safe accommodation facilities and complaints mechanisms that ensure confidentiality, are gender-sensitive and victim-centred and avoid retraumatization and stigmatization;**

(c) **Adopt regulations to ensure migrant domestic workers the right to change employers without losing their regular status, decent working conditions and protection against abuse, establish appropriate complaints and inspection mechanisms that allow access to private households and consider ratifying the ILO Domestic Workers Convention, 2011 (No. 189).**

6. Promotion of sound, equitable, humane and lawful conditions in connection with the international migration of workers and members of their families (arts. 64–71)

International cooperation

57. The Committee notes the efforts made by the State Party to strengthen international cooperation on migration, but remains concerned about:

(a) The lack of bilateral or multilateral agreements with the main countries of origin, transit and destination of migrant workers, which limits regular migration pathways and the protection of their rights;

(b) The imbalance in cooperation agreements with the European Union and certain Member States, notably Spain, adopted against the backdrop of increasing externalization of European migration control policies, which focus mainly on strengthening migration controls and preventing irregular departures, while provisions to ensure the protection of migrant workers' rights and the establishment of safe and regular migration pathways remain insufficient;

(c) The lack of clarity regarding the division of responsibilities between the Mauritanian authorities and those of partner countries in the implementation of these agreements, particularly during rescue at sea, interception and removal operations, the management of all centres where migrants are deprived of their liberty in Mauritania and the lack of independent monitoring mechanisms to identify the authority responsible in cases of human rights violations;

(d) The limited scope of bilateral social security agreements and the lack of provisions to protect migrant domestic workers;

(e) The lack of public accessibility to certain agreements concluded in the area of migration and of mechanisms to assess their impact on the rights of migrants.

58. The Committee recommends that the State Party:

(a) **Conclude bilateral and multilateral agreements with the main countries of origin, transit and destination to facilitate regular migration and ensure the protection of the rights enshrined in the Convention;**

(b) **Take all appropriate measures to ensure that bilateral cooperation agreements on migration ensure, in their formulation and implementation, all the rights and guarantees provided for in the Convention and other human rights treaties in force, including the authoritative recommendations made by the Committee in its general comments, and adopt measures to implement the recommendations made by the Special Rapporteur on the human rights of migrants in his report on the externalization of migration governance and its effect on the human rights of migrants;⁷**

(c) **Clarify, in all cooperation agreements on migration, the precise division of responsibilities between the Mauritanian authorities and those of partner countries,**

⁷ A/80/302.

particularly with regard to rescue, interception and removal operations, and establish independent monitoring and accountability mechanisms to identify the authority responsible in the event of violations, with the participation of the National Human Rights Commission and civil society;

(d) Strengthen and expand bilateral social security agreements by including provisions on the portability of social security rights and the protection of migrant domestic workers, with due regard for gender dimensions;

(e) Make public all agreements concluded in the area of migration and establish independent mechanisms to regularly assess their impact on the rights of migrant workers.

Recruitment agencies

59. The Committee is concerned about the lack of implementing regulations for the law governing private employment agencies, informal intermediaries and unlicensed agents, which allows them to operate without effective oversight, withhold a large portion of wages and expose migrant workers to situations of abuse, forced labour and indebtedness.

60. The Committee recommends that the State Party adopt implementing decrees to supplement and enforce the legal framework governing private employment agencies, informal intermediaries and unlicensed agents, to establish a licensing and monitoring system, to prohibit and penalize abusive practices, including the withholding of wages, and to ensure that recruitment fees are covered by employers, in accordance with international standards.

Return and reintegration

61. The Committee is concerned that, despite the existence of voluntary return and reintegration assistance programmes, particularly in collaboration with international organizations, a large number of migrants in vulnerable situations remain without a durable solution because of a lack of documentation, limited institutional capacity and insufficient resources and that the lack of a comprehensive policy framework limits the effectiveness and sustainability of these programmes.

62. The Committee recommends that the State Party:

(a) Develop a national strategic framework for the voluntary return of migrants present on its territory and the reintegration of Mauritanian migrant workers;

(b) Strengthen existing programmes, in cooperation with international organizations and countries of origin and destination, by ensuring that returns are based on reliable information, are genuinely voluntary and non-coercive and are accompanied by sustainable reintegration support and by facilitating access to the necessary documents, in accordance with article 67 of the Convention.

Trafficking in persons

63. The Committee welcomes the adoption of Act No. 2020-017 of 6 August 2020 on the prevention and punishment of trafficking in persons and the protection of victims, the establishment of the National Authority to Combat Trafficking in Persons and Smuggling of Migrants in 2022, the adoption of the National Action Plan on Combating Trafficking in Persons 2024–2026, the establishment of the victim referral mechanism and the creation of the Specialized Court in 2024. However, the Committee is concerned about:

(a) The extent of trafficking in persons in Mauritania, a country of origin, transit and destination, disproportionately affecting migrant children and young women;

(b) The increase in the activities of migrant smuggling networks, which have raised their fees and exposed migrants to greater dangers as a result of tighter migration controls without the creation of safe and regular migration pathways and the inadequacy of measures to dismantle these networks and prosecute those responsible for them;

(c) The limited number of victims of trafficking in persons identified and assisted, the high rate of cases dismissed by the Specialized Court and the lack of detailed data on cases handled, convictions obtained and reparation provided to victims, which do not reflect the true extent of the phenomenon;

(d) Shortcomings in the implementation of the referral mechanism, insufficient resources allocated to the National Authority to Combat Trafficking in Persons and Smuggling of Migrants and the lack of specialized centres and adequate reintegration programmes, including psychosocial, medical, legal and economic support.

64. While recalling targets 8.7 and 16.2 of the Sustainable Development Goals, the Committee recommends that the State Party:

(a) **Strengthen the early identification of victims of trafficking in persons by training frontline actors and allocating sufficient resources to the National Authority to Combat Trafficking in Persons and Smuggling of Migrants;**

(b) **Intensify efforts to dismantle migrant smuggling networks operating in border areas by strengthening cross-border cooperation and prosecuting and punishing those responsible;**

(c) **Strengthen investigations and increase prosecutions against traffickers, provide detailed data on cases handled by the Specialized Court, including the number of investigations, prosecutions, convictions, sentences imposed and remedies granted to victims, broken down by type of exploitation and nationality of victims, and ensure victims' access to justice and effective remedies;**

(d) **Make the referral mechanism fully operational by allocating adequate resources to it, to establish specialized centres for victims, particularly for women and children, and provide reintegration programmes including psychosocial, medical, legal, and economic support.**

Measures to address migrant workers in an irregular situation

65. The Committee notes that the vast majority of migrant workers present in the territory of the State Party are in an irregular situation. The Committee is concerned about:

(a) The criminalization of irregular migration, particularly through Act No. 2024-038, which classifies irregular entry and stay as criminal offences;

(b) Administrative and financial barriers to obtaining residence permits, including high costs and complex documentation requirements;

(c) The lack of clear and accessible pathways to regularization for long-term migrants, particularly those who have established family or professional ties in the territory of the State Party;

(d) Migrants' apprehension about making use of essential services or reporting violations of their rights because they fear being arrested, detained or deported.

66. The Committee recommends that the State Party:

(a) **Revise Act No. 2024-038 to decriminalize irregular migration and give priority to administrative measures, in accordance with the Committee's general comment No. 5 (2021) on migrants' rights to liberty and freedom from arbitrary detention and their connection with other human rights;**

(b) **Simplify procedures for obtaining residence permits, reduce costs and documentation requirements and provide clear information in accessible formats and languages that migrants can understand;**

(c) **Establish transparent and accessible regularization programmes for long-term migrants in an irregular situation, particularly those with family, professional or community ties, and ensure affordable and non-discriminatory procedures;**

(d) **Ensure that all migrants in an irregular situation enjoy the fundamental rights enshrined in part III of the Convention, including access to essential services, justice and remedies, in accordance with articles 8 to 35.**

7. Dissemination and follow-up

Dissemination

67. The Committee requests the State Party to ensure the timely dissemination of the present concluding observations in the official languages and national languages of the State Party to the relevant State institutions at all levels, including to government ministries, the legislature, the judiciary and relevant local authorities, and to non-governmental organizations and other members of civil society.

Technical assistance

68. The Committee recommends that the State Party further avail itself of international and intergovernmental assistance for the implementation of the recommendations contained in the present concluding observations, in line with the 2030 Agenda for Sustainable Development. It also recommends that the State Party continue its cooperation with the specialized agencies and programmes of the United Nations. The Committee remains at the State Party's disposal, particularly for follow-up to the present concluding observations and the preparation of its third periodic report.

Follow-up to concluding observations

69. The Committee requests the State Party to provide, within two years (that is, by 1 January 2028), written information on the implementation of the recommendations contained in paragraphs 18 (coordination), 29 (non-discrimination), 46 (birth registration and nationality) and 58 (international cooperation) above.

Next periodic report

70. The State Party's third periodic report is due by 1 January 2031. The Committee will adopt a list of issues prior to reporting under the simplified reporting procedure at one of its sessions preceding this date, unless the State Party explicitly opts for the traditional reporting procedure. The Committee draws the State Party's attention to its harmonized treaty-specific guidelines.⁸

⁸ HRI/GEN/2/Rev.6.