

U.S. Department of State, UN Special Rapporteur Must Enforce Accountability for Mauritania’s Superficial “Efforts” to Combat Slavery

According to the Global Slavery Index, Mauritania ranks third in the world for the prevalence of slavery (per capita). Yet in 2023, the U.S. State Department upgraded Mauritania to a Tier II ranking on its scale of government responses to human trafficking. The incongruence is clear.

While a Tier II ranking acknowledges that Mauritania “does not fully meet” minimum standards to address human trafficking, it indicates that the country is “making significant efforts” to qualify. **The content of the State Department’s own report makes it clear that “significant efforts” exist on paper, not in practice.**

The United Nations Special Rapporteur on contemporary forms of slavery, Tomoya Obokata, also praised the Mauritanian government in his “End of Mission” report in 2022. Obokata wrote that President Mohamed Ould Ghazouani “clearly acknowledged ... that the denial of slavery was the wrong approach and did not send a good signal.” The Special Rapporteur referred to the strengthening of anti-trafficking laws in Mauritania as “important progress.” **But the paragraphs of stiff accolades in the Special Rapporteur’s report are highly unbalanced, compared to the pages of evidence that slavery and apartheid are alive and well in Mauritania.**

Both reports conclude that although Mauritania enacted anti-slavery laws and created courts to prosecute them, these tools are paper tigers. They also demonstrate that slavery is not the only human rights violation Black Mauritians are trying to survive.

Mauritania has built an intricate web of apartheid measures, from denial of identity documents to land grabbing and more, to keep Black Mauritians subservient and under control. Meanwhile, brave human rights defenders continue to speak out and demand international action, at risk of life and liberty.

Below are excerpts from the [U.S. State Department 2023 Trafficking in Persons Report](#) and the [End of Mission readout](#) from UN Special Rapporteur on contemporary forms of slavery. The evidence in both tells a different story from the “significant” and “important progress” claimed in their opening paragraphs.

It’s like they designed the system to fail.

“The government did not systematically investigate, prosecute, or convict traffickers responsible for hereditary slavery crimes, and the anti-slavery courts did not function effectively. Officials did not adequately screen vulnerable populations, including communities historically exploited in hereditary slavery, for trafficking indicators. Government agencies charged with combating trafficking,

including hereditary slavery, continued to lack resources and personnel, and reports of officials refusing to investigate or prosecute traffickers persisted.” (U.S. State Department)

“M]any victims [of slavery] are located in remote rural areas, and yet the specialised criminal courts are not able to reach out proactively due to lack of resources. **It has been pointed out in this regard that they should have the ability to conduct trials in areas where most of the victims are located.** In addition to easier access, this would have additional benefits of awareness-raising, deterrence, and education among the affected communities and the general public. However, this is not a possibility at the current moment.” (United Nations Special Rapporteur on contemporary forms of slavery, 8)

“Although prosecutors had a legal obligation to transfer hereditary slavery cases to the anti-slavery courts, **some prosecutors settled cases outside of court (a practice forbidden by the law) or encouraged victims to withdraw their complaints** in exchange for a small amount of financial compensation.” (U.S. State Department)

Making motion look like progress.

“The continued existence of slavery and other slavery-like practices in Mauritania unfortunately demonstrates that relevant laws are not consistently or completely enforced in practice. In this regard, interlocutors noted that the criminal justice processes do not always function effectively. **The Special Rapporteur learned that some of the judicial police and prosecution are unwilling to follow up and properly investigate complaints.** Despite the fact that the 2015 Law contains a provision for penalising such behaviour, interlocutors have pointed out that it is not systematically enforced.” (United Nations Special Rapporteur on contemporary forms of slavery, 7)

“The government established a special fund in 2022 to aid trafficking victims, including hereditary slavery, and support NGOs providing services. **The government allocated 50 million MRU (\$1.35 million) to the fund and provided support to at least one forced labor victim.**” (U.S. Department of State)

“The anti-slavery courts lacked adequate staff and resources to investigate and prosecute hereditary slavery crimes throughout the country, especially in rural regions, and did not have specialized prosecutors or investigative magistrates. In practice, **authorities did not automatically refer hereditary slavery cases to the anti-slavery courts; prosecutors and investigative magistrates in charge of referring cases to the anti-slavery courts sometimes dismissed or misclassified cases as crimes other than hereditary slavery.** The anti-slavery law called for cases to be processed without delay; however, cases often remained pending for years. The anti-slavery courts continued to mostly prosecute slander-related cases rather than cases of hereditary slavery. Defendants charged with hereditary slavery frequently absconded into neighboring countries. The appeals court lacked training on the anti-slavery and

anti-trafficking laws and sometimes overturned convictions. **The Commissariat for Human Rights, Humanitarian Action, and Relations with Civil Society had the authority to introduce cases on behalf of hereditary slavery victims, but reportedly did not do so.** (U.S. Department of State)

“Judicial officials conflated human trafficking with other crimes, such as migrant smuggling or sexual abuse. **Law enforcement officials did not always enforce the anti-trafficking and anti-slavery laws, especially in rural areas.** The Ministry of Interior’s Central Office for the Suppression of Migrant Smuggling and Human Trafficking was responsible for screening migrants for trafficking indicators but **did not report identifying any trafficking victims.**” (U.S. Department of State)

While another governmental body did identify trafficking victims, they were victims of forced begging, not hereditary slavery. “Officials identified at least 89 trafficking victims and referred at least 87 to care. **This included 87 child forced begging victims** referred to Ministry of Social Affairs (MASEF) centers, and two victims of unknown forms of trafficking identified by the government’s anti-trafficking hotline; the government did not report if the two victims of unknown forms of trafficking were referred to care. **The government did not provide information on the number of hereditary slavery victims identified, if any.**” (U.S. Department of State)

“**The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking crimes;** however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action. Some police, prosecutors, and investigative judges reportedly refused to investigate and try hereditary slavery crimes.” (U.S. Department of State)

“[W]hile the creation of the specialised criminal courts for slavery is a positive development, **the number of cases is very low given the potentially large number of victims held in slavery and other slavery like practices.** Minority Rights Group reports that only 47 cases have been lodged as of the end of 2021 under the 2007 and 2015 anti-slavery laws combined, of which only 26 were tried.... In addition, slavery offences are often reclassified as lesser offences, thereby undermining the significance attached to them. Punishments for cases prosecuted under the 2015 Law also do not reflect the gravity of offences as convicted criminals in many cases receive much less than the maximum provided. Prison sentences for offenses under the 2015 Law have ranged from six months to two years, well below the 10- to 20-year sentences enshrined in the law. Fines have ranged from 25,000 to 100,000 MRU, while the 2015 Law allows for penalties up to 700,000 MRU. In addition, **little time is often served as punishments can be suspended on appeal and moral guarantors can secure a prisoner’s release, and the Special Rapporteur met victims who still have not received any compensations despite judgements in their favour in this regard.**” (United Nations Special Rapporteur on contemporary forms of slavery, 8)

“The **government had legal aid offices throughout the country to support crime victims** and maintained a dedicated legal assistance fund for trafficking victims. However, **the government did not report providing such legal assistance to any trafficking victims**. NGOs reported the government often brought victims and accused traffickers together when conducting interviews, which placed enormous pressure on victims to change their testimony. Pursuant to existing laws, access to victim services was not conditioned on cooperation with law enforcement; however, this provision was not always respected, and officials sometimes required victims to participate in law enforcement proceedings to receive services. **The law allowed victims to obtain restitution, and the court ordered restitution in one case**. However, the complex and opaque legal system and lack of enforcement made such efforts extremely difficult, and ordered restitution was rarely paid. Victims could file civil suits against the traffickers; however, no victims reportedly used this provision, and many victims were not aware of this option.” (U.S. Department of State)

“Former slaves” are still subject to the same treatment.

“Many [former slaves and their descendents] are **still economically, socially, and culturally dependent on their former masters** as they are not able to sustain themselves independently. Even where they do not maintain such ties, multiple forms of discrimination based on their race or ethnicity make their life very difficult.” (United Nations Special Rapporteur on contemporary forms of slavery, 4)

“For former slaves and their descendants, migrant workers, trafficked victims, as well as some displaced persons, **a lack of civil registration, education and decent work means that they engage in work, which amounts to forced labour, servitude or even slavery**. In this regard, domestic work for women is common in Mauritania where the working conditions, including harassment and physical and sexual violence, display clear indicators of forced labour and servitude.” (United Nations Special Rapporteur on contemporary forms of slavery, 7)

Statelessness and denial of identity documents are weapons of control.

“[T]he inability of former slaves and their descendants to legally register with the State ... prevents them from accessing vital services. This is due to stringent documentation requirements in order to register, including the need to produce birth certificates, marriage certificates, and/or death certificates for parents, many of which are never issued to Haratins [the recognized slave caste in Mauritania]. Therefore, **they are not able to enjoy full citizenship**.” (United Nations Special Rapporteur on contemporary forms of slavery, 4)

“[E]nslaved children cannot obtain birth certificates, and this means they cannot enrol in the civil registry. This **dramatically reduces their opportunities to access education and consequently, find alternatives to dependence on their enslavers**.” (United Nations Special Rapporteur on contemporary forms of slavery, 6)

“The Government has in principle implemented alternative measures to enable access to civil registration and education.... While these alternatives are good in theory, a lack of awareness and literacy among the affected communities, strict application criteria, excessive bureaucracy, and language difficulty are preventing them from registering in practice. Despite mandates from the central Government to facilitate civil registration, the Special Rapporteur has received reports of continued discrimination at local level, for example, **judges refusing to hold eligibility hearings for those without documents on the basis of their ethnic background, and denial to single mothers of the right to register children in their own names.**” (United Nations Special Rapporteur on contemporary forms of slavery, 5)

Land grabbing is another tool for economic and social subjugation.

“Another issue is ownership and access rights to land they have worked on for generations. While the land has been traditionally controlled or owned by local tribes and dominant caste families, many slaves, former slaves, and their descendants have had difficulties in enjoying the same right despite the fact that many have long worked on their lands. The official position of the government is that all lands belong to the State and collective ownership was abolished in 1983 with the passage of Law 1983-127. However, the Special Rapporteur has been informed that **these lands still continue to be de facto controlled by tribes and influential families and the Government seems reluctant to intervene in practice.** The Special Rapporteur received reports of local officials failing or refusing to act on complaints from persons who had been expelled from their lands for refuting their slave status.” (United Nations Special Rapporteur on contemporary forms of slavery, 5)

Not even children are protected.

“The Special Rapporteur also wishes to highlight slavery and other practices affecting children. To begin with, **the status of slavery is passed down by their mothers to children. The Special Rapporteur heard stories of children being treated as property and experiencing harassment and physical violence.** The Special Rapporteur heard the testimony of a victim who began working for her mother’s enslaver and his extended family from the age of 5 and was frequently abused. This case was brought before the special anti-slavery court of Néma (Case 110/2015), which imposed a prison sentence of 5 years and a fine of 100,000 MRU. At appeal, the prison sentence was upheld and the fine increased to 600,000 MRU. However, **4 years of the prison sentence were suspended, and the fine has never been paid; the victim has never been compensated.**” (United Nations Special Rapporteur on contemporary forms of slavery, 6)

“The Special Rapporteur also received disturbing claims on the treatment of enslaved children from persons with a case currently before the special anti-slavery court of Nouadhibou (Case 21/2013). The facts of this particular case merit further investigation, given their severity and as no definitive judgement has been made; **the case has been pending judgement for nearly a decade, since 2013.**” (United Nations Special Rapporteur on contemporary forms of slavery, 6)

“Individuals of Haratine and Afro-Mauritanian descent, including children, working in the fisheries, mining, domestic work, livestock-herding, and construction sectors are vulnerable to forced labor. Corrupt Quranic teachers force boys from Mauritania and other West African countries who study at *mahadras* to beg for food and money; boys from low-income families in the Halpulaar community and increasingly children with disabilities are particularly vulnerable.” (U.S. Department of State)

“It is especially difficult for children of Haratine and Afro-Mauritanian descent to obtain birth certificates, **resulting in their denial of services, education, and assistance, and increasing vulnerability to trafficking.**” (U.S. Department of State)

“Many children from the affected communities, **particularly girls, are not able to attend schools because they do not have identity documents,** which are generally required to access education beyond the primary level.” (United Nations Special Rapporteur on contemporary forms of slavery, 5)

To be young, female, and Black.

“It is also important to highlight the gender dimension of slavery and other slavery-like practices in Mauritania. **For those still held in slavery, particularly women and girls, instances of sexual abuse and violence, including rape, remain a serious risk,** according to information provided to the Special Rapporteur from vetted sources. In addition, **when children are born, they are regarded as belonging to masters and face additional hurdles when seeking civil registration** if born out of wedlock. This highlights the intersecting forms of discrimination, compounded with physical and sexual violence, which enslaved women face.” (United Nations Special Rapporteur on contemporary forms of slavery, 7)

“Due to inconsistent use of formal identification procedures, **authorities may have detained or deported some unidentified trafficking victims under fornication and adultery charges, including victims of domestic servitude and sex trafficking.** Law enforcement officials reportedly detained women suspected of engaging in commercial sex and undocumented migrants for immigration violations without screening for trafficking indicators.” (U.S. State Department)

“Fraudulent recruiters **promise Mauritanian women and girls—especially those from the Black Moor and Afro-Mauritanian communities—shelter and education, but force them into domestic servitude,** especially in larger cities such as Nouakchott, Nouadhibou, and Rosso.” (U.S. State Department)

“Foreign agencies and Mauritanian intermediaries fraudulently recruit Mauritanian women for nursing and teaching jobs abroad and subsequently **exploit them in domestic servitude and sex trafficking in the Gulf, including Saudi Arabia.** Traffickers from Middle Eastern and North African countries fraudulently enter into marriages with Mauritanian girls and young women, facilitated by brokers and travel agencies in both Mauritania and the Middle East; the traffickers promise substantial

payments to the family and subsequently **exploit the girls and women in sex trafficking in Saudi Arabia and other Gulf countries.**" (U.S. State Department)

Accountability and immediate action.

"What is needed is a full recognition of the existence of slavery and slavery-like practices at the highest level of the government and communicate this clearly to the whole nation. The Special Rapporteur regards this to be an important form of reparations stipulated in the international human rights standards. In the context of Mauritania, this would be an important step towards healing the wounds experienced by the affected communities and uniting the whole nation to move forward for the elimination of slavery and slavery-like practices." (United Nations Special Rapporteur on contemporary forms of slavery, 11)

The U.S. State Department issued these "prioritized recommendations."

Increase efforts to investigate and prosecute cases of human trafficking, including hereditary slavery, and seek adequate penalties for convicted traffickers, which should involve significant prison terms.

Direct law enforcement to investigate all allegations of human trafficking, including hereditary slavery, and hold government officials accountable for inhibiting investigations of such cases or interfering in ongoing investigations.

Train front-line actors, including law enforcement, security forces, judicial officials, social workers, independent labor unions, and civil society on the NRM and standard procedures to identify and refer trafficking victims to care.

Proactively screen for trafficking indicators among vulnerable populations, including communities historically exploited in hereditary slavery, migrants, women in commercial sex, and children exploited in forced begging; ensure victims are not inappropriately penalized solely for unlawful acts committed as a direct result of being trafficked.

Utilize the victim fund, and in collaboration with NGOs, increase trafficking victims' access to resources and services.

Institutionalize training for law enforcement and judicial actors – including prosecutors, investigative magistrates, and appeals court judges – on the 2015 anti-slavery and 2020 anti-trafficking laws, legally-required procedures for transferring hereditary slavery cases to the anti-slavery courts, and ordering restitution in criminal cases.

Provide adequate resources and dedicated prosecutors, investigating magistrates, and trial judges for each of the anti-slavery courts.

Empower the INCHTMS to coordinate the government's anti-trafficking response by convening regular meetings, adopting a new NAP, and promoting information sharing and data collection across government agencies.

Implement a victim-witness assistance program to increase protective services for victims participating in the criminal justice process, including protection from intimidation or retaliation.

The U.S. State Department, UN Special Rapporteur, and other leaders in the International Community have given Mauritania credit for “talking the talk” on combating slavery. **Results would be a better measure than the mere existence of laws and programs that aren't being implemented. It's time for Mauritania to walk the walk, and for the International Community to hold them to it.**

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