

Responses to Recommendations

MAURITANIA

Review in the Working Group: 10 November 2010
 Adoption in the Plenary: 18 March 2011

Mauritania's responses to recommendations (as of 07.07.2011):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
<p>88 REC accepted (among which 24 are considered implemented or in the process of implementation); 4 rejected; 47 pending.</p>	<p>Out of the 47 pending, the delegation stated that they had already provided replies to 23 of them without specifying where and when. These REC are therefore considered as still pending. Out of the other 24, 14 received an unclear position and 10 did not receive any answer (92.8, 92.12, 92.15, 92.22, 92.35, 92.38, 92.39, 92.44, 92.46 and 92.47).</p>	<p>The delegation clustered the 47 REC into 18 and stated accepting 14 and rejecting 4. Our interpretation of which cluster corresponds to which recommendations is the following¹:</p> <p>Accepted RECs: 1 -> parts 92.7 and 92.13; part of 92.11 2 -> second parts of 92.7 and 92.13; 92.39; part of 92.40 3 -> first part of 92.20 4 -> parts of 92.7 and 92.13; last part of 92.21; 92.31; part of 92.39 5 -> part of 92.11 6 -> part of 92.40; 92.42; 92.43; 92.45 7 -> ? 8 -> 92.14 9 -> second part of 92.7; last part of 92.21; 92.34, first part of 92.39 10 -> part of 92.40; 92.41 11 -> part of 92.3 first part of 92.5 12 -> 92.47 13 -> part of 92.35; 92.36; 92.37; 92.38 14 -> second part of 92.33</p> <p>Rejected RECs: 1 -> 92.23->92.29 and first part of</p>	<p>Accepted: 110 Rejected: 25 No clear position: 4 Pending: 11</p>

¹ The total number of recommendations is now 150 as 10 were split.

		<p>92.30 2 -> 92.1; part of 92.3; 92.4; part of 92.5; 92.6; 92.9 and part of 92.10 3 -> 92.8; part of 92.12 4-> 92.16->92.19 The delegate of the United Kingdom sought clarification from the delegation of Mauritania asking them to provide responses to each recommendation and not to clusters but did not receive any.</p>	
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List of recommendations contained in Section II of the Report of the Working Group A/HRC/16/17:

90. The recommendations formulated during the interactive dialogue and listed below have been examined by Mauritania and enjoy its support:

- A - 90.1. Withdraw the reservation to CEDAW (Slovenia);
- A - 90.2. Withdraw the general reservation to CEDAW, thus facilitating the elimination of all forms of discrimination against women (Chile);
- A - 90.3. Withdraw its general reservation to CEDAW (Greece);
- A - 90.4. Complete the process of withdrawing its general reservation to CEDAW (Norway);
- A - 90.5. Do even more to fully harmonize all of its domestic laws with the international conventions that are in force (Sudan);
- A - 90.6. Enhance the capacity and the independence of the national human rights institution in order to make it more effective and operational (Côte d'Ivoire);
- A - 90.7. Support the National Human Rights Commission and encourage it to work in order to elevate its accreditation status from "B" to "A" (Algeria);
- A - 90.8. Further strengthen the National Human Rights Commission and the national commission to combat gender-based violence, and the capacities needed to secure advancement in the human rights field, particularly in the area of women's and children's rights (Norway);
- A - 90.9. Develop a comprehensive nationwide policy consistent with CEDAW; ensure true and genuine gender equality in the fight against gender-based violence, including the complete eradication of practices of female genital mutilation; and withdraw the reservation to CEDAW (Spain);
- A - 90.10. Develop a national strategy on slavery, and effectively implement all the laws relating to the abolition of slavery (Ghana);
- A - 90.11. In line with the recommendations of the CEDAW and CRC Committees, accelerate efforts in promulgating national action plans for the advancement of women and the elimination of all forms of discrimination against women, including violence against women, and finalize and adopt a national action plan on violence and abuse against children (Malaysia);
- A - 90.12. Explore ways and means aimed at instilling democratic norms, standards and principles in the country, including through continuous awareness-raising and education (Malaysia);
- A - 90.13. Continue the promotion of human rights, justice and law (Libyan Arab Jamahiriya);
- A - 90.14. Develop a national strategy on slavery, including ways to reinforce and expand public awareness-raising campaigns against traditional and modern forms of slavery (United States);

A - 90.15. Further strengthen its cooperation with the United Nations treaty bodies by submitting overdue reports as a matter of priority, and strengthen its cooperation with the special procedures (Norway);

A - 90.16. Continue to take steps to submit reports to treaty bodies (Azerbaijan);

A - 90.17. Reinforce efforts to improve the situation of poverty, education, health, gender equality and advancement of women, with assistance from the international community (Bangladesh);

A - 90.18. Make further efforts to address discrimination against women with a view to eliminating obstacles to the achievement of gender equality (France);

A - 90.19. Cooperate fully with the Council Working Group on the elimination of discrimination against women in law and in practice (France);

A - 90.20. Direct all programmes aimed at improving the status of women, and enhance their participation in all areas of society (Algeria);

A - 90.21. Pursue efforts for the advancement and empowerment of women and for the integration of women's needs into development (Bahrain);

A - 90.22. Further promote the human rights of mothers and children (Libyan Arab Jamahiriya);

A - 90.23. Work towards further improving women's rights (Turkey);

A - 90.24. Continue its work to promote and protect the rights of children (Burkina Faso);

A - 90.25. Adopt a law to prohibit female genital mutilation (Senegal);

A - 90.26. Continue its efforts to overcome the practice of female genital mutilation and other practices that affect the rights of women (Argentina);

A - 90.27. Continue its efforts to prevent, penalize and prosecute sexual crimes perpetrated against women, girls and boys and to ensure the social rehabilitation and reintegration of the victims of such crimes (Argentina);

A - 90.28. Follow up on the recommendations of a number of treaty bodies in order to adopt a holistic strategy to fight against policies of female genital mutilation, early marriage and forced feeding, and also combat all forms of violence against women, including possible human rights awareness-raising campaigns in cooperation with civil society (Mexico);

A - 90.29. Strengthen efforts to enforce the criminalization of female genital mutilation (Poland);

A - 90.30. Adopt a comprehensive national plan to combat all forms of violence against women (United Kingdom);

A - 90.31. Further scale up the work against the harmful traditional practice of female genital mutilation (Norway);

A - 90.32. Accelerate measures to eliminate violence against women (Azerbaijan);

A - 90.33. End torture and inhuman and degrading treatment, and ensure that allegations of torture, ill-treatment or excessive use of force by police and security forces are investigated, prosecuted and convicted in line with international standards (Sweden);

A - 90.34. Strengthen the supervision of prisons and detention facilities by allocating sufficient resources for that purpose, and increase efforts to improve their conditions so as to comply with international standards (Slovakia);

- A - 90.35. Carry out an effective and independent investigation into allegations of torture and ill-treatment as promptly as possible, with a view to bringing to justice those responsible for such acts (Switzerland);
- A - 90.36. Develop a strategy for achieving the complete eradication of the practice of slavery and all its forms and remedy its after-effects on women and children (Spain);
- A - 90.37. Take steps to eradicate slavery, slavery-like practices and related abuses and discrimination in the country (Nigeria);
- A - 90.38. Continue implementing its Programme to Eradicate the Legacy of Slavery (Pakistan);
- A - 90.39. Work towards strengthening law enforcement efforts to effectively implement its anti-slavery law (United States);
- A - 90.40. Intensify the fight against modern forms of slavery (Germany);
- A - 90.41. Expand the programme adopted in 2008 to eliminate the remnants of slavery, so that it covers the whole territory of Mauritania (Syrian Arab Republic);
- A - 90.42. Ensure that the 2007 law making slavery a criminal offence is effectively enforced and that all people suspected of slavery are properly prosecuted (Slovakia);
- A - 90.43. Further strengthen the national programme to eradicate slavery, and take measures to ensure that complaints regarding slavery are being brought before the domestic courts (Norway);
- A - 90.44. Strengthen and implement the 2007 law that criminalizes slavery through programmes existing since 2009, to eradicate the aftermath of slavery (Holy See);
- A - 90.45. Bring alleged perpetrators of slavery to justice, and ensure that victims of slavery enjoy full reparations (Switzerland);
- A - 90.46. Develop and implement a plan of action to combat trafficking in persons in order to combat all forms of exploitation that may be targeting women, children and other vulnerable groups (Senegal);
- A - 90.47. Intensify its law enforcement efforts against trafficking offenders, incorporate anti-trafficking training into its standard police curriculum, and ensure that legal aid and material assistance are made available (United States);
- A - 90.48. Strengthen measures and strategies to combat trafficking in persons, particularly slavery, and the various infringements of the rights of women, and especially girls, particularly in the area of combating female genital mutilation (Burkina Faso);
- A - 90.49. Combat child labour with an emphasis on its worst forms in accordance with CRC and ILO standards, and consider seeking technical assistance from ILO on this matter (Brazil);
- A - 90.50. Enforce the judicial system and the penitentiary system with a view to eliminating the deplorable conditions of prisoners and police abuse (Holy See);
- A - 90.51. Take concrete steps to ensure continued stability in terms of the food supply chain to the country, including through bilateral and other arrangements with the international donor community (Malaysia);
- A - 90.52. Intensify all programmes to eradicate poverty in order to achieve Millennium Development Goals, with technical and material assistance from partners (Algeria);
- A - 90.53. Pursue its efforts in the area of economic development, and do not hesitate to ask for technical and material assistance in this regard (Morocco);
- A - 90.54. Redouble efforts to reduce poverty and malnutrition (Azerbaijan);

A - 90.55. Accelerate efforts to reduce maternal and infant mortality (Azerbaijan);

A - 90.56. Continue to seek technical and financial assistance from the international community to bolster national efforts in the enjoyment of all human rights, including the realization of the right to development (Bangladesh);

A - 90.57. Consolidate its economic growth initiatives with the help of its technical and financial partners (Pakistan);

A - 90.58. Continue the efforts made to expand education, in particular children's education, and accord greater importance to the spreading of the culture of human rights through the media and educational institutions (Saudi Arabia);

A - 90.59. Continue to increase budgetary allocations in the area of the access of children to education (Azerbaijan);

A - 90.60. Continue to invest in education, not only to maintain the high level of literacy, but also to educate the population in such a way that citizens can articulate and organize their age-old traditions with the requirements of modern urban society, and to train itself to prevent the emergence of new forms of poverty (Holy See);

A - 90.61. Fully involve civil society in the follow-up to this universal periodic review (United Kingdom);

A - 90.62. Seek the assistance of the international community, the United Nations and its specialized agencies to provide the country with the needed support in confronting challenges towards ensuring the promotion and protection of human rights and the attainment of its Millennium Development Goals (Nigeria);

A - 90.63. Request the necessary assistance from various United Nations bodies in order to take up the various challenges mentioned in its national report (Burkina Faso);

A - 90.64. Seek all possible technical and financial assistance it needs from the international community as well as OHCHR (Pakistan).

91. The following recommendations enjoy the support of Mauritania, which considers that they have already been implemented or are in the process of implementation:

A - 91.1. Adhere to main international human rights instruments so that it can continue to promote women's rights and develop programmes for the rights of children, and pursue the efforts to disseminate a human rights culture in the executive branches of the Government (Egypt);

A - 91.2. Consider the ratification of and accession to the outstanding major international human rights instruments (Nigeria);

A - 91.3. Bring domestic law into full compliance with CRC (Poland);

A - 91.4. Continue the process of harmonizing domestic legislation with provisions of international instruments (Azerbaijan);

A - 91.5. Celebrate 25 March every year as a National Day of Reconciliation in order to enhance reconciliation in the society (Qatar);

A - 91.6. Develop a comprehensive operational plan for the promotion of gender equality and advancement of women, containing clear goals and timetables, as well as a mechanism for monitoring (Slovenia);

A - 91.7. Carry out national information campaigns designed to promote a culture that values diversity, understanding and tolerance (Canada);

A - 91.8. Continue its efforts to further accelerate its ongoing process of developing a comprehensive mechanism to further promote and protect human rights and freedoms (Sri Lanka);

A - 91.9. Disseminate the provisions of CRC, and conduct public awareness-raising campaigns among local communities (Poland);

A - 91.10. Strengthen its cooperation with treaty bodies (Senegal);

A - 91.11. Continue its persistent efforts to promote mechanisms for the protection of the rights of children, particularly children with disabilities, and to secure their rights, and continue the implementation of programmes for children (Yemen);

A - 91.12. Carry out an awareness-raising campaign to persuade citizens to abandon the female genital mutilation practice (Germany);

A - 91.13. Ensure that the security forces receive clear guidance and, if needed, training, so that they can act at all times in conformity with international standards in the area of respect for the rights of peoples, in particular with regard to the right to life, the prohibition of torture and other inhuman and degrading treatment (Canada);

A - 91.14. Pursue its action in the area of education, and ensure that all legal practitioners benefit from it, namely, judges, penitentiary staff and law enforcement personnel in the rule of law (United Arab Emirates);

A - 91.15. Ensure that confessions obtained through torture have no value and that the new reform of the Code of Criminal Procedure is effectively carried out with respect to access to counsel and family and limits on the custody period (Sweden);

A - 91.16. Strengthen or enhance efforts to put an end to corruption in public institutions (Libyan Arab Jamahiriya);

A - 91.17. Continue its efforts to guarantee comprehensive coverage on its territory for preschool education (Sudan);

A - 91.18. Maintain its policy regarding the high rate of primary school attendance (Angola);

A - 91.19. Protect the Christian and other religious minorities by fostering a climate of religious tolerance and respect in the country (Ghana);

A - 91.20. Cooperate with countries of destination in order to return illegal refugees and migrants to their countries of origin (Oman);

A - 91.21. Speed up the process of repatriating Mauritians who in the past had been expelled, and granting them and their families a certificate of citizenship. Those who returned to Mauritania before the introduction of the corrective measures should also have their nationality re-established (Canada);

A - 91.22. Continue efforts to ensure the voluntary return of refugees while guaranteeing their economic and social integration, and take advantage of the financial and technical assistance available to accompany its efforts (Morocco);

A - 91.23. Establish an inclusive process to follow up on the universal periodic review recommendations (Norway);

A - 91.24. Request the international community to support its efforts with regard to its institutional and policy reforms in the field of national unity and social cohesion, gender equality and the protection of children's rights, by sharing best practices and by providing capacity-building and technical assistance as required (Indonesia).

92. The following recommendations will be examined by Mauritania, which will provide responses in due course, but no later than the 16th session of the Human Rights Council, in March 2011. The responses of Mauritania to these recommendations will be included in the outcome report adopted by the Council at its 16th session.

R - 92.1. Sign and ratify the Second Optional Protocol to CAT, and create an independent mechanism for the monitoring of detention facilities (France);

N/C - 92.2. Accede to the International Convention for the Protection of All Persons from Enforced Disappearance (CED), and recognize the competence of the Committee on enforced disappearance under articles 31 and 32 of the Convention (France);

92.3. Ratify

R - the Optional Protocols to ICCPR,

N/C - ICESCR, CAT and CEDAW,

A - the Optional Protocol to CRC on children in armed conflict, the Convention on the Rights of Persons with Disabilities (CRPD)

R - and the Optional Protocol thereto,

N/C - and CED (Spain);

R - 92.4. Maintain the de facto moratorium on the death penalty with a view to achieving its abolition, and ratify the Second Optional Protocol to ICCPR (Spain);

92.5. Ratify other important international human rights instruments, such as

A - CRPD

R - and the Optional Protocol thereto (Côte d'Ivoire);

R - 92.6. Ratify the Optional Protocol to CAT (Switzerland);

A - 92.7. Withdraw the reservation to CEDAW, ratify the Optional Protocol to the Convention, and develop a comprehensive and effective preventive strategy against harmful traditional practices, including female genital mutilation, early marriage and gavage (force-feeding) (Ghana);

R - 92.8. Withdraw its reservations to the International Covenant on Civil and Political Rights (Greece);

R - 92.9. Accede to OP-CAT (Turkey);

92.10. Study the possibility of ratifying the following international instruments:

R - the Optional Protocols to ICCPR, CRPD and the Optional Protocol thereto,

N/C - and CED (Argentina);

A - 92.11. Withdraw the general reservation to CRC and CEDAW (Brazil);

92.12. Withdraw reservations to

P - CAT,

R - ICCPR

P - and CRC (Ecuador);

A - 92.13. Withdraw the reservation to CEDAW, and carry out constitutional and legal reforms in accordance with the principles of CEDAW with a view to eliminating all forms of violence against women and girls that still exist in the areas of education, labour and the family, particularly adopting the measures necessary to eliminate practices such as female genital mutilation, early forced marriage, polygamy, repudiation and force-feeding (Ecuador);

A - 92.14. Further bolster the role of the Ombudsman, and enable citizens to appeal directly to the Ombudsman without going through elected officers (Tunisia);

P - 92.15. Set up an independent and impartial inquiry designed to monitor the progress made in the area of the eradication of the practice of discrimination and slavery, which would include civil society and non-governmental organizations that work towards fighting against discriminatory practices and slavery (Canada);

R - 92.16. Extend open and standing invitations to the special procedures (Chile);

R - 92.17. Issue a standing invitation to the special procedures (Brazil);

R - 92.18. Issue a standing invitation to all United Nations special procedures (Poland);

R - 92.19. Consider extending a standing invitation to all special procedures of the Human Rights Council (Latvia);

A - 92.20. Continue its efforts to ensure that women have the fullest access to education,
P - and to enact legislation that will effectively protect them from exclusion and violence (Indonesia);

92.21. Combat gender inequality and discriminatory practices in the areas of work, the family, social roles and personal integrity,

P - by amending vague or non-existing legislation and rules addressing pervasive stereotypes

A - and combating practices such as female genital mutilation and gavage (Brazil);

P - 92.22. Amend provisions of the Personal Status Code that discriminate against married women, in particular with regard to property, polygamy and repudiation, and repeal all discriminatory measures against women within the Mauritanian Nationality Code, as recommended by the Committee on the Elimination of Discrimination against Women (Israel);

R - 92.23. Adopt a moratorium on the death penalty with a view to abolishing it as the final goal (France);

R - 92.24. Reconsider the possibility of imposing a moratorium on the death penalty (Algeria);

R - 92.25. Abolish the death penalty (Brazil);

R - 92.26. Impose an immediate moratorium on the death penalty, and commute all death sentences to imprisonment terms with a view to abolishing it entirely (Slovakia);

R - 92.27. Adopt a de jure moratorium on executions with a view to abolishing the death penalty (Italy);

R - 92.28. Continue suspending capital death penalties by establishing, as a first step, a moratorium on all executions, and by subsequently abolishing the death penalty completely (Switzerland);

R - 92.29. Impose a moratorium on executions and abolish the death penalty (Greece);

R - 92.30. Remove the death penalty and corporal punishment from Mauritanian laws,

P - and establish special procedures for juvenile justice (Ecuador);

A - 92.31. Adopt international human right standards to deal with the problem of female genital mutilation (Iraq);

P - 92.32. Implement a comprehensive approach to combating all forms of violence against women, and criminalize the act of rape and other sexual crimes in the Model Penal Code, as recommended by the Committee on the Elimination of Discrimination against Women (Israel);

P - 92.33. Clearly place sexual crimes in statute books, in accordance with international standards,
A - and prevent discrimination against and the stigmatization of women and girls who have been the victims of such crimes and acts of violence, so that they will not be accused of adultery and be treated as criminals (Ecuador);

A - 92.34. Reform penal legislation with a view to prohibiting torture (France);

92.35. Eradicate in law and in practice

A - all forms of discrimination, including traditional slavery, the caste system,

P - the racial and ethnic paradigm in State institutions and the use of ethnicity as a political tool, as noted by the Special Rapporteur on racism,

A - and develop a national strategy on slavery, as recommended by the Special Rapporteur on slavery (Israel);

A - 92.36. Adopt a national strategy on slavery in line with the recommendation of the Special Rapporteur on contemporary forms of slavery (United Kingdom);

A - 92.37. Base itself on the cases of certain countries, such as Brazil, in order to eradicate the vestiges of slavery (Angola);

A - 92.38. Adopt the measures necessary to abolish the caste system, given that, in many cases, it is conducive to the enduring existence of various forms of slavery (Ecuador);

A - 92.39. Eradicate in law and in practice corporal punishment and the amputation of limbs, child abuse and neglect, female genital mutilation, forced and early marriage, and the forced feeding of girls, as well as issues related to birth registration, and seek technical assistance from United Nations agencies in this regard, as recommended by the Committee on the Rights of the Child (Israel);

92.40. Take measures to reduce

N/C - widespread child labour

A - and trafficking in children, to raise the age of criminal responsibility and to eradicate corporal punishment of children (Norway);

A - 92.41. Step up the fight against trafficking in persons and the unlawful smuggling of migrants through various modalities (Ecuador);

A - 92.42. Reinforce the legal framework for the protection of children, and remove the provision in the penal code establishing the age of criminal responsibility as 7 years old, as well as the corporal punishment of children, including flagellation and amputation (France);

A - 92.43. Increase, in accordance with international standards, the minimum age of criminal responsibility, as well as the harmonization of domestic legislation with international norms in the area of child labour (Mexico);

P - 92.44. Take steps to make the judiciary more representative of Mauritanian society in terms of ethnic and social origin, language and gender (United Kingdom);

A - 92.45. Bring the minimum criminal age of responsibility and the minimum age for marriage into line with CRC, and ban any form of corporal punishment (Spain);

P - 92.46. Carry out a review of norms and practices relating to freedom of belief in order to harmonize domestic laws with international standards established under ICCPR (Mexico);

A - 92.47. Further simplify the process of media registration and lower fees for broadcasting licensing (Slovakia).

93. The recommendations below did not enjoy the support of Mauritania:

R - 93.1. Ratify the Rome Statute of the International Criminal Court (Ecuador);

R - 93.2. Include sexual orientation and gender identity in non-discrimination laws and programmes, and promote tolerance and non-discrimination regarding sexual orientation or identity, in line with the Yogyakarta principles (Sweden);

R - 93.3. Remove the provisions of the penal code that allow the punishment of the death penalty for homosexuality, as soon as possible (France);

R - 93.4. Ensure that the death penalty is not applied to consensual same-sex relations between adults, and that the Penal Code does not criminalize such activity (Sweden).

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