

Mauritania

Mid-term Implementation Assessment



*Promoting and strengthening
the Universal Periodic Review*
<http://www.upr-info.org>



Introduction

1. Purpose of the follow-up programme

The second and subsequent cycles of the review should focus on, inter alia, the implementation of the accepted recommendations and the development of the human rights situation in the State under review.

A/HRC/RES/16/21, 12 April 2011 (Annex I C § 6)

The Universal Periodic Review (UPR) process takes place every four and half years; however, some recommendations can be implemented immediately. In order to reduce this interval, we have created an update process to evaluate the human rights situation two years after the examination at the UPR.

Broadly speaking, *UPR Info* seeks to ensure the respect of commitments made in the UPR, but also, more specifically, to give stakeholders the opportunity to share their opinion on the commitments. To this end, about two years after the review, *UPR Info* invites States, NGOs, and National Institutions for Human Rights (NHRI) to share their comments on the implementation (or lack thereof) of recommendations adopted at the Human Rights Council (HRC) plenary session.

For this purpose, *UPR Info* publishes a Mid-term Implementation Assessment (MIA) including responses from each stakeholder. The MIA is meant to show how all stakeholders are disposed to follow through on, and implement their commitments. States should implement the recommendations that they have accepted, and civil society should monitor that implementation.

While the follow-up's importance has been highlighted by the HRC, no precise directives regarding the follow-up procedure have been set until now. Therefore, *UPR Info* is willing to share good practices as soon as possible, and to strengthen the collaboration pattern between States and stakeholders. Unless the UPR's follow-up is seriously considered, the UPR mechanism as a whole could be adversely affected.

The methodology used by UPR Info to collect data and to calculate index is described at the end of this document.

Geneva, 5 November 2013



Follow-up Outcomes

1. Sources and results

All data are available at the following address:

<http://followup.upr-info.org/index/country/mauritania>

We invite the reader to consult that webpage since all recommendations, all stakeholders' reports, as well as the unedited comments can be found at the same internet address.

8 stakeholders' reports were submitted for the UPR. 7 NGOs were contacted. 2 UN agencies were contacted. The Permanent Mission to the UN was contacted. The National Human Rights Institution (NHRI) was contacted too.

4 NGOs responded to our enquiry. 1 UN agency responded. The State under Review did not respond to our enquiry. The NHRI did not respond to our enquiry either.

The following stakeholders took part in the report:

1. **UN Agency:** (1) United Nations Children's Fund (UNICEF)
2. **NGOs:** (1) Alkarama (Alkarama) (2) Global Initiative to End All Corporal Punishment of Children (GIEACPC) (3) Open Doors International (ODI) (4) Reporters sans frontières (RSF)

IRI: 17 recommendations are not implemented, 11 recommendations are partially implemented, and 7 recommendations are fully implemented. No answer was received for 117 out of 152 recommendations and voluntary pledges.

2. Index

Hereby the issues which the MIA deals with:

rec. n°	Rec. State	Issue	IRI	page
7	Algeria	NHRI	fully impl.	page 14
52	Algeria	Poverty, Technical assistance	partially impl.	page 6
26	Argentina	Rights of the Child, Torture and other CID treatment, Women's rights	fully impl.	page 12
16	Azerbaijan	Treaty bodies	partially impl.	page 15
55	Azerbaijan	Right to health, Rights of the Child, Women's rights	partially impl.	page 13
49	Brazil	International instruments, Labour, Rights of the Child, Technical assistance	partially impl.	page 13
24	Burkina Faso	Rights of the Child	fully impl.	page 12
2	Chile	International instruments, Women's rights	not impl.	page 7
6	Cote d'Ivoire	NHRI	not impl.	page 14
126	Ecuador	Death penalty, Torture and other CID treatment	not impl.	page 11
90	France	Enforced disappearances, International instruments	partially impl.	page 7
131	France	Torture and other CID treatment	not impl.	page 11
141	France	Justice, Rights of the Child, Torture and other CID treatment	not impl.	page 13
83	Ghana	Freedom of religion and belief, Minorities	partially impl.	page 7
44	Holy See	Other	not impl.	page 9
50	Holy See	Detention conditions, Human rights violations by state agents, Justice	not impl.	page 9
137	Israel	Rights of the Child, Technical assistance, Torture and other CID treatment, Treaty bodies, Women's rights	not impl.	page 13
11	Malaysia	National plan of action, Rights of the Child, Treaty bodies, Women's rights	partially impl.	page 11
15	Norway	Special procedures, Treaty bodies	partially impl.	page 15
43	Norway	Other	not impl.	page 9
138	Norway	Justice, Rights of the Child, Torture and other CID treatment, Trafficking	not impl.	page 13
58	Saudi Arabia	Human rights education and training, Right to education, Rights of the Child	fully impl.	page 6
46	Senegal	Rights of the Child, Trafficking, Women's rights	partially impl.	page 13
34	Slovakia	Detention conditions	not impl.	page 8
42	Slovakia	Other	not impl.	page 9
146	Slovakia	Freedom of the press	not impl.	page 6
36	Spain	Rights of the Child, Women's rights	partially impl.	page 12
144	Spain	Rights of the Child, Torture and other CID treatment	not impl.	page 13
5	Sudan	International instruments	fully impl.	page 14
81	Sudan	Right to education	fully impl.	page 7
33	Sweden	Human rights violations by state agents, Torture and other CID treatment	not impl.	page 8
79	Sweden	Detention conditions, Justice, Torture and other CID treatment	not impl.	page 10
35	Switzerland	Torture and other CID treatment	partially impl.	page 9



45	Switzerland	Other	not impl.	page 10
97	Switzerland	International instruments, Torture and other CID treatment	fully impl.	page 8



3. Feedbacks on recommendations

CP Rights

Recommendation n°146: *Further simplify the process of media registration and lower fees for broadcasting licensing* (Recommended by Slovakia)

IRI: *not implemented*

Reporters sans frontières (RSF) response:

La situation de la liberté de la presse en Mauritanie s'est radicalement améliorée depuis le coup d'état en 2005. Avec la nouvelles législations démocratiques, les journaux se sont multipliés et sont dorénavant libres d'aborder les sujets sensibles. Toutefois, si la liberté de la presse est devenue une réalité, les chantiers restent nombreux et la situation demeure très fragile. Outre la nécessaire réforme législative concernant Internet, il appartient désormais au gouvernement d'assainir le secteur des médias, de libéraliser efficacement les ondes et d'aider la presse à survivre dans un environnement économique difficile. A ce jour, aucune mesure n'a été prise pour simplifier le processus d'enregistrement des médias ni pour baisser le prix des licences pour les radios diffusions.

ESC Rights

Recommendation n°52: *Intensify all programmes to eradicate poverty in order to achieve Millennium Development Goals, with technical and material assistance from partners* (Recommended by Algeria)

IRI: *partially implemented*

United Nations Children's Fund (UNICEF) response:

The 2011- 2015 National Poverty Reduction Strategic Document has focused on social essential services integrating for the first time the social protection approach to focus on the most vulnerable groups and communities following UNICEF advocacy.

Malnutrition is also a priority with the implementation of the National Nutrition policy, the Mauritanian role in REACH/SUN Initiative with the creation of a National Council of Nutrition. Important programme to combat Acute Malnutrition during emergencies and to promote the resilience approach were implemented for the last couple of years and are being expanded.

Recommendation n°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* (Recommended by Saudi Arabia)

IRI: *fully implemented*

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Recommendation n°81: *Continue its efforts to guarantee comprehensive coverage on its territory for preschool education (Recommended by Sudan)*

IRI: *fully implemented*

UNICEF response:

Children's education is among the Government priorities with a wide range of partners supporting this commitment. UNICEF is providing support to the implementation of an Education For All Programme covering basic education, early childhood education and youth empowerment. The Government organized in 2013 national consultation on Education with a strong focus on children and vulnerable groups.

The UPR recommendations in this field are being addressed and implemented.

Minorities

Recommendation n°83: *Protect the Christian and other religious minorities by fostering a climate of religious tolerance and respect in the country (Recommended by Ghana)*

IRI: *partially implemented*

Open Doors International (ODI) response:

Many observers on the ground are reporting a growing willingness for Mauritians to engage in constructive criticism and deep discussion about the cultural, religious and political systems that keep the country from moving forward. This depth of discussion was not seen even just a few years back. So there is hope that positive change is potentially on its way.

At the same time, however, a rising interest in "political Islam" is reported, with many already very traditional (yet moderate) Mauritians taking on increasingly violent and extreme foreign Islamist ideology. This could become a threat to non-Muslim communities in the country.

International Instruments

Recommendation n°2: *Withdraw the general reservation to CEDAW, thus facilitating the elimination of all forms of discrimination against women (Recommended by Chile)*

IRI: *not implemented*

UNICEF response:

Continuous actions and consultations with jurisconsults, Imams and legislators were undertaken alongside bold advocacy near the Government to withdraw the reservation to CEDAW. UNICEF participated widely in this joint advocacy.

Recommendation n°90: *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 (Recommended by France)

IRI: *partially implemented*

Alkarama response:

La Mauritanie a effectivement ratifié la Convention le 3 octobre 2012 mais n'a pas reconnu la compétence du Comité en vertu des articles 31 et 32.

Recommendation n°97: Ratify the Optional Protocol to CAT (Recommended by Switzerland)

IRI: *fully implemented*

Alkarama response:

Le Protocole facultatif a bien été ratifié le 03 octobre 2012.

Justice

Recommendation n°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 (Recommended by Sweden)

IRI: *not implemented*

Alkarama response:

Il faut noter que dans la législation mauritanienne, les actes de torture ne peuvent être sanctionnés qu'en tant que coups et blessures volontaires ou homicide involontaire (articles 279, 285 et 286). Bien que les juridictions correctionnelles et criminelles aient donc théoriquement compétence pour connaître des actes de torture qui seraient qualifiés de délits ou de crimes, il est improbable que de tels crimes soient poursuivis étant donné l'absence persistante de régime juridique spécifique.

De plus, l'article 15 de la Loi portant statut de la police nationale relativise l'interdiction de la torture puisque elle n'est interdite "sauf cas prévus par la loi". Le personnel de la police nationale est par ailleurs astreint à l'obéissance hiérarchique (article 14). Enfin, un fonctionnaire, agent du gouvernement, commandant en chef de la force publique sera puni lorsqu'il aura fait usage de "violence" " sans motif légitime" (article 180 du Code pénal). Cette disposition semble donc affirmer que certaines violences, a fortiori des actes de torture, peuvent être justifiées si elles sont légitimes.

Recommendation n°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 (Recommended by Slovakia)

IRI: *not implemented*

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Recommendation n°50: *Enforce the judicial system and the penitentiary system with a view to eliminating the deplorable conditions of prisoners and police abuse (Recommended by Holy See)*

IRI: *not implemented*

Alkarama response:

Les conditions de détention demeurent mauvaises en Mauritanie. Il existe ainsi depuis de nombreuses années un phénomène de surpopulation dans les prisons, qui sont insalubres. Un certain seuil d'insécurité est également toléré. Par ailleurs, bien que l'administration pénitentiaire soit désormais placée sous la direction du Ministère de la Justice et non plus de l'Intérieur, elle ne se charge que des questions administratives et non de la gestion effective de la détention ou du contrôle des prisons. Le personnel pénitentiaire reste ainsi soumis à la tutelle du Ministère de l'Intérieur.

Recommendation n°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 (Recommended by Switzerland)*

IRI: *partially implemented*

Alkarama response:

Dans la pratique, il est extrêmement rare que les procédures judiciaires débouchent sur la condamnation pénale des agents publics mis en cause - les plaintes pour torture et autres traitements CID ne font l'objet d'enquêtes que dans des cas exceptionnels, en particulier lorsque le cas est médiatisé. A titre d'exemple, à la suite du décès de M. Hacene Ould Brahim sous les tortures infligées par les gardiens de la prison de Nouakchott le 1er octobre 2012, ses parents ont déposé une plainte pénale auprès du parquet demandant qu'une enquête soit ouverte et que les coupables soient punis. Le 7 mars 2013, la juridiction criminelle de Nouakchott a condamné les membres de l'équipe qui étaient de garde au moment des faits, notamment un sous-lieutenant, deux brigadiers et les six gardes pénitenciers à, respectivement, quatre ans, trois ans et une année d'emprisonnement chacun. Il faut relever dans cette espèce que les peines prononcées sont des peines délictuelles et ne prennent pas en compte la gravité du crime commis.

Recommendation n°42: *Ensure that the 2007 law making slavery a criminal offence is effectively enforced and that all people suspected of slavery are properly prosecuted (Recommended by Slovakia)*

IRI: *not implemented*

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Recommendation n°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 (Recommended by Norway)*

IRI: *not implemented*

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Recommendation n°44: *Strengthen and implement the 2007 law that criminalizes slavery through programmes existing since 2009, to eradicate the aftermath of slavery (Recommended by Holy See)*

IRI: *not implemented*

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Recommendation n°45: *Bring alleged perpetrators of slavery to justice, and ensure that victims of slavery enjoy full reparations (Recommended by Switzerland)*

IRI: *not implemented*

Alkarama response:

L'application de la loi de 2007 est restée limitée puisque tous les esclavagistes déferés devant la justice ont systématiquement été remis en liberté provisoire. Les affaires sont souvent requalifiées en "querelle de succession ou conflit foncier" ou encore "travail de mineur ou exploitation injustifiée" ou ne donnent pas lieu à des poursuites pénales faute de preuves suffisantes. Dans certains cas, la personne qui porte plainte subit des pressions de sa famille élargie, de son maître ou des autorités locales pour l'obliger à retirer sa plainte. La police et la justice sont généralement réticentes à donner suite aux plaintes relatives aux allégations de pratiques esclavagistes. La loi est d'autant plus difficile à appliquer que les autorités nient l'existence de ce fléau et que la pratique est ancrée dans les structures sociales, rendant parfois difficiles pour les victimes elles-mêmes de réaliser la situation de servitude dans laquelle elles se trouvent. A titre d'exemple, en novembre 2011, six personnes sont condamnées par la Cour criminelle de Nouakchott pour pratique de l'esclavage sur deux enfants de 8 et 13 ans, esclaves de naissance. Ahmed Ould Hassine est alors condamné à deux années d'emprisonnement ferme – alors que la loi prévoit 5 à 10 années d'emprisonnement –, et quatre membres de sa famille à deux années avec sursis. Cependant, le 26 mars 2012, il est remis en liberté provisoire, démontrant l'immixtion du pouvoir exécutif dans la justice et, ainsi, l'absence de volonté politique à faire appliquer la loi.

Recommendation n°79: *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 (Recommended by Sweden)*

IRI: *not implemented*

Alkarama response:

Bien que l'article préliminaire du Code de procédure pénale interdise l'utilisation d'aveux obtenus sous la torture, dans la pratique ils continuent d'être utilisés. Les dossiers d'enquête préliminaire de la police peuvent se baser sur des aveux soutirés au moyen de la contrainte et qui seront considérés par les juridictions de jugement comme des éléments de preuve. Le Procureur ne contrôle en effet pas l'action de la police judiciaire. En ce qui concerne les limites légales du placement en garde à vue, elle est de 48h renouvelable une fois pour les cas de droit commun. Cependant, en matière de crime ou délit contre la sûreté de l'Etat ou de terrorisme, le régime est dérogatoire. Le délai passe alors à 5 jours renouvelables une fois; et pouvant s'étendre jusqu'à 23 jours au total. Ce délai est de toute évidence excessif. En outre, l'accès et l'assistance d'un avocat pendant la période de garde à vue sont limités. Ce n'est qu'en cas de reconduction de la garde à vue que la personne détenue peut demander à l'officier de police judiciaire d'informer son avocat (l'officier de police est par ailleurs présent pendant l'entretien). Le Procureur peut même retarder la communication avec l'avocat. Dans les cas d'atteinte à la sûreté de l'Etat ou de terrorisme, le droit de communiquer avec l'avocat est toutefois totalement exclu lors de toute la période de la garde à vue mais également lors de la première



comparution. Bien que la famille devrait être prévenue "dans les meilleurs délais" de l'arrestation, elle ne l'est jamais dans la plupart des cas.

Recommendation n°126: *Remove the death penalty and corporal punishment from Mauritanian laws* (Recommended by *Ecuador*)

IRI: *not implemented*

Global Initiative to End All Corporal Punishment of Children (GIEACPC) response:

There has been no law reform to prohibit corporal punishment of children in Mauritania. It remains lawful for children to be subjected to corporal punishment in the home, alternative care settings, day care, schools, penal institutions and as a sentence for crime. A Fatwa was issued against corporal punishment of children in 2009 but it appears to apply only to "excessive" beating of children ("On the Prohibition of Excessive Child Beating in Islamic Shariah (Law): Abstract of a comprehensive social, educational and legal study of the negative impact of child bearing, and the rules governing it in Islamic Shariah (law)", prepared by Professor Imam Hadd Amin Ould Al-Salek, Imam of the Old Mosque, Nouakchott, and President of the Imams and Ulema Coalition for the Rights of Women and Children in Mauritania, June 2009). The human rights imperative is to prohibit all corporal punishment, however light.

Recommendation n°131: *Reform penal legislation with a view to prohibiting torture* (Recommended by *France*)

IRI: *not implemented*

Alkarama response:

Un vide juridique persiste puisque la législation mauritanienne ne contient pas d'interdiction expresse de la torture. Le terme "torture" n'apparaît en tant que tel que dans un article préliminaire du Code de procédure pénale (qui interdit l'utilisation d'aveux obtenus sous la torture) et à l'article 13 de la Constitution qui dispose que nul ne peut être réduit en esclavage ou soumis à la torture et que ceux-ci constituent des crimes contre l'humanité (abordant donc la torture en lien avec l'esclavage et non pas per se). La législation interne a principalement recours au terme de "violence". De plus, la torture ne fait pas l'objet d'un régime juridique spécifique l'érigant en infraction pénale autonome.

Women & Children

Recommendation n°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* (Recommended by *Malaysia*)

IRI: *partially implemented*

UNICEF response:

A comprehensive programme on gender-based harmful practices alongside violence, exploitation, abuse, discrimination and neglect against children is being implemented



and scaled-up in partnership with UNICEF, the Government, civil society and several UN agencies. Those UPR recommendations are fully addressed in its framework. A National Child Protection Strategy is being rolled-out with a holistic approach and package setting up Child Protection platforms mobilizing all stakeholders and actors in the main regions, extensive advocacy, awareness campaign and capacity building.

Several religious edicts (Fatwas) on corporal punishment, FGM/C are widely disseminated laying the ground for a lasting behavioral change.

Important challenges and bottlenecks remain especially in documenting gender-based violence in schools and households which impact negatively on girls education and well-being.

UNICEF is promoting the #endviolence campaign objectives and participating to the advocacy the adopt and celebrate at national level the International Day for the Elimination of Violence against Women (25 November)

Recommendation n°24: *Continue its work to promote and protect the rights of children (Recommended by Burkina Faso)*

IRI: *fully implemented*

UNICEF response:

A child right promotion programme is being implemented covering legislative reform, awareness, children's participation, , CRC and CEDAW implementation and follow-up. A National Movement for Children composed of Imams, mayors, parliamentarians, journalists work jointly to create and a promote a child right culture. As example the Children Parliament conducted in 2013 a national consultation to voice children ideas and ambitions in the post 2015 MDG agenda. Their recommendations were integrated into the Mauritanian final report.

Recommendation n°26: *Continue its efforts to overcome the practice of female genital mutilation and other practices that affect the rights of women (Recommended by Argentina)*

IRI: *fully implemented*

UNICEF response:

Important strides were achieved in combating FGC. The Government with the support of UNICEF and UNFPA has adopted a National Strategy aiming at the voluntary abandonment with major results following Imams' Fatwa, the advocacy and sensitization programme and health workers declaration. As a result the national prevalence rate has dropped from 72,2% in 2007 to 69,4% in 2011 Between 2010 and 2013 up to 215 Public Declaration to abandon FGC were organized. Mauritanian Government is participating at the highest level in Rome International Conference with UNICEF support.

Recommendation n°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 (Recommended by Spain)*

IRI: *partially implemented*

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Recommendation n°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* (Recommended by Senegal)

IRI: *partially implemented*

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Recommendation n°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* (Recommended by Brazil)

IRI: *partially implemented*

UNICEF response:

UNICEF is working with the Government, UN Agencies, local communities and civil society in a joint programme on social cohesion. The Government is also promoting with UNICEF support an integrated approach on child labor, child trafficking which cover slavery vestiges and after-effects within a large legislative, economic and political strategy supported by all the Mauritanian partners.

Recommendation n°55: *Accelerate efforts to reduce maternal and infant mortality* (Recommended by Azerbaijan)

IRI: *partially implemented*

UNICEF response:

Child and maternal health constitute a priority in the Government policy with the implementation of a National child survival strategy covering the whole country. A package of cost-effective services is provided with UNICEF and other UN Agencies support.

Recommendation n°137: *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* (Recommended by Israel)

IRI: *not implemented*

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Recommendation n°138: *Take measures to reduce trafficking in children, to raise the age of criminal responsibility and to eradicate corporal punishment of children* (Recommended by Norway)

IRI: *not implemented*

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Recommendation n°141: *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* (Recommended by France)

IRI: *not implemented*

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Recommendation n°144: *Bring the minimum criminal age of responsibility and the minimum age for marriage into line with CRC, and ban any form of corporal punishment* (Recommended by Spain)

IRI: *not implemented*



GIEACPC response:

There has been no law reform to prohibit corporal punishment of children in Mauritania. It remains lawful for children to be subjected to corporal punishment in the home, alternative care settings, day care, schools, penal institutions and as a sentence for crime. A Fatwa was issued against corporal punishment of children in 2009 but it appears to apply only to "excessive" beating of children ("On the Prohibition of Excessive Child Beating in Islamic Shariah (Law): Abstract of a comprehensive social, educational and legal study of the negative impact of child bearing, and the rules governing it in Islamic Shariah (law)", prepared by Professor Imam Hadd Amin Ould Al-Salek, Imam of the Old Mosque, Nouakchott, and President of the Imams and Ulema Coalition for the Rights of Women and Children in Mauritania, June 2009). The human rights imperative is to prohibit all corporal punishment, however light.

Other

Recommendation n°5: Do even more to fully harmonize all of its domestic laws with the international conventions that are in force (Recommended by Sudan)

IRI: fully implemented

UNICEF response:

The legislative reform to harmonize domestic laws with the international conventions has significantly progressed. Concerning CRC and CEDAW major legislations were adopted such as the juvenile Code, the alternatives measures and the family code. Joint actions to harmonize more legislation are ongoing notably to adopt a comprehensive and global children code, to prepare and submit a law on Female Genital Mutilations as well as a law on child labor. UNICEF is leading the advocacy for the children pertaining laws.

Recommendation n°6: Enhance the capacity and the independence of the national human rights institution in order to make it more effective and operational (Recommended by Cote d'Ivoire)

IRI: not implemented

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Recommendation n°7: Support the National Human Rights Commission and encourage it to work in order to elevate its accreditation status from - B - to - A - (Recommended by Algeria)

IRI: fully implemented

Alkarama response:

La CNDH jouit du statut A depuis 2011. Toutefois, ceci ne peut être considéré comme une preuve du renforcement de sa capacité et de son indépendance. En effet, le Président et les membres de la Commission sont désignés par décret du chef de l'Etat. L'ancien Président de la CNDH (remplacé en avril 2013), M. Koïta, était non seulement un fonctionnaire en activité mais dirigeait également pendant la campagne électorale présidentielle mauritanienne de l'été 2009, la cellule d'information et de propagande du candidat Ould Abdel Aziz. La Commission n'a par



ailleurs que des pouvoirs très limités et n'intervient pas pour appeler les autorités publiques au respect des droits de l'homme. Elle n'est pas perçue par une partie importante de la société civile représentée par les ONG locales les plus actives comme indépendante du pouvoir exécutif.

Recommendation n°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* (Recommended by Norway)

IRI: partially implemented

Alkarama response:

La Mauritanie a en effet soumis ses rapports initiaux au Comité contre la torture ainsi qu'au Comité des droits de l'homme en 2011 et 2012 respectivement. Pour ce qui est des procédures spéciales, sa coopération est restée limitée. Notamment, la Mauritanie n'a pas répondu au Groupe de travail sur les disparitions forcées concernant un cas soumis par Alkarama en 2011 et relatif à la disparition de détenus salafistes.

UNICEF response:

The reporting process has improved substantially with the creation by ministerial decree in 2012 of a national committee in charge of following, preparing and submitting international conventions and covenants reports as a result of UNICEF advocacy and technical support. The CRC combined periodic report due in 2013 is already prepared and is in the validation process.

Recommendation n°16: *Continue to take steps to submit reports to treaty bodies* (Recommended by Azerbaijan)

IRI: partially implemented

Alkarama response:

La Mauritanie a en effet soumis ses rapports initiaux au Comité contre la torture ainsi qu'au Comité des droits de l'homme en 2011 et 2012 respectivement. Pour ce qui est des procédures spéciales, sa coopération est restée limitée. Notamment, la Mauritanie n'a pas répondu au Groupe de travail sur les disparitions forcées concernant un cas soumis par Alkarama en 2011 et relatif à la disparition de détenus salafistes.



Methodology

A. First contact

Although the methodology has to consider the specificities of each country, we applied the same procedure for data collection about all States:

1. We contacted the Permanent Mission to the UN either in Geneva (when it does exist) or New York;
2. We contacted all NGOs which took part in the process. Whenever NGOs were part of coalitions, each NGO was individually contacted;
3. The National Institution for Human Rights was contacted whenever one existed.
4. UN Agencies which sent information for the UPR were contacted.

We posted our requests to the States and NHRI, and sent emails to NGOs and UN Agencies.

The purpose of the UPR is to discuss issues and share concrete suggestions to improve human rights on the ground. Therefore, stakeholders whose objective is not to improve the human rights situation were not contacted, and those stakeholders' submissions were not taken into account.

However, since the UPR is meant to be a process which aims at sharing best practices among States and stakeholders, we take into account positive feedbacks from the latter.

B. Processing recommendations and voluntary pledges

Stakeholders we contact are encouraged to use an Excel sheet we provide which includes all recommendations received and voluntary pledges taken by the State reviewed.

Each submission is processed, whether the stakeholder has or has not used the Excel sheet. In the latter case, the submission is split up among recommendations we think it belongs to. Since such a task is more prone to misinterpretation, we strongly encourage stakeholders to use the Excel sheet.

If the stakeholder does not clearly mention neither that the recommendation was “fully implemented” nor that it was “not implemented”, UPR Info usually considers the recommendation as “partially implemented”, unless the implementation level is obvious.



UPR Info retains the right to edit comments that are considered not to directly address the recommendation in question, when comments are too lengthy or when comments are defamatory or inappropriate. While we do not mention the recommendations which were not addressed, they can be accessed unedited on the follow-up webpage.

C. Implementation Recommendation Index (IRI)

UPR Info developed an index showing the implementation level achieved by the State for both recommendations received and voluntary pledges taken at the UPR.

The **Implementation Recommendation Index (IRI)** is an individual recommendation index. Its purpose is to show an average of stakeholders' responses.

The *IRI* is meant to take into account stakeholders disputing the implementation of a recommendation. Whenever a stakeholder claims nothing has been implemented at all, the index score is 0. At the opposite, whenever a stakeholder claims a recommendation has been fully implemented, the *IRI* score is 1.

An average is calculated to fully reflect the many sources of information. If the State under Review claims that the recommendation has been fully implemented, and a stakeholder says it has been partially implemented, the score is 0.75.

Then the score is transformed into an implementation level, according to the table below:

Percentage:	Implementation level:
0 – 0.32	Not implemented
0.33 – 0.65	Partially implemented
0.66 – 1	Fully implemented

Example: On one side, a stakeholder comments on a recommendation requesting the establishment of a National Human Rights Institute (NHRI). On the other side, the State under review claims having partially set up the NHRI. As a result of this, the recommendation will be given an *IRI* score of 0.25, and thus the recommendation is considered as “not implemented”.

Disclaimer

The comments made by the authors (stakeholders) are theirs alone, and do not necessarily reflect the views, and opinions at UPR Info. Every attempt has been made to ensure that information provided on this page is accurate and not abusive. UPR Info cannot be held responsible for information provided in this document.

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