



# 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 Forty-first session

### Summary record of the 612th meeting

Held at the Palais Wilson, Geneva, on Tuesday, 2 December 2025, at 3 p.m.

*Chair:* Ms. Diallo

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*The meeting was called to order at 3 p.m.*

**Consideration of reports submitted by States Parties under article 73 of the Convention** *(continued)*

*Second periodic report of Mauritania (continued)* (CMW/C/MRT/2; CMW/C/MRT/Q/2; CMW/C/MRT/RQ/2)

1. *At the invitation of the Chair, the delegation of Mauritania joined the meeting.*
2. *In accordance with the guidelines on the independence and impartiality of members of the human rights treaty bodies (the Addis Ababa guidelines), Mr. Babacar withdrew during the consideration of the second periodic report of Mauritania.*
3. **A representative of Mauritania** said that the National Human Rights Commission was an independent institution, established under the Constitution, that had advisory, monitoring, early warning, mediation and evaluation responsibilities in the area of human rights. The Commission, which enjoyed category A status, was governed by Organic Act No. 2017-016 of 5 July 2017. It was authorized to monitor migration control operations from start to finish. It also made certain that migrants were treated in a manner in accordance with relevant national and international human rights standards and regularly transmitted reports and recommendations, including in respect of conditions in which migrants were received, to the competent authorities.
4. The national prevention mechanism had been operational since 2016. Another noteworthy institution was the National Observatory for the Rights of Women and Girls.
5. **A representative of Mauritania** said that efforts to strengthen the legal framework for combating slavery, trafficking in persons and smuggling of migrants had been made at regular intervals since 2003. A decisive step had been taken in 2024 with the establishment of the Specialized Court to Combat Slavery, Trafficking in Persons and Smuggling of Migrants. The establishment of the Court had made it possible to hear cases involving trafficking in persons, slavery or smuggling of migrants in a single, specialized court.
6. Initially, juries and lay assessors had made decisions by voting, but it had become clear over time that jurors and other people without formal legal training often adopted traditional views or were especially susceptible to the pressure brought to bear by members of their communities. As a result, the jury system formerly used by the Specialized Court had been abolished, and lay assessors' opinions had been made non-binding. The aim was to modernize the consideration of the complex phenomena dealt with by the Court. The reform had led to an increase in the number of cases investigated by the Court and improved victim identification and assistance. It had also helped build the capacities of judicial and law enforcement officials. There were still challenges, of course, but progress was being made.
7. By 21 November 2025, the Court, which had begun taking cases in January 2025, had rendered judgments in more than 150 cases, the overwhelming majority of which had been related to smuggling of migrants. Three of the cases had involved slavery. In all, 125 cases had been dismissed for lack of evidence or because the cases had been settled out of court.
8. A preliminary bill on migration was currently being prepared. It set out rules governing the entry and exit, stay, movement and removal of foreign nationals. The bill, drafts of which had been shared with governmental stakeholders and relevant international partners, also set out the conditions for the granting of refugee status.
9. Since its establishment early in 2025, the Office for International Legal Assistance had processed nearly a dozen requests for assistance with efforts to combat transnational organized crime. Some of the requests had touched on matters related to smuggling of migrants or extradition.
10. The establishment of a judicial training college, at which judges, prosecutors and other judicial officials would receive initial and in-service training, had recently been approved. Previously, judges and prosecutors had studied at the National College of Administration, Journalism and the Judiciary. The Ministry of Justice and the Commission on Human Rights, Humanitarian Action and Relations with Civil Society organized activities to familiarize

relevant stakeholders, including judicial officials and security personnel, with the legal means of combating trafficking in persons and smuggling of migrants.

11. Under article 4 of Act No. 2024-038 of 8 October 2024 amending certain provisions of Act No. 65-046 of 23 February 1965 on Criminal Provisions relating to Immigration, migrants or prospective migrants rescued at sea and migrants in an irregular situation or apprehended on land were subject to deportation at the discretion of the administrative authorities. A board on which the National Agency on Trafficking in Persons and Smuggling of Migrants and other relevant institutions was represented reviewed the cases of migrants who were vulnerable to one form of exploitation or another. It was also possible to contest administrative decisions under the Code of Civil, Commercial and Administrative Procedure. Whether or not they were legally resident, migrants who were involved in trafficking in persons or smuggling of other migrants could be banned from re-entering Mauritania after serving any sentences they had received. However, re-entry bans were not enforced until all appeals had been exhausted. In one recent trafficking case, two government officials had been given relatively lengthy prison terms and ordered to pay heavy fines. Several officials in Nouadhibou were being investigated on suspicion of facilitating smuggling of migrants.

12. Migrant workers in Mauritania and Mauritanian nationals had the same rights to legal assistance. Migrant workers also had the right to the assistance of union representatives and could have counsel appointed for them if they could not afford a lawyer. Approximately 100 million ouguiyas a year was set aside for the provision of legal aid, which was made available for proceedings in all *wilaya* courts by the legal aid offices established pursuant to Act No. 2015-030 of 10 September 2015 on Legal Aid.

13. **A representative of Mauritania** said that the standard operating procedures for the search for and rescue of migrants at sea were followed primarily by the defence and security forces. Once rescued migrants were brought to shore, other institutional actors, including international partner organizations, also became involved. All search-and-rescue operations at sea were overseen by a regional commission whose work was itself overseen by a national border management commission.

14. The overarching aim of the second National Migration Management Strategy, adopted for the period 2021–2030, was to make significant improvements to migration management in Mauritania. The Strategy, which sought to ensure that migration matters were approached as a whole rather than piecemeal, centred on six priorities. The first was reform of the country's judicial and other institutions and the harmonization of its laws with the provisions of international human rights instruments. Progress had been made on that strategic priority, although it had been limited by coordination mechanisms that were not as effective as they should be.

15. The recent increase in the number of authorized ports of entry, some of which were open only to Mauritanian nationals and the nationals of a neighbouring country, from 82 to 53 would facilitate the collection of data on border crossing and thus contribute to the efforts made as part of the second strategic priority, namely the collection and analysis of migration-related data. However, the authorities were farther from meeting that priority objective than any of the other objectives of the Strategy.

16. The third priority concerned integrated border management and involved the modernization of ports of entry, cooperation with neighbouring countries, support for border communities and maritime border management. Standard building plans for ports of entry of each category had been drawn up. Ground would be broken on the construction projects starting in 2027. Committees had been set up in all border villages to ensure that villagers took part in migration management decisions. Significant progress had been made in meeting that priority objective, in particular as a result of the considerable amount of funding and technical assistance provided by the European Union.

17. Although successful steps had been taken to protect migrants' fundamental rights, such as the establishment of the Specialized Court to Combat Slavery, Trafficking in Persons and Smuggling of Migrants and the National Agency on Trafficking in Persons and Smuggling of Migrants, mass movements of people, including refugees from Mali, threatened to overwhelm the State's capacity to ensure the protection of migrants' fundamental rights, the fourth strategic priority. The fifth strategic priority concerned

migration and development, and plans were made to encourage the Mauritanian diaspora to contribute to the development of the country. The cumulative impact of initiatives undertaken in that respect – in connection with the facilitation of money transfers, for example – had been limited, in part because of their sporadic nature. Measures under the sixth and final strategic priority involved strengthening coordination mechanisms and evaluating the impact of the Strategy and the two 5-year action plans formulated to ensure that the Strategy was implemented.

18. In no way was it the Government's objective to expel migrant workers resident in the country. On the contrary, every effort was made to ensure that such workers were able to regularize their migration status. After the 2022 census of foreign nationals, for example, residence cards had been issued at no charge to more than 146,000 people. As he had noted earlier, the number of authorized ports of entry had increased, thereby facilitating cross-border movements. There were currently 38 ports of entry on the country's border with Senegal and 27 on the border with Mali.

19. The deportation of migrants in an irregular situation took place in accordance with the law. Such persons were returned to the State from which they entered Mauritania. The migration authorities did not enter people's homes at night to conduct migration checks. Four centres – three in Nouakchott and one in Nouadhibou – received migrants rescued at sea or detained on land. The centres, which were well equipped and provided basic services, were accessible to all relevant institutions for the protection of human rights. No one was expelled without an individualized assessment of his or her situation. There were simply no collective expulsions.

20. Persons of 47 different nationalities, many of them rescued at sea on their way to the Canary Islands, had been deported in the period 1 January–24 November 2025. Nothing prevented those people, who were interviewed individually, from seeking the assistance of counsel, the consular authorities of the States of which they were nationals or a non-profit organization.

21. Most of the 400,000 Malian refugees in Mauritania could be found in Hodh ech Chargui, a *wilaya* in the far south of the country. The Mbera refugee camp alone was home to more than 107,000 of them. The camp was administered by the Office of the United Nations High Commissioner for Refugees and could be visited by anyone authorized to do so by the Office. The Mauritanian authorities provided only security assistance.

22. **A representative of Mauritania** said that it was unrealistic to expect young people who had spent all their savings and braved considerable danger in an attempt to migrate not to lash out in frustration at being picked up, sometimes on the high seas, by the authorities. In their frustration, they often failed to understand that their lives had been saved.

23. Lives were also saved in Hodh ech Chargui, the southern *wilaya* that was home to the majority of the 400,000 people, a figure that represented around 10 per cent of his country's total population, who had fled Mali as the security situation in the Sahel had worsened. On his recent visit to the *wilaya*, the President of Mauritania had thanked the local communities for their hospitality and encouraged them to continue sharing the meagre resources at their disposal with the Malian refugees who had been forced to flee their homes. The President had also said that the State would continue supporting local efforts to offer the needed hospitality. His statements had been particularly well received by the refugees, who had appointed a representative to thank the authorities for what they had done for them. In the reports on migration in Mauritania that had been submitted to the Committee, which had often been prepared by people who had not witnessed the phenomenon first-hand, or who had only communicated with sources via video link, there was, as a rule, no mention of efforts to encourage hospitality such as those recently made by the President in Hodh ech Chargui.

24. In the past, people had simply arrived in Mauritania and settled in it. As a result of the security situation, however, which could not be ignored in any assessment of the situation of migrant workers in the country, such informality was no longer possible. Thousands of Mauritanian pastoralists had in recent years been prevented from crossing into Mali, as they had previously done, in search of pasture for their herds. During his stay in Hodh ech Chargui, the President had also overseen the launch of a programme to facilitate the resettlement in Mauritania of those formerly nomadic pastoralists.

25. Some two years earlier, he had taken part in a meeting at which the mothers of hundreds of Mauritanian children who had disappeared in an attempt to emigrate had asked the President to do what he could to ensure that no other mothers had to endure what they had. In the end, the mothers had filed reports, and the resulting investigations had made it possible to dismantle an extensive people smuggling network of the kind that was present in border towns throughout the country.

26. The Mauritanian consular authorities were fully authorized to provide the standard range of consular services. Dual citizenship had been permitted since 2021, making the lives of many members of the diaspora much easier, while also removing administrative obstacles to economic or other development projects led by people of Mauritanian origin who were naturalized citizens of their countries of residence. The members of National Assembly who represented the diaspora were elected by universal suffrage but were themselves members of the diaspora. The department responsible for diaspora affairs, which had been part of the Ministry of Foreign Affairs since 2014, was organizing a forum at which to discuss such issues as how to increase the involvement of Mauritanian nationals abroad in the country's development.

27. Irregular migration was, by nature, hard to quantify. Clearly, however, a significant number of Mauritanian young people had left for the United States and other countries. The President had therefore decided to launch a number of multidimensional programmes, including entrepreneurship programmes, for the advancement of young people. A ministerial department had been created to empower the country's young people and help keep them from feeling as if they had no choice but to leave.

28. Smuggling networks used effective marketing tactics. In some cases, even people who had decent jobs, having thus been deceived, left the country to seek their fortunes abroad. In other words, Mauritania was not acting as Europe's policeman, as some had called it. It was combating irregular migration also because its own people fell victim to it.

29. **A representative of Mauritania** said that the Government's determination to combat trafficking in persons had led to 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 and, two years later, to the establishment of the National Agency on Trafficking in Persons and Smuggling of Migrants. Action plans had been adopted to ensure that those legislative and institutional developments made an impact on the ground.

30. The Agency, which existed primarily to provide protection, including to both Mauritanian and foreign nationals, had at its disposal a number of tools that it used to coordinate the steps taken by the wide range of government bodies, including an interministerial committee, involved in efforts to combat trafficking in persons and smuggling of migrants. One such tool was the national referral and orientation mechanism for victims of human trafficking and migrant smuggling. The Agency also held monthly meetings with the country's partner organizations with a view to sharing information on the implementation of public policies. The National Human Rights Commission and the national mechanism for the prevention of torture, as well as the international organizations with which the authorities worked, were represented on the Agency's advisory and monitoring council.

31. The fund for aid and assistance to trafficking victims was supported exclusively by government monies. In addition to making direct awards to individual victims, the fund, which could be reached by a toll-free hotline, subsidized civil society organizations active in victim protection, including the protection of non-Mauritanian victims, who, for the rest, had the right to remain in Mauritania for a period of six months, renewable once.

32. One of the two specialized commissions whose establishment had been planned in 2022 focused on trafficking in persons and the other on smuggling of migrants. The two commissions had been made part of the national referral and orientation mechanism, whose principle mission was to identify and assist victims of trafficking in persons and smuggling of migrants. A wide range of governmental and non-governmental stakeholders, including civil society organizations, contributed to the operation of the mechanism.

33. Specialized non-governmental organizations (NGOs) often represented victims in court. In cases involving slavery, for example, NGOs could even sue for damages in criminal

proceedings. A plan of action to combat smuggling of migrants was being drafted in partnership with the International Organization for Migration. Once adopted, it would complement the instruments that were already in place.

34. **A representative of Mauritania** said that Mauritania had concluded cooperation and free movement agreements with many nearby countries, including Senegal, Mali, Algeria, Tunisia, Libya, Côte d'Ivoire, the Gambia, Guinea-Bissau, Burkina Faso and the Niger. Fifty Mauritanian agricultural workers were currently working in Spain under the agreement on circular migration signed with that country in 2024. The 2024 joint declaration that had formalized cooperation between Mauritania and the European Union had five areas of focus: vocational training for young Mauritians; assistance for refugees and host communities; the promotion of legal migration pathways; the fight against smuggling of migrants and trafficking in persons; and capacity-building for Mauritanian authorities in search and rescue operations at sea and in integrated border management. All of the agreements were public. European countries had not given Mauritania responsibility for migration management under any agreement.

35. **Mr. Oumaria** (Country Rapporteur) said that he wondered to what extent the migration-related agreements concluded by the State Party were beneficial to both parties to them and whether the State Party had considered using South-South and intra-African migration to promote development and steering young people away from perilous migration routes across the sea or desert.

36. **Ms. Poussi** (Country Rapporteur) said that she would be grateful for clarification regarding the provisions of the 2021 amendments to the Mauritanian Nationality Code that dealt with the roles that could not be held by dual nationals. She wished to know whether the Government's 2022 campaign had resulted in the regularization of the status of 136,000 foreign nationals, as indicated in the State Party's replies to the list of issues in relation to its second periodic report (CMW/C/MRT/RQ/2), or 146,000, as the delegation had stated at the previous meeting. She would also like to know what the period of validity had been of the residence permits issued to those foreign nationals; whether the permits were renewable; and whether the status of the family members of the foreign nationals had automatically also been regularized. Lastly, she wondered what the State Party's definition was of a "minor offence".

37. **The Chair** (Country Rapporteur) said that she wished to know what role the European Border and Coast Guard Agency (Frontex) played in migration management and data collection in Mauritania and how the State Party ensured that Frontex operated in a manner that was respectful of human rights. It would be helpful to have further information on the extent of migrants' use of the justice system, as the State Party's replies to the list of issues in relation to its second periodic report indicated that, between 2017 and 2024, migrants had brought only some 20 cases before the Nouadhibou and Nouakchott Labour Tribunals. She wondered whether refugees at the Mbera camp were free to move out of the camp and whether migrants in an irregular situation who had settled in Mauritania and had lived there for an extended period of time could still face deportation. She would appreciate an update on the status of the State Party's plans to ratify the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189).

38. **Mr. Zounmatoun** said that he wished to know whether young people had participated in the development of the programmes that had been launched for the advancement of young people and whether their input had been sought as to the reasons that drove young people to migrate. He also wished to know whether the State Party's efforts to combat slavery had resulted in the eradication of that practice.

39. **Mr. Charef** asked what steps the State Party was taking to encourage skilled Mauritanians who settled abroad to return to Mauritania.

40. **Mr. Ceriani Cernadas** said that he wished to hear more about the different types of facilities at which migrants were detained in the State Party. He would also like to find out whether those facilities were open or closed and whether children and families were held at closed facilities. He wondered how and by which government entity arrests of migrants were carried out, what criteria were used to identify the persons to be arrested, whether those criteria reflected discriminatory practices and what steps the State Party took to prevent or respond to such practices. He would be curious to know how the State Party was able, within

the 72-hour time frame for deportations, to ensure that the persons in question had legal assistance, that they were able to appeal the deportation decision and that their protection needs were identified.

41. **Mr. Corzo Sosa** said that he wished to know what steps the State Party had taken to ensure that the consular authorities of countries of origin were systematically notified of the detention in the State Party of one of their nationals, whether the State Party intended to make the declarations provided for in articles 76 and 77 of the Convention recognizing the competence of the Committee to receive communications from States Parties and individuals, what measures were in place to protect migrants from the worst forms of exploitation, including in gold mines, and what the status was of the search for the 500 young Mauritians who were missing.

*The meeting was suspended at 5.10 p.m. and resumed at 5.30 p.m.*

42. **A representative of Mauritania** said that article 101 of the Code of Criminal Procedure provided that all defendants in criminal cases must be represented by a lawyer and that if they did not choose one, one would be appointed for them, with the cost to be borne by the justice system. In the replies of Mauritania to the list of issues in relation to its second periodic report, information had been provided on cases brought before only two of the country's four labour tribunals. In addition, many labour disputes were handled by ordinary courts. Under article 31 of the Nationality Code, as amended, having dual nationality was incompatible with certain positions, such as President, Prime Minister and heads of the armed and security forces. Each year, the embassies and consulates of countries with nationals who were prisoners in Mauritania were provided with lists of those prisoners.

43. **A representative of Mauritania** said that the status of 146,900 foreign nationals had been regularized as a result of the Government's 2022 campaign. Residence permits were valid for between one and five years. They were issued the first time for a period of one year and could be renewed for a period of two, three or five years upon the presentation of the required supporting documentation. A family member must submit an additional application to have his or her own status regularized.

44. The Spanish Civil Guard was present in Mauritania under an agreement that dated from the early 2000s; Frontex, however, was not present in the country. Refugees in the Mbera camp enjoyed freedom of movement, in line with the pledges made by Mauritania at the Global Refugee Forum in 2023. If a foreign national was in an irregular situation, the fact of having lived in the country for a long time would not make him or her immune to deportation. The consulate of the country of origin must be notified prior to the deportation of a foreign national. It would also be contacted during the process of confirming the nationality of the person in question.

45. **A representative of Mauritania** said that unaccompanied or separated children, pregnant women and persons with an illness were not accommodated at the temporary reception centres for migrants rescued at sea. Mechanisms were in place at the centres to ensure that families with children were housed in a safe, secure space and that women and men were separated.

46. **A representative of Mauritania** said that migrant workers in the mining sector were protected under legislation such as Act No. 2020-017 on trafficking in persons, Act No. 2018-023 on discrimination, and the Labour Code, article 5 of which prohibited forced labour. In addition, the Ministry of Civil Service and Labour carried out heightened monitoring of working conditions. Illegal operations were dismantled, and awareness-raising was conducted on the dangers of substances such as mercury and cyanide. Reporting and referral mechanisms were in place to protect vulnerable persons. Medical and psychological care was provided in cases of injury, and a report was made to the National Social Security Fund. In cases of death, financial and other support was provided to the family of the deceased.

47. **A representative of Mauritania** said that young people had been elected deputies to the National Assembly and participated actively in debates on issues of national importance. In addition, young people held leadership positions in all programmes affecting young people. Judicial proceedings in the case of the 500 missing young persons, and the corresponding investigative work, were under way.

48. **A representative of Mauritania** said that, if slavery still existed in Mauritania, the cases of it were extremely rare. Whenever, in the past, a case of slavery had been reported, the local authorities had rescued and provided care for the person in question. A review of ILO Convention No. 189 was under way, but Mauritania was not yet ready to ratify it. He wished to thank the Committee members for their constructive questions and assure them of his Government's commitment to working for the benefit of migrant workers.

*The meeting rose at 6.05 p.m.*