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Written statement* submitted by United Nations Watch, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

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* Issued as received, in the language(s) of submission only.



Slavery: New UNHRC Member Mauritania is in non-compliance with Resolution 60/251 obligations

Mauritania now takes its new seat on the Human Rights Council (HRC). However, Mauritania commits serious human rights abuses including slavery, torture, arbitrary arrest, and human trafficking.

Though one often hears the argument that it is normal for the United Nations (UN) to include all manner of countries on its Human Rights Council, even those who commit gross and systematic human rights abuses, the truth is that the presence of abusers on the Council undermines the Council's legitimacy and contradicts its own charter. According to UN General Assembly Resolution 60/251, which established the Council in 2006, General Assembly members are obliged to elect states to the Council by considering "the candidates' contribution to the promotion and protection of human rights and their voluntary pledges and commitments made thereto." The resolution further provides that consideration ought to be given to whether the candidate can meet membership obligations (a) "to uphold the highest standards in the promotion and protection of human rights" and (b) to "fully cooperate with the Council."

More than half of the current members of the Council (24 out of 47 members) fail to meet the basic standards for democracy according to Freedom House.¹ These include some of the world's worst human rights abusers: Eritrea, Mauritania, Qatar and Bolivarian Republic of Venezuela. These countries use their membership in the Council as a false badge of legitimacy in the international arena.

One example is Mauritania. According to Biram Dah Abeid, a prominent Mauritanian anti-slavery activist, 500,000 Mauritaniens (20% of the population) are slaves in Mauritania today.² Although the country has adopted laws banning slavery, these laws are not implemented. Afro-Mauritanians and members of the Haratine ethnic group suffer widespread discrimination.³

Mauritania is headed by Mohamed Ould Ghazouani who was elected in June 2019 amidst cries of election irregularities.⁴ He follows former President Mohamed Ould Abdel Aziz who came to power in 2008 through a military coup and was re-elected in 2014 in elections boycotted by the main opposition party due to allegations the electoral process was flawed.⁵ Government corruption is widespread at the highest levels.⁶

Following the election results, the government responded harshly to an outbreak of protests, including by shutting down the internet. An opposition leader and two pro-opposition journalists were detained for a week without charge and dozens of opposition activists were also arrested.⁷

¹ Freedom in the World 2019, FREEDOM HOUSE, <https://freedomhouse.org/report/countries-world-freedom-2019>

² Mauritania: The Forgotten Slaves, South World News & Views (Feb. 2018), <https://www.southworld.net/mauritania-the-forgotten-slaves/>

³ Amnesty International Report 2017/18: Mauritania, AMNESTY INTERNATIONAL (2018) [Hereinafter "Amnesty International Mauritania 2018"], <https://www.amnesty.org/en/countries/africa/mauritania/report-mauritania/>

⁴ Kissima Diagana, Mauritanian court confirms election win for government-backed candidate, REUTERS (July 1, 2019), <https://www.reuters.com/article/us-mauritania-election-court/mauritanian-court-confirms-election-win-for-government-backed-candidate-idUSKCN1TW2XK>

⁵ Freedom in the World 2019: Mauritania, FREEDOM HOUSE (2019), <https://freedomhouse.org/report/freedom-world/2019/mauritania>

⁶ Kissima Diagana, Mauritanian court confirms election win for government-backed candidate, REUTERS (July 1, 2019), <https://www.reuters.com/article/us-mauritania-election-court/mauritanian-court-confirms-election-win-for-government-backed-candidate-idUSKCN1TW2XK>

⁷ Mauritania: Widespread Arrests to Blunt Backlash Over Election, HUMAN RIGHTS WATCH (July 23, 2019), <https://www.hrw.org/news/2019/07/23/mauritania-widespread-arrests-blunt-backlash-over-election>

Opposition leaders are frequently subjected to arbitrary arrests. In August 2017, Senator Mohamed Ould Ghadda who opposed a measure by then-President Abdel Aziz to dissolve the senate was arrested on bribery charges and held in custody for one year without trial.⁸

Torture in Mauritania's prisons is common, especially as a method of interrogation to extract confessions.⁹ In its recent concluding observations, the Committee Against Torture expressed concern that "torture remains widespread" in Mauritania.¹⁰ In July 2018, Mohamed Ould Brahim died in custody only five hours after being arrested.¹¹ Other due process violations are also routine, such as prolonged pretrial detention and failure to provide detainees with prompt access to a lawyer.¹²

Mauritania is an Islamic republic which applies Sharia law. Conversion from Islam to another religion results in loss of citizenship; and apostasy is punishable by death. Furthermore, in April 2018, parliament passed a new law strengthening the death penalty for certain blasphemy offenses.¹³ The law was strongly criticized by UN human rights experts who expressed outrage that "Mauritanian authorities have decided to enshrine the death penalty for those who express their rights to freedom of expression, religion and belief."¹⁴

Journalists who cover sensitive topics such as the military, corruption and slavery are likely to be harassed and engage in self-censorship. For example, in March 2018 a French-Moroccan journalist who was investigating slavery was detained for three days and then expelled. Independent blogger Mohamed Cheikh Ould Mohamed M'Kheitar spent a total of five years in prison for a blog post critical of the Prophet Muhammad, including two years after he had completed his sentence.¹⁵ He was originally sentenced to death for apostasy, but his sentence was commuted to two years in prison on appeal.¹⁶ In March 2019, two bloggers were arrested on slander charges for their reporting on corruption.¹⁷

Similarly, NGOs, particularly anti-slavery groups are subjected to intimidation and violence, and have difficulty obtaining legal status from the government.¹⁸ The government uses a range of harsh and overbroad criminal laws to prosecute and jail human rights defenders.¹⁹ From August 7 to December 31, 2018, authorities detained Biram Dah Abeid, the president of the anti-slavery group Initiative for the Resurgence of the Abolitionist Movement just before he was elected to parliament.²⁰ Another activist, Abdallah Yali who fights discrimination against the Haratine ethnic group, has been in jail since January 2017 on

⁸ Mauritania: Events of 2018, HUMAN RIGHTS WATCH (2019) [Hereinafter "Human Rights Watch Mauritania 2019"], <https://www.hrw.org/world-report/2019/country-chapters/mauritania>

⁹ Amnesty International Mauritania 2018, *supra* note 3.

¹⁰ Concluding observations on the second periodic report of Mauritania, Committee Against Torture, UN Doc. CAT/C/MRT/CO/2 (Sep. 4, 2018), Para. 12.

¹¹ Freedom in the World 2019: Mauritania, *supra* note 5.

¹² Amnesty International Mauritania 2019, *supra* note 3.

¹³ Freedom in the World 2019: Mauritania, *supra* note 5.

¹⁴ Death Penalty: UN experts urge Mauritania to repeal anti-blasphemy law, OHCHR (June 7, 2018), <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23186&LangID=E>

¹⁵ Freedom in the World 2019: Mauritania, *supra* note 97; Human Rights Watch Mauritania 2019, *supra* note 100; Freed Mauritanian blogger arrives in Europe amid safety concerns, MIDDLE EAST EYE (Aug. 5, 2019), <https://www.middleeasteye.net/news/freed-mauritanian-blogger-arrives-europe-amid-safety-concerns>.

¹⁶ Mauritania: One Year On, Blogger Still Detained, HUMAN RIGHTS WATCH (Nov. 8, 2018), <https://www.hrw.org/news/2018/11/08/mauritania-one-year-blogger-still-detained>.

¹⁷ Mauritanian bloggers face defamation charges for reporting on corruption, ADVOX (April 4, 2019), <https://advox.globalvoices.org/2019/04/04/mauritanian-bloggers-face-defamation-charges-for-reporting-on-corruption/>; Nasser Weddady, My brother is in jail in Mauritania – for reporting on a massive fraud, WASHINGTON POST (April 1, 2019), <https://www.washingtonpost.com/opinions/2019/04/01/my-brother-is-jail-mauritania-reporting-massive-fraud/?hiredirect=on>

¹⁸ Freedom in the World 2019: Mauritania, *supra* note 97; Human Rights Watch Mauritania 2019, *supra* note 100.

¹⁹ Mauritania: Repressive Laws Restrict Peaceful Speech, HUMAN RIGHTS WATCH (Jan. 17, 2019), <https://www.hrw.org/news/2019/01/17/mauritania-repressive-laws-restrict-peaceful-speech>

²⁰ *Id.*; Human Rights Watch Mauritania 2019, *supra* note 8.

various criminal charges.²¹ On July 22, 2018, the Mauritanian government blocked five activists from traveling to Geneva to participate in the UN Committee Against Torture's periodic review of Mauritania.

According to United Nations Children's Fund (UNICEF), 37% of girls in Mauritania are married before age 18.²² The practice of FGM is also common. In addition, women face difficulties reporting rape and sexual assault, as the law favors men and the women themselves would risk prosecution for sexual relations outside of marriage.²³

²¹ Human Rights Watch Mauritania 2019, *supra* note 8.

²² Mauritania, GIRLS NOT BRIDES (last visited Sep. 19, 2019), <https://www.girlsnotbrides.org/child-marriage/mauritania/>.

²³ In conservative Mauritania, confronting sexual violence laws, FRANCE 24 (July 3, 2019), <https://www.france24.com/en/20190307-conservative-mauritania-confronting-sexual-violence-laws>; Philip H. Stewart, The Courage of Women in Mauritania, HUMAN RIGHTS WATCH (Sep. 5, 2018), <https://www.hrw.org/news/2018/09/05/courage-women-mauritania>.