



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of  
Discrimination against Women**

**Consideration of reports submitted by States  
parties under Article 18 of the Convention on the  
Elimination of All Forms of Discrimination  
against Women**

**Combined second and third periodic reports of States parties**

**Mauritania\***

[16 February 2012]

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\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not edited before being sent to the United Nations translation services.

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## Acronyms and abbreviations

<b>AFCF</b>	Association des Femmes Chefs de Famille (Association of Women Heads of Household)
<b>AGR</b>	Income-generating activities
<b>AMSME</b>	Mauritanian Association for Maternal and Child Health
<b>ANE</b>	Non-State actors
<b>CNAM</b>	National Health Insurance Fund
<b>CNSS</b>	National Social Security Fund
<b>CSP</b>	Personal Status Code
<b>CSVVDHM</b>	Comité de Solidarité avec les Victimes des Violations des Droits de l'Homme en Mauritanie (Committee in Solidarity with Victims of Human Rights Violations in Mauritania)
<b>DRAS</b>	Regional Directorate for Health Action
<b>EDSM</b>	Permanent population and health survey
<b>EPCV</b>	Permanent Household Survey
<b>EPI</b>	Expanded Programme on Immunization
<b>FGM</b>	Female genital mutilation
<b>FST</b>	Faculty of Science and Technology
<b>GBV</b>	Gender-based violence
<b>GERDES</b>	Groupe d'Etude pour la Recherche et la Démocratie pour le Développement Economique et Social (Study Group for Research and Democracy for Economic and Social Development)
<b>GFEC</b>	Groupements Féminins d'Epargne et de Crédit (Women's Savings and Loan Groups)
<b>GSG</b>	Gender Monitoring Group
<b>Hakem</b>	prefect
<b>1AS</b>	Entrants to the first year of secondary education
<b>ICPD</b>	International Conference on Population and Development
<b>ICT</b>	Information and communication technologies
<b>IEC</b>	Information, education and communication
<b>IPF</b>	Indicator of women's participation
<b>MASEF</b>	Ministry of Social Affairs, Children and the Family
<b>MDGs</b>	Millennium Development Goals
<b>MICS</b>	Multiple Indicator Cluster Survey
<b>Moughataa</b>	department
<b>MPFEF</b>	Ministry for the Advancement of Women, Children and the Family

<b>NDI</b>	National Democratic Institute
<b>OHCHR</b>	Office of the United Nations High Commissioner for Human Rights
<b>PDPE</b>	Early childhood development policy
<b>PMTCT</b>	Prevention of mother-to-child transmission (of AIDS)
<b>PNDSE</b>	National Programme for the Development of the Education Sector
<b>PRSP</b>	Poverty Reduction Strategy Paper
<b>PSI</b>	Special intervention programme
<b>PTF</b>	Technical and financial partners
<b>SENLS</b>	National Executive Secretariat to Combat AIDS
<b>SNPF</b>	National Strategy for the Advancement of Women
<b>SOPS</b>	Standard Operating Procedures for Prevention of and Response to Sexual and Gender-based Violence (SGBV)
<b>TBA</b>	Gross access rate
<b>TBS</b>	Gross school enrolment rate
<b>TMM</b>	Annual number of pregnancy-related deaths of women
<b>UM</b>	Mauritanian monetary unit
<b>UMAFEC</b>	Union Mauritanienne des Femmes Entrepreneurs et Commerçantes (Mauritania Union of Female Entrepreneurs and Businesswomen)
<b>UNDP</b>	United Nations Development Programme
<b>UNFPA</b>	United Nations Population Fund
<b>UNICEF</b>	United Nations Children's Fund
<i>Wali</i>	regional governor
<i>Wilaya</i>	region

## Introduction

### Summary

1. The Convention on the Elimination of All Forms of Discrimination against Women has been implemented in Mauritania according to a sociological timetable adapted to the pace of change in a Muslim country that is firmly committed to a progressive democratic process in which women's rights take pride of place. As a result, women's effective participation in decision-making has resulted in their rapid attainment of political rights, but their achievement of economic and social rights is lagging behind.
2. Mauritanian women are in fact the poor relations of the economic system. They are excluded from the formal, traditional financial system that enables economic actors to produce wealth through loans tailored to their needs. Moreover, banks and financial establishments do not take women entrepreneurs seriously. Women's access to the job market is also restricted or inequitable and they are confined to "female" occupations. All these factors limit their aspirations to play a regional, central or national role.
3. Socially, the unfair distribution of work, the absence of a family planning system, reproductive health problems, women's illiteracy, poverty and low incomes, the household management burden they assume as wives or heads of family and the persistence of practices harmful to their health all hinder the practical realization of the rights recognized in the Convention.
4. Mauritania's Government is fully aware of this situation and is firmly committed to a process of women's advancement in accordance with the Convention and the other international conventions that it has ratified. It has therefore put in place policies and strategies whose main achievement has been to improve the situation of women by gradually creating for them an environment close to that stipulated by the Convention and the Beijing Declaration and Platform for Action.
5. This process has been assisted by a communication policy underpinned by political advances and social gains in such areas as school enrolment and a regulatory and institutional framework aimed at mainstreaming the gender perspective in the country's development process.
6. However, this political will is counterbalanced by the weight of tradition, limited availability of resources, lack of human resources, centralization of the institutions responsible for the advancement of women and the relative lack of dynamism of the bodies responsible for enacting and applying legal provisions for the protection of women.
7. Civil society's dynamism and women's desire to assert themselves and play a leading role in Mauritanian society, supported by an increasingly effective communication policy and appropriate development projects, should nevertheless guarantee the Government's success in ensuring the Convention's full implementation in Mauritania.
8. In fulfilment of the obligations that it assumed in ratifying the Convention, the Islamic Republic of Mauritania submitted to the thirty-eighth session of the Committee on the Elimination of Discrimination against Women, held from 14 May to 1 June 2007, an initial report (CEDAW/C/MRT/1) detailing all the political, social, legal, administrative and economic measures taken to promote the implementation of the Convention, which is fundamental for women's advancement and emancipation.
9. The report was the subject of a set of recommendations by the Committee on the Elimination of Discrimination against Women (CEDAW/C/MRT/CO/1), to which the

Mauritanian Government was asked to respond in a combined report for 2006–2010, to be submitted in 2012. The present document details the Government's response to the Committee's recommendations and provides an update of the country's progress since the recommendations were made.

10. The present report was drafted in accordance with the Committee's guidelines. It is the outcome of participation by all stakeholders working on issues related to women, including government departments, non-State actors, development partners and specialized agencies of the United Nations system.

11. The drafting process began with the holding of an information meeting for all stakeholders, designed to ensure that they were all equally aware of the report's importance for Mauritania and the need to provide any quantitative or qualitative information that might contribute to the legal, institutional, administrative, economic, political and social content of the report. The different stakeholders were then invited to a workshop to approve the report, in the course of which they checked that their inputs had been included. The final stage involved giving the report to a team of experts from the Mauritanian Government and the United Nations system for a final read-through before submitting it to the Committee on the Elimination of Discrimination against Women for consideration.

12. The report presents the general framework for the protection of human rights in Mauritania (Part I), a detailed description of the measures taken to implement the Convention's provisions (Part II), Mauritania's response to the Committee's recommendations (Part III) and, lastly, a progress report on the follow-up to the various international conferences and meetings on women (Part IV).

## **Part I**

### **General framework for the protection of human rights**

13. The 20 July 1991 Constitution provides for the promotion and protection of human rights and the establishment of the rule of law.

14. The holding of the 26 June 2006 constitutional referendum, the 19 November 2006 municipal and legislative elections and the 25 March 2007 and 18 July 2009 presidential elections was the outcome of consultations among the Government, political parties, trade unions and civil society organizations. Today, citizens exercise their fundamental rights and freedoms and political parties, associations and the press operate freely.

15. Recognized human rights associations include the Groupe d'Étude pour la Recherche et la Démocratie pour le Développement Économique et Social (Study Group for Research and Democracy for Economic and Social Development - GERDES), Avocats sans Frontières (Lawyers Without Borders), the Comité de Solidarité avec les Victimes des Violations des Droits de l'Homme en Mauritanie (Committee in Solidarity with the Victims of Human Rights Violations in Mauritania - CSVVDHM), the Association Mauritanienne de Protection des Consommateurs (Mauritanian Consumer Protection Association), the Forum des Organisations des Droits de l'Homme (Forum of Human Rights Organizations), SOS-Esclaves (SOS-Slaves) and the Association Mauritanienne des Droits de l'Homme (Mauritanian Human Rights Association).

16. With a view to the protection of human rights, the following laws have been amended:

- Act on press freedom, to expand the protection of journalists and increase their independence;

- Code of Criminal Procedure, to further safeguard the rights of persons subject to judicial proceedings and the best way of defending them;
- Act on the organization of the judiciary, to improve access to justice;
- Ordinance on the promotion and protection of persons with disabilities.

17. The country has also continued the process of ratifying international human rights instruments and begun that of putting in place the institutions essential for promoting the rule of law.

18. With a view to the promotion and protection of human rights and in consultation with civil society, the Government has also established:

- The National Human Rights Commission, in conformity with the principles of the Paris Treaty;
- The High Authority for Audiovisual Communication;
- The Economic and Social Council;
- The High Court of Justice;
- The National Refugee Integration Agency;
- The National Children's Council (CNE).

19. The establishment of the National Human Rights Commission (CNDH) was a decisive step in completing the transition to democracy in Mauritania. Seven of its 27 members are women, as is its secretary. It has produced two annual reports containing a comprehensive assessment of human rights issues in Mauritania, including humanitarian issues (persons deported from Mauritania following the 1989 crisis with Senegal) and slavery, and has held consultations with the Government, victims or their representatives and concerned civil society organizations. It has worked to find solutions to these various human rights issues.

20. The Commission produces an annual report<sup>1</sup> comprising analyses and investigations of human rights violations and their context, as well as recommendations for improving respect for and the implementation of human rights.

21. The High Court of Justice supplements the mechanisms provided by the Constitution and strengthens the rule of law. It is responsible for prosecuting those in power (President of the Republic, Prime Minister and members of the Government) for offences committed in the exercise of their functions.

22. In addition to this institutional framework, the Government has revitalized the role of *Mouslihs* or traditional mediators, who offer a non-judicial means of resolving issues of human rights in general and women's rights in particular through their proximity to the population and their simplified approach to dealing with such issues, which remains optional and is not subject to any formalities.

23. Harmonizing domestic legislation with the provisions of the international instruments ratified by Mauritania makes it easier to implement the rights recognized by those instruments. For instance, a new Code of Criminal Procedure<sup>2</sup> adopted in 2007 offers greater guarantees for the protection of human rights by recognizing the principle of presumption of innocence, the right to a fair trial, the right of appeal in criminal cases and the primacy of international conventions over national laws.

<sup>1</sup> The Commission's second report was transmitted to the President of the Republic on 2 March 2010.

<sup>2</sup> Ordinance No. 2007.036 of 17 April 2007 revising Ordinance No. 83.63 of 9 July 1983 instituting a Code of Criminal Procedure.

- The Ordinance on the judicial protection of children<sup>3</sup> strengthens the protection of girls and boys by criminalizing child trafficking, prostitution and pornography, as well as sexual harassment and violence against children. It introduces provisions on combating all forms of discrimination, including discrimination against girls. It also criminalizes torture in accordance with articles 1 and 4 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the provisions of the International Covenant on Civil and Political Rights;
- Act No. 2003.025 of 17 July 2003 on the suppression of trafficking of persons is the starting point for an ordered approach that gives renewed impetus to all existing programmes for women in order to bring domestic legislation and policy more closely into line with the rules and principles enshrined in the Convention;
- Act No. 2010.021 of 10 February 2010 criminalizing illegal trafficking of migrants ensures the protection of victims of migrant trafficking and strengthens the system for suppressing trafficking networks, against which the penalties imposed by the previous legislation were ineffective. Among other things, the Act makes it possible to extricate victims from migrant trafficking networks and to hold them blameless in order to crack down effectively on a practice that victimizes often poor and vulnerable women;
- Education is free in Mauritania. In 2001, the Government promulgated an Act making primary education compulsory, thereby guaranteeing all Mauritanian children, regardless of their situation and social status (orphans, poor children) regular schooling. The adoption of Act No. 2001.054 of 19 July 2001 on compulsory basic education was further evidence of the Government's determination to provide universal access to education. The Act makes primary education, lasting at least six years, compulsory for all Mauritanian boys and girls aged 6 to 14 (art. 1(1));
- Act No. 2001.052 of 19 July 2001 on the Personal Status Code offered all women numerous opportunities for emancipation.

24. The promotion of children's rights is both a legislative and an institutional priority. Domestic legislation has been harmonized with the Convention on the Rights of the Child and ILO Conventions Nos. 138 and 182, and in 2005 the Government ratified the two Optional Protocols to the Convention on the Rights of the Child on child trafficking, prostitution and pornography and on the involvement of children in armed conflict.

- Mauritania has acceded to the African Charter on Human and Peoples' Rights.<sup>4</sup> The first part of the Charter (arts. 1 to 18) lists the rights that every individual is entitled to enjoy "without distinction of any kind such as race, ethnic group, colour, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or any other status" (art. 2). The following articles (19 to 24) define the rights of all peoples, who are considered equal: the right to existence, to dispose freely of their wealth and natural resources, the right to their economic, social and cultural development, to national and international peace and security and to a general satisfactory environment favourable to their development. The Charter condemns colonialism and economic domination. Articles 27 to 29 list the duties that every individual has towards his or her family and society, the State and other legally recognized communities and the international community (art. 27);
- Mauritania is a party to the Protocol to the Banjul Charter on the Rights of Women in Africa,<sup>5</sup> which guarantees women a whole range of rights, including the right to

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<sup>3</sup> Ordinance No. 2005.015 of 5 December 2005 on the judicial protection of children.

<sup>4</sup> Also known as the Banjul Charter.

<sup>5</sup> Also known as the Maputo Protocol.



participation in the political and decision-making process, the right to social and political equality with men, and health and reproductive rights. It also prohibits female genital mutilation.

25. Among other international human rights instruments, Mauritania has acceded to the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 21 March 1950 and ratified the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery<sup>6</sup> and the United Nations Convention against Transnational Organized Crime. The first two Conventions were incorporated into domestic law by virtue of the principle of legislative continuity<sup>7</sup> and the third was incorporated in 2004. The three Conventions also strongly influenced the adoption of Act No. 2007.048 of 3 September 2007 criminalizing slavery and suppressing practices similar to slavery.

## **Part II**

### **Substantive provisions of the Convention (articles 1 to 6)**

#### **Article 1**

##### **Definition of discrimination**

26. Mauritanian legislation does not contain a precise definition of discrimination, although Act No. 2007.042 of 3 September 2007 on measures to combat human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS) enshrines the content of such a definition by confirming the scope of the Civil Status Act, which grants men and women the same rights. The country's laws are nevertheless resolutely committed to punishing discrimination in general and discrimination against women in particular. The preamble to the Constitution provides as follows: "Whereas human freedom, equality and dignity can be assured only in a society that upholds the primacy of the law and is eager to create lasting conditions for harmonious social change that is respectful of Islamic precepts, the sole source of law, and open to the demands of the modern world, the Mauritanian people proclaims, in particular, the inviolable guarantee of the following rights and principles: the right to equality; the fundamental freedoms and rights of the human person; the right to own property; political and trade union freedoms; economic and social rights; and the rights attaching to the family as the basic unit of Islamic society". Article 2 of Act No. 2004.017 of 6 July 2004 further provides that the Labour Code applies to any employment contract that is to be performed in the Islamic Republic of Mauritania, regardless of where it was concluded and the place of residence of the parties. Likewise, under article 1 of the Constitution, the Republic guarantees all citizens equality before the law, without distinction as to origin, race, sex or social status. Article 21 of Act No. 2007.042 of 3 September 2007 prohibits all discrimination, in whatever form, against a person who is, or is assumed to be, HIV-positive, while article 22 of the same Act punishes by one to six years' imprisonment and/or a 100 to 300,000 ouguiya (UM) fine any individual found guilty of discrimination against a person who is, or is assumed to be, HIV-positive.

<sup>6</sup> Article 102 of the 20 July 1991 Constitution, restored and amended by Constitutional Act No. 2006.14 of 12 July 2006: "the laws and regulations in force in the Islamic Republic of Mauritania shall continue to apply unless amended as provided in the Constitution".

<sup>7</sup> This principle allows Mauritania to continue applying instruments that predate its independence as long as they have not been amended or repealed.

27. Men and women are entitled to the equal enjoyment of human rights and fundamental freedoms without discrimination. Article 1 of the Constitution guarantees this by granting all citizens equality before the law, without distinction as to origin, race, sex or social status.

28. In keeping with the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, Mauritanian law, notably the preamble to the 20 July 1991 Constitution, the 18 January 1993 Act on the general regulations for civil servants and government contract staff, the Labour Code and various other instruments, accords men and women equal economic status. This principle also applies to membership of structures that represent or direct economic and social bodies. Act No. 94.012 of 17 February 1994 on the organization of the judiciary, as amended, also contains no sexist provisions and does not bar women from becoming judges. Women's absence from the judiciary can be attributed to the continuing belief that Islam prohibits women from serving as judges, despite arguments to the contrary put forward by some Mauritanian Muslim legal experts.

29. Extralegal considerations nevertheless perpetuate a sexist mentality that reduces, if not impedes, women's ability to assert their rights. These include inherent difficulties in obtaining all the social benefits to which they are entitled and securing promotion and remuneration based on their abilities and references.

## **Article 2**

### **Elimination of discrimination**

30. The 20 July 1992 Constitution is based on the principle of the equality of all citizens, regardless of gender.<sup>8</sup> This principle is accompanied by that of equality before the law and before the courts, which allows women to be parties to judicial proceedings and, where appropriate, to benefit from legal and judicial assistance. This means that if they lack the means to demand their rights, they are eligible to receive free legal advice or the assistance of a lawyer or other judicial officer paid for by the Government.

31. In addition to equality before the law, women have the right of appeal, which means that they can, with the same government assistance, appeal to a higher judge for a ruling on whether or not their complaint is admissible. The effectiveness of this principle is ensured by, among other things, a judiciary that is organized in such a way as to make justice accessible to all citizens: the existence of three appeal courts across the country ensures that parties to judicial proceedings can have their cases reviewed by more senior and more experienced judges than those operating in the lower courts.

32. In addition to the traditional legal system, Mauritania has developed a system of judicial mediation, the key element of which is a mediator who offers an accessible mechanism adapted to women's needs. The National Human Rights Commission also offers a dispute settlement channel for women, who can have recourse to it if their rights are violated. In such cases, the Commission is responsible for alerting the authorities, which helps increase the protection of women's rights. The Commission's task is facilitated by a subcommission with responsibility for sectoral rights, including women's rights.

33. The Ombudsman is a further mechanism for the protection of women's rights. Created by Act No. 93.027 of 7 July 1993, the Ombudsman is an independent authority who receives complaints from citizens regarding disputes in their dealings with the State administration, territorial authorities, public establishments and any other public service body. Such complaints are referred to the Ombudsman by members of Parliament and

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<sup>8</sup> Articles 1 and 13 of the Constitution.

members of municipal governments. The President of the Republic may also request the Ombudsman's opinion on disputes between citizens and the administration. The Ombudsman studies each complaint and, if it seems justified, submits a written report with recommendations for settling the dispute and, where appropriate, suggestions for improving the functioning of the body concerned. If the Ombudsman finds that the dispute has arisen because of the manifest unfairness of the laws or regulations in force, he or she can propose to the competent authority such steps as will correct the unfairness and can suggest the necessary changes. If a competent authority fails to take disciplinary action against an official guilty of serious misconduct against a member of the public, the Ombudsman prepares a detailed report on the matter for submission to the President of the Republic.

34. The Ombudsman cannot intervene in a dispute that is pending before a court or question the validity of a judicial decision, but he or she can make recommendations to the body being challenged. If a final judicial decision is not enforced, the Ombudsman may enjoin the body in question to comply with it by a certain deadline. If the body fails to act on the injunction, a special report is sent to the President of the Republic informing him of the failure to enforce the judicial decision. The Ombudsman's independence and visibility increase his/her ability to act as a regulator and mediator in society in a way that benefits women.

35. The Office of the Commissioner for Human Rights, Humanitarian Action and Relations with Civil Society is responsible, inter alia, for putting in place a policy for the promotion and protection of human rights based on consultation and participation, for monitoring the implementation of Mauritania's international human rights commitments and for submitting the country's periodic reports to the treaty bodies. The Office's establishment can be attributed primarily to the Government's recognition that political and civil rights and economic, social and cultural rights are interdependent. It also reflects the choice of a unified approach to development, in which economic and political progress must go hand in hand.

36. The Office's strategies include prioritizing approaches based on women's participation, their effective involvement and the full mobilization of their human and financial capacities. Its function is to develop and implement national human rights policy by using all appropriate means to ensure the promotion and dissemination of human rights principles and values, including those relating to women's rights; to increase dialogue and consultation with national associations working for human and women's rights; and to expand cooperation and exchanges with regional and international organizations and institutes dedicated to women's rights.

37. With regard to poverty reduction, the Office's intervention strategy comprises a number of interrelated activities, including economic and social responses to poverty, targeting of poor population groups and capacity-building for anti-poverty institutions. These activities have an impact on women, who are often the poorest and most vulnerable members of society. Moreover, the updated Poverty Reduction Strategy Paper (PRSP), which sets goals for 2011–2015, now includes a gender component that takes women's specific development needs into account.

38. Despite Government action, Mauritanian women's economic participation still falls short of United Nations ambitions as reflected in the Millennium Development Goals, particularly Goal 3 on promoting gender equality and empowering women.

39. Women participate in the Mauritanian economy far less than men. According to the National Office of Statistics (General population and housing census, 2002), women account for 28.4 per cent of the economically active population. Their participation in the commercial sector (gold and jewellery; clothing and veils; perfume and luxury goods) is 31.6 per cent, compared with 63.9 per cent for men, and they are dominant in market

gardening (35.8 per cent, compared with 64.2 per cent), handicrafts, leather goods and woollen products. Their overall participation in the commercial sector in Mauritania (including handicrafts) is 23.3 per cent. Half the shops in the biggest markets in Nouakchott and other major cities are run by women. A group of businesswomen manage one of the capital's biggest shopping centres (Marché Chinguetti) and are organized into an association called the Union des Femmes Mauritaniennes Entrepreneurs et Commerçantes (Mauritania Union of Women Entrepreneurs and Businesswomen – UMAFEC).

Table 1  
**Trends in indicators on women in decision-making**

<i>Indicator</i>	<i>Situation in 1992</i>	<i>Situation in 2003</i>	<i>Situation in 2009</i>	<i>Situation in 2011</i>
Women deputies	0	3/95	19/95	21/95
Women senators	0	3/56	10/56	9/56
Women town councillors	0		1 120/3 688	1 120/3 688
Women mayors	0		4/216 (incl. 1 from a rural commune)	4/216 (incl.1 from a rural commune)
Women ministers	1/28	3/28	6/30	3/30
Women general secretaries	0	0	2	3
Woman State Inspectors				1
Women ambassadors	0	0	2	0
Women <i>walis</i>	0	0	2	0
Women <i>hakems</i>	0	0	1	
% of seats in Parliament		4.5 %	19 %	20 %

40. In rural areas, women have set up cooperatives for growing fruit and vegetables and producing handicrafts and other local goods, as well as rural pharmacies. In the agriculture and food industry, women head several market sectors, such as packaged milk products and the first camel cheese, which has been hailed by the media and international trade bodies. As part of efforts to open up the country to tourism, women have opened numerous inns and hotels, while in information technology (IT) a woman has set up a personal computer assembly plant, provides IT services and is Microsoft's representative in Mauritania. In 2003, three women were appointed officers of the Mauritanian Employers Organization (CNPEM) for the first time.

41. Women have also benefited from the development of information and communication technologies (ICT), an emerging sector of the economy where gender parity is likely to be achieved. The State Secretariat for New Technologies has been headed by two women in succession. In the private sector, women run cybercafés or service companies and are setting up businesses for the production and assembly of Mauritanian-made personal computers. In civil society, women are active in a number of non-governmental organizations that are working to promote ICT or pushing for Mauritania to join the information society.

42. The Government's decision to create opportunities and facilities for everyone, especially women, to access the Internet has resulted in:

- The creation of an online Cyberforum for civil society (non-governmental organizations, journalists, local elected officials), to which women contribute. This

idea is being rolled out to communes in the country's interior, with the creation of Cybercommunes aimed particularly at rural women's cooperatives;

- The creation of Internet access centres in high schools and secondary schools (including the Nouakchott girls' secondary school and girls' high school);
- The creation of centres of excellence for girls (Nouadhibou and Aioun centres of excellence for girls);
- The establishment of a community centre for Mauritanian women entrepreneurs to promote teleservices.

43. In the areas of science and technology, the Government is implementing early intervention programmes for girls in order to increase the number of women in ICT jobs. It is bolstering activities that give priority to differentiated, universally accessible in-school or out-of-school education programmes that allow women to improve their communication and media skills, including the following:

- Development of incentives to encourage girls to study science subjects: a prize for excellence is awarded annually to girls ranking first in scientific subjects (primary, secondary and university education);
- Incentives for the training of ICT specialists, particularly girls (20 per cent of scholarships are allocated to ICT students);
- Introduction of a programme for training, retraining and integrating unemployed graduates, two thirds of them young women, in ICT jobs (website development, network management);
- Establishment of a training programme for civil society target groups, over 60 per cent of whose members are women.

44. In cooperation with all stakeholders, the Government has formulated ICT policies designed to stimulate enterprise, innovation and investment, especially for women, based on:

- Promotion of public spaces for women, initially to promote ICT; funding of ICT training for unemployed graduates, particularly women, to work in cybercafés and community Internet access centres;
- Provision of a shop front for women to display handicrafts. Woman producing beadwork in Zouérate and carpets for the Carpet Office are making use of this shop front;
- ICT promotion in small- and medium-sized businesses and industries, particularly those run by women.

45. The use of ICT in education and medicine to benefit women resulted in the establishment of the national telemedicine project, which involves creating a network among the public hospitals of the country's 14 *wilayas* by connecting them to the Internet, so that they can receive and send videoconferences and create an online medical portal. Nouakchott University is developing a distance education programme in cooperation with French-speaking universities in order to offer young people in general, and girls in particular, more educational choices.

46. This development has been encouraged by the Government's sustained actions for the advancement of women, which have included the following:

- A positive discrimination policy designed to encourage the employment of women (organization in November 2011 of a special competitive examination giving 50

additional women access to the National School of Administration, Journalism and the Magistracy (ENAJM));

- Promotion of women's vocational training;
- Implementation of a microcredit system by and for women (Nissa Banks);
- Establishment of programmes of action for poor women, such as the income-generating activities programme, a microcredit programme designed to promote the emergence of an enterprise culture among women heads of household.

47. The authorities have put in place institutional machinery for combating violence against women, comprising:

- A National Commission to Combat Practices Harmful to the Health of Women and Children, established in 1997 and transformed in 2008 into a National Committee against Gender-based Violence;
- The Ministry of Social Affairs, Children and the Family, whose functions were expanded to include gender violence in 2007 after it replaced the State Secretariat for the Status of Women, which had dealt tangentially with this issue;
- Regional and departmental committees against gender-based violence, established in 2007;
- A committee created in 2007 to follow up the recommendations of the Committee on the Elimination of Discrimination against Women;
- Regional cooperation and coordination committees for handling and settling family disputes, accompanied by national and regional family dispute units;
- Departmental human rights committees;
- The Mauritanian Network of Women Ministers and Members of Parliament, established in 2007;
- The National Multisectoral Gender-Monitoring Group.

48. The establishment of this mechanism was accompanied by a number of actions to publicize gender violence and raise awareness of it among decision-makers and the general public and to ensure better care of victims. These actions included:

- Advocacy and consultation seminars for judicial authorities (court presidents, lawyers, criminal investigation officers, gendarmes and police superintendents and officers);
- Human rights training for male and female instructors;
- Preparation and dissemination of a judicial procedures guide;
- National strategy against female genital mutilation (2007);
- Implementation in January 2008 of the project to end female genital mutilation in four *wilayas* (Assaba, Brakna, Guidimagha and Gorgol).

49. Civil society has also worked to combat female genital mutilation through the opening of the Association of Women Heads of Household (AFCH) counselling centre, the centre for the psychological and health care of girl rape victims, run by the non-governmental organization AMSME, and the centre for the care of victims of family disputes, run by the non-governmental organization ALCD, as well as databases on sexual violence located in the Ministry of Social Affairs, the AMSME Wafa centre and the ALCD centre.

50. Some forms of violence against women, particularly excision, force-feeding, early marriage and rape, still persist because of sociocultural resistance, however.

51. Excision is practised in Mauritania in both urban (60 per cent) and rural areas (84 per cent). It is generally performed on very young children in some settings and at an older age<sup>9</sup> in other settings. Force-feeding, which involves making little girls eat large amounts of food in order to speed up their physical development so that they can be married early, affects 24 per cent of girls in rural areas and 19 per cent in urban areas. The same effect is achieved by giving little girls food in tablet form, which is easier to swallow. The proportion of women married by the age of 15 is 19 per cent, while 43 per cent of women are married by the age of 18. The percentages are higher for rural areas, with 22.6 per cent of rural women married by age 15 and 49.6 per cent married by age 18, compared with 15.3 per cent and 37 per cent of urban women. Early marriage can sometimes threaten little girls' development and results in early pregnancy. This, combined with their low level of education and vocational training, helps exacerbate the feminization of poverty.<sup>10</sup>

52. Polygamy, which some women view as violence, is more prevalent in urban areas (11.9 per cent) than in rural areas (9.8 per cent). In most cases, the predominance of this practice in urban areas can be explained by the affluence of some men and probably the socioeconomic difficulties faced by women as a result of the lowering of the age of first marriage and the high incidence of divorce.

53. In the past, inequalities in civil service pension legislation did not allow the widower, children or beneficiaries of a deceased female civil servant to receive her pension. The provisions creating this injustice were replaced in 2011 by new provisions guaranteeing pension equality between men and women. Revisions to some provisions of the 2004 Labour Code (Act repealing and replacing certain provisions of Act No. 61.016 of 30 January 1961 on the Pension Fund civil pensions regime, amended by Act No. 65.074 of 11 April 1965) were adopted by the Government on 6 October 2011 and passed by Parliament in December 2011.

54. Rape is not defined by law, which makes it difficult to punish perpetrators. The Criminal Code does not contain a precise definition of sexual violence, with the result that convictions may depend to a large extent on the personal viewpoint of the judge. Rape convictions are rare, because the law is imprecise and these kinds of cases are often settled amicably between families. Many judges also place sexual assault in the category of voluntary sexual intercourse outside marriage, a crime known as *zina* in Islamic law. As a result, women who lodge complaints of sexual assault risk being imprisoned for engaging in sexual intercourse outside marriage: imprecise laws and stigmatization mean that it is the rape victim, rather than the rapist, who is blamed for the crime.

55. The Government is working to make criminal law more precise so that rape can be defined, prohibited and punished, pursuant to the international conventions prohibiting sexual violence against women, such as the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

56. The Government defends women's rights and is trying to encourage victims to speak out. At information meetings between police, gendarmes and judges on the one hand and AMSME, doctors, psychologists and sociologists on the other, human rights defenders are strongly advised to encourage victims to bring legal action. The Government also provided legal protection for child victims of sexual violence by adopting the 2005 Children's Code

<sup>9</sup> UNICEF statistics 2007, Multiple Indicator Cluster Survey (MICS), 2007.

<sup>10</sup> Ministry of Social Affairs, Children and Women: Evaluation of Mauritania's implementation of the recommendations of the Beijing Platform for Action, June 2008; data from the 2007 MICS survey.

and simultaneously creating a public child protection service and a juvenile bureau. Judges, police officers and social workers have been trained to apply the Code.

57. Despite these efforts, few judges are familiar with the Code or sufficiently well versed in it to be able to enforce it, referring instead to the Criminal Code for adults, which is less effective. Social workers and psychologists, who are in a position to help victims, are equally ill informed. Some civil society organizations help victims complain to the police and support them throughout the administrative procedures required to obtain a conviction. They also provide psychological support, if needed. The real difficulty, however, lies in convincing rape victims to make themselves known. Public attitudes to sexual assault will have to change and judges will have to be better trained before cases of sexual assault can be prosecuted more effectively. The Ministry of Social Affairs, Children and the Family is trying to achieve this through a range of awareness-raising activities, foremost among which is the production of a documentary film on rape. The following activities to combat sexual violence have been carried out:

- Establishment of a system that takes concerted and coordinated account of the different aspects of the problem of gender-based violence: prevention, medical and psychosocial care, legal and judicial support of victims (Standard Operating Procedures (SOPs) for Prevention of and Response to Sexual and Gender-based Violence (SGBV));
- Establishment of three sexual-violence counselling centres, run by non-governmental organizations and supported by the Ministry of Social Affairs, Children and the Family;
- Creation of a juvenile bureau;
- Establishment of a National Committee against Gender-based Violence, including Female Genital Mutilation;
- Creation in 2008 of a technical unit to combat gender-based violence, including female genital mutilation;
- Preparation of a survey on all forms of violence, scheduled for 2011;
- Drafting of a law criminalizing rape, scheduled for 2011;
- Plans for a national strategy against gender-based violence.

58. Activities to combat female genital mutilation (FGM) have included:

- Implementation since 2008 of a programme to end harmful practices such as FGM;
- Issuance in 2010 of a fatwa calling for an end to FGM;
- Current drafting of a law criminalizing FGM;
- Conduct of an anthropological/sociological survey on FGM;
- Preparation of a training module on combating FGM;
- Ongoing campaigns to bring the FGM fatwa to the attention of 720 imams in seven *wilayas* where the practice is very prevalent.

### **Article 3**

#### **Economic participation of women**

59. The implementation of the Poverty Reduction Strategy Paper (PRSP) has enabled the Government to promote women's economic rights and to measure progress in achieving



the Millennium Development Goals. The proportion of Mauritania's population living below the monetary poverty line (\$1 a day per person) is estimated at 47 per cent.<sup>11</sup> Poverty is greater in rural areas than in urban areas and affects women more than men: 59 per cent of the rural population live below the poverty line, compared with 28.9 per cent of the urban population. Women's poverty takes different forms in Mauritania, such as problems related to lack of employment or lack of ownership of factors of production (land, livestock) and resulting low incomes, health problems such as disability or lack of access to medical care, and problems linked to lack of education. As Mauritania strengthens its commitment to combating poverty, it is becoming clear that lack of ownership of factors of production and lack of access to property rights handicap women and play a decisive role in keeping them poor. Women's lack of access to property rights when it comes to capital, water, natural resources, land use and urban services creates problems for combating poverty, for achieving the Millennium Development Goals and for Mauritanian women's personal development. Mauritania's development goals cannot be achieved until women are able to exercise their legal rights (property rights).

60. One of the obstacles to increasing women's participation in agriculture remains their lack of access to land ownership. Available statistics<sup>12</sup> show that only 18.7 per cent of women hold land in their own name and that by 2002, only nine of the 124 irrigated areas allocated to them since 1989 had been awarded definitively to women. A 2002 study carried out for the Department for the Status of Women confirmed the difficulties that women face in gaining access to land ownership in general. Women remain the poor relations when it comes to legislation in this area, such as the 1983 Land Act and its implementing regulations. Although legal equality exists in theory, women's access to land ownership remains limited, especially in rural areas where land is one of the main sources of income.<sup>13</sup>

61. This discrimination against women with regard to land ownership is related to the persistence of certain customs, still entrenched in communities, which recommend against allocating land to women because it could end up being owned by people who do not belong to the tribal or ethnic group.<sup>14</sup>

62. The Land Act basically applies to irrigated cultivable land in rural areas and peripheral urban areas. Everywhere else, traditional land ownership systems continue to predominate, under which women are employed on, farm or lease land but rarely own it and, when they do, generally own it collectively (cooperatives, mainly for growing fruit and vegetables).

63. Following the evaluation of the second phase (2006–2010) of the Poverty Reduction Strategy Paper (PRSP), the country's main economic and social development policy document, which has long-term targets (up to 2015) that include the attainment of the Millennium Development Goals, five goals were selected for improving women's economic participation under the third phase (2011–2015) and the PRSP was updated to include the following:

- Improving women's access to factors of production;
- Combating unemployment and under-employment of women;

<sup>11</sup> Progress report on the implementation of the Millennium Development Goals, August 2008.

<sup>12</sup> Ministry of Social Affairs, Children and the Family/UNDP: Study on women's access to productive resources, December 2009.

<sup>13</sup> Mohamed Ould H'Meyada: National Plan of Action for Rural Women, Ministry of Social Affairs, Children and the Family, produced with UNFPA support, April 2008.

<sup>14</sup> Cheikh Ould Jiddou: *Processus national d'habilitation des pauvres en Mauritanie, Dossiers Thématiques "Droits de propriété"*, November 2007.

- Increasing women's productivity;
- Improving women's access to the market;
- Developing female entrepreneurship.

64. To promote a system of financing adapted to poor people's circumstances, in 2003 the Government adopted a national strategy for the promotion of microfinance and small and medium-sized businesses. The strategy was designed to develop a savings and loan culture suited to the needs of poor people in general and women in particular.

65. In cooperation with its technical and financial partners (United Nations Development Programme (UNDP), United Nations Children's Fund (UNICEF), Oxfam GB), the Government implemented several projects to promote a series of viable, long-term microfinance initiatives covering the entire country and adapted to the needs of both urban and rural women. The Women's Savings and Loan Groups (GFEC) became autonomous in 2006 and now have 11 branches in eight *moughataas* or departments. Since it was restructured, the GFEC network has distributed over UM 138 million in loans to fund 1,000 projects. The overall aim of the Nissa Banks is to improve women's living conditions by supporting the development of income-generating activities through the provision of financing and advice and support. There are now 11 Nissa Banks distributed among 11 communes in five *wilayas*. The banks were set up in disadvantaged rural and peripheral urban areas and bring together nearly 90,000 women belonging to 2,400 cooperatives. Their funding capacity remains limited, with only UM 223 million in loans distributed. Nissa Bank funds consist of the women's own savings and rolling funds contributed by UNICEF and Oxfam GB. The number of projects funded rose from 47 in 1997 to 3,037 in 2009. The loan repayment rate is 95 per cent.

66. The impact of this system remains limited, however. In quantitative terms, it has covered only 13 *moughataas* out of 56 in five *wilayas* and nine *moughataas* in Nouakchott, amounting to a total of 2,419 loans distributed. In qualitative terms, credit systems for women are generally aimed at income-generating activities rather than the promotion of women's productivity and entrepreneurship. The main constraints are project design, implementation and monitoring capacities, given the illiteracy of almost all rural women, their everyday occupations and the size of loans. With regard to the promotion of female entrepreneurship, programmes have been undertaken to build organizational and management capacities, give women access to funding and strengthen women's initiatives. Training sessions in organization and management have been given to 350 women's groups and organizations and a micro-enterprise strategy giving women access to business opportunities has been developed.

67. This effort has been backed by an increase in the resources allocated to building women's productive capacities. The Department for the Advancement of Women has invested over UM 300 million in the expansion of income-generating activities. For instance, some 1,300 income-generating activities were funded for a global envelope of UM 130 million as part of the 2008 special intervention programme and the July-November 2007 emergency programme. Lack of access to marketing circuits, the isolation of some areas, absence of storage or processing infrastructure, lack of information on markets and lack of organization for the sale of products are all obstacles to women's economic participation, however. Gender development and promotion strategies have not always considered and analysed these basic constraints. Projects have been limited to production aspects and have not considered the commodity chain approach, which takes account of pre- and post-production factors.

## Article 4

### Temporary special measures to combat discrimination

68. Order No. 2006.029 of 22 August 2006 concerning the organic law on the promotion of women's access to elected office and elective positions ensures women's political participation and representation by setting aside a minimum quota of 20 per cent for them. In the most recent legislative and municipal elections, women won over 30 per cent of seats on local councils and 21 per cent of seats in the Senate and the National Assembly. Mauritanian women are becoming key players in national political life and this is enhancing their status. They are no longer viewed simply as potential voters: they vote in elections and are elected to the ranks of political decision-makers.

Table 2

#### Representation of women

Indicators	Situation in 1992	Situation in 2003	Situation in 2009
Women deputies	0	3 W/95	21 W/95
Women senators	0	3 W/56	9 W/56
Women town councillors	0		1120 W/3688
Women mayors	0	1 W/216	4 W/216 (incl. 1 rural woman)

## Article 5

### Modifying social and cultural patterns of conduct

69. Efforts to modify social and cultural patterns of conduct that discriminate against women have been supported by the media through the following measures:

#### (a) Combating prejudice through the media

70. National television and radio broadcasts ("*Conflits familiaux*", "*Problèmes de la Vie*", "*Avec la Famille*", "*Radio Femmes et Développement*", 13 rural radio stations—one per *wilaya*—, "*Tres Important*", a film on changes in the status of women from 1960 to 2012, the *Bulletin Périodique sur les Problemes de la Femme*, the Association of Women Journalists and the Union of Mauritanian Women Communication Workers) constantly address problems related to the family, maternity and children, as well as ways of enabling women to take part in building a progressive Mauritania, lead fulfilling lives, raise children, look after their health and enjoy leisure time. Educational programmes on Mauritanian legislation and international legal norms on the family, women, young people and children are broadcast by the national television channel, in numerous information and news programmes presented by women's rights defenders in which people can ask questions and discuss women's rights. Documentation on the status of women in Mauritania has been assembled and distributed at international meetings, conference and seminars.

71. *Radio Mauritanie* and national television tackle such issues as the advancement of women, development and women's role in society. They prepare analyses, interviews and reports with the participation of academics, political leaders, sociologists, historians and experts on social issues who, in relation to specific examples, examine women's influence on the country's social, political, economic and intellectual life. The "*Coin de la femme*" (women's corner) programme, broadcast twice monthly, features psychologists and members of the medical professions, who discuss issues such as the prolongation of women's working lives and the preservation of a healthy psychological climate within the

family. This programme presents women's historical role in Mauritanian society. News bulletins regularly feature successful businesswomen, while other programmes deal with women's lives and activities. A special programme on the law features legal experts who advise listeners about women's rights. Throughout 2008, the Mauritanian Information Agency prepared a series of reports, interview summaries and analyses on questions related to the implementation of the national strategy for the advancement of women in Mauritania and the enhancement of their role in society. A special page was devoted to women and the family. The media regularly disseminate the measures taken by the President of the Republic, the Government, central and local government bodies and social agencies that deal with women's problems.

**(b) Promoting women in the media**

72. Access to the media is an important channel for publicizing women's rights and creating awareness of their obligations in the development of a harmonious society. Women's presence in the media, particularly State-run media, is therefore viewed as important for ensuring that women's issues are taken more fully into account and for enhancing their economic and social status. *Radio Mauritanie* has the largest proportion of female staff: around 60 per cent of employees are women and women have occupied important positions. In television, women are virtually absent from policy-making positions, even though they dominate some key areas. There are around 70 female television staff, most of them assigned to the administrative department. The liberalization of the media, culminating in the creation of a High Authority for Audiovisual Communication in which women are represented, has increased women's opportunities to access senior positions in the media, a sector that has a huge influence on decision-making. There are also increasing numbers of programmes devoted to women's socioeconomic development issues. Debates and discussions are broadcast on the radio and published in the newspapers as a way of finding solutions and making the public aware of issues related to women's rights.

73. The coherence and accessibility of these efforts have been enhanced by the design of an information, education and communication (IEC) strategy aimed at making the issue of women's development central to the concerns of decision-makers and public opinion, while ensuring synergies among the different stakeholders. However, constraints linked to women's lack of schooling and fairly high levels of illiteracy continue to bar their access to State-run or private media. The absence of specific training structures in this area also prevents women from acquiring the recognized skills they need to make a place for themselves in the media.

## **Article 6**

### **Combating the exploitation of women**

74. Mauritania's domestic legislation prohibits the exploitation of women. The country observes norms of Islamic law that strictly punish the prostitution of women, sex tourism, procuring, paedophilia and pornography. The Criminal Code, the Act on trafficking in persons, the Act on smuggling of migrants and the Children's Code all serve to strengthen legislation that already severely punishes exploitation of persons. Three centres set up by two civil society organizations, AMSME and AFCE, provide care to victims of female genital mutilation, both women and girls. These centres are under-equipped and understaffed, however, and unable to provide victims of sexual exploitation with the psychological and social counselling that they need in order to be able to return to their families. There are also some civil society initiatives, but their willingness to help is not

matched by the resources needed to provide guidance, counselling and care to victims of exploitation.

## Articles 7 to 9

### Articles 7 and 8

#### Equality in national and international political and public life

75. In July 2006, the Government adopted an Order on the promotion of women's involvement in the decision-making process. The Order imposes a minimum quota of 20 per cent for women candidates in municipal and legislative elections. To underpin the transition Government's commitments, United Nations agencies (UNDP, UNICEF and the United Nations Population Fund (UNFPA)), the German Technical Cooperation Agency (GTZ), LNDI and the Spanish International Cooperation Agency) have launched a joint initiative (project to support women's involvement in the decision-making process) designed to improve women's involvement in the democratic process and their representation in elected bodies. The project complements the global programme of electoral support to Mauritania coordinated by the United Nations. Its aims are twofold:

- To help women take ownership of their rights, develop a civic culture and promote gender equality in political representation;
- To carry out awareness-raising/advocacy and capacity-building for institutions and decision-makers in order to enhance women's enjoyment of political rights and their involvement in the decision-making process.

76. In the 2006 municipal and legislative elections, women were elected to 30 per cent of seats on municipal councils, 20 seats in the National Assembly (compared with three seats in the previous Assembly) and nine seats in the Senate (compared with three seats in the old Senate). Four out of 216 communes elected women mayors – three communes in Nouakchott and one rural commune in Gouraye (compared with only one woman mayor in 2004). Three women were appointed to ministerial posts, two as *walis* (regional governors) and two as ambassadors for the first time in Mauritania's history. The following figures reflect the inroads made by women into Mauritania's power structures in 2007, the year for which data are available:

- Women members of the National Assembly (18 women out of 95);
- Women senators (10 women out of 56);
- Women town councillors (1,120 women out of 3,688);
- Women mayors (four women out of 216);
- Women ministers (five women);
- Women general secretaries (three women);
- Women ambassadors (two women in two important postings: France and Switzerland);
- Women regional governors (two);
- Women *hakems* (departmental prefects) (three).

## **Article 9**

### **Equality in nationality law**

77. Act No. 061.112 of 12 June 1961 containing the Mauritanian Nationality Code, as amended (Acts Nos. 073.010 of 23 January 1973, 073.186 of 30 July 1973, 076.207 of 30 July 1976 and 076.207 of 9 July 1976 and Decree No. 082.028 of 26 March 1982), guarantees all citizens without distinction, including on grounds of sex, the same conditions for acquiring, retaining and surrendering Mauritanian nationality. Through the general conditions for acquiring Mauritanian nationality, based on *jus sanguinis* and *jus soli*, different provisions of the Nationality Code create a legal regime that does not discriminate against women.

78. However, Mauritanian nationality law falls short of article 9 of the Convention, which emphasizes equality between men and women in the acquisition of a nationality. It treats women differently, in that the provisions of article 13 of Act No. 061.112 stipulate that Mauritanian nationality is not acquired automatically, but on request, with respect to children born abroad to a Mauritanian mother and a non-Mauritanian father. Moreover, non-Mauritanian husbands of Mauritanian women acquire Mauritanian nationality only after 10 years of marriage.

## **Articles 10 to 14**

### **Article 10**

#### **Equality in education**

79. In 1999, Mauritania launched a reform of its educational system designed to standardize it and improve its quality by strengthening the teaching of science and foreign languages (French, English). The reform is supported by the National Programme for the Development of the Education Sector (PNDSE), which constitutes the 10-year national education strategy for the period 2001–2011. The Programme, which has benefited from the participation and assistance of all technical and financial partners, comprises the following areas of action:

- Improving the quality and relevance of the teaching and learning process at all levels of the education system;
- Improving access, notably to basic and secondary education;
- Promoting schooling for girls and equity between regions;
- Improving the external effectiveness of the education system by promoting a better fit between technical, vocational and higher education and demand on the labour market;
- Building the administrative, technical, pedagogical and financial management capacity of the entire system.

80. The Programme's implementation has led to progress towards universal school enrolment and parity in primary school education. The gross school enrolment rate approached 96 per cent in 2008, with girls enjoying a clear advantage (98.4 per cent compared with 92.6 per cent of boys).<sup>15</sup> Trends in the net school enrolment rate also favour girls, with a gap of nearly 4 per cent recorded in 2008 (73.5 per cent compared with 69.9 per cent). The gross enrolment rate in the first year of primary education continues to

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<sup>15</sup> Ministry of National Education: National report of the Islamic Republic of Mauritania, October 2008.

exceed the threshold of 100 per cent: at around 127 per cent (130.2 per cent for girls and 123.8 per cent for boys), it reflects the Government's efforts to bring children, notably late starters, into the school system. In absolute terms, the number of pupils in basic education rose from 465,970 in 2005 to 473,688 in 2008, with the proportion of girls increasing from 49.8 per cent to 50.3 per cent over the same period.<sup>16</sup> After falling for two consecutive years, the number of new entrants to the first year of secondary education (1AS) increased by 5.5 per cent between 2006 and 2007. The effective rate of transition to the first year of secondary education has continued to drop (from 56.8 per cent in 2006 to 44.9 per cent in 2008). The relatively moderate decline for girls — from 44.5 per cent to 41.7 per cent — reflects the continuing disparities between boys' and girls' success rates in national examinations. The gap continues to widen in higher education.<sup>17</sup>

81. These efforts to increase access to education have not been matched by an improvement in the quality of the education system. Despite the fact that primary education is compulsory, difficulties in retaining pupils in the system persist. The retention rate at the end of basic education is relatively low, having increased from 46.4 per cent in 2006 to 53 per cent in 2008.<sup>18</sup> Differences between boys and girls are fairly limited, with the rate for boys being slightly lower than that for girls. At the same time, the illiteracy rate fell by 4 per cent between 2004 and 2008, from 42 per cent to 38 per cent. Again, the decline was more marked for women (5 per cent) than for men (3 per cent).

82. These results were achieved through the implementation of the National Programme, the main components of which involved:

- Developing infrastructure in order to expand access and improve retention rates, especially for girls, by building an average of 200 classrooms a year;
- Increasing girls' access to secondary education by continuing to build local secondary schools, so that families, especially poor families, do not have to travel to urban centres;
- Creating conditions that improve the school environment for girls, by building latrines, installing running water and building fences;
- Continuing to recruit teachers to cover needs and redeploying surplus central administrative staff;
- Improving quality by updating initial and in-service training, rewriting and enhancing the quality of school curricula and providing textbooks and school supplies;
- Implementing a programme to give recognition to academically and professionally successful girls and women through the award of prizes and the granting of scholarships to prizewinners and support to their families;
- Strengthening the vocational training programme, especially the courses taught at the pilot training centre for the advancement of women and the early childhood training centre, which trains teaching assistants;
- Adapting vocational training content to the needs of the market by conducting an organizational evaluation and establishing new courses;

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<sup>16</sup> *Idem.*

<sup>17</sup> *Idem.*

<sup>18</sup> *Idem.*

- Continuing national anti-illiteracy efforts through distance literacy teaching (*ECA Radio*), putting in place a programme for contracting with non-governmental organizations to carry out functional literacy programmes and launching a process of reflection on mechanisms for the effective integration of literacy teaching with education and the creation of synergies, notably with basic education.

83. Despite these advances, challenges remain. The fact that the poverty rate remains high, particularly in rural areas, is an obstacle to the education of girls, in that they often contribute to household tasks. Societal phenomena such as early marriage of girls and socioeconomic constraints, especially in a context where women head more than a fifth of households, prevent some girls from enrolling or remaining in school. The quality of teaching and learning in the education system causes families to look for alternatives or to keep children, especially girls, at home. The mismatch between the instruction imparted and the jobs available, reflected in the high unemployment rate, is another impediment to school attendance in general and that of girls in particular.

84. With regard to early childhood, the Government has carried out a number of activities in recent years designed to promote the educational development of little girls. The adoption of a national early childhood development strategy made it possible to create a frame of reference for addressing all related concerns. The opening and installation of preschool structures has permitted the development of a modern preschool education system, with the result that the preschool attendance rate, estimated at 3.6 per cent in 2000, reached 7 per cent in 2007 (database of the Children's Department of the Ministry of Social Affairs, Children and the Family). Awareness-raising programmes and specific programmes for children in difficult circumstances have also been conducted in recent years. An integrated programme to promote education for girls, especially in disadvantaged areas, was put in place with the assistance of technical and financial partners. Such progress notwithstanding, efforts to address the needs of little girls are still subject to some constraints linked to social resistance and the difficulties that girls face in travelling without their parents, which create an additional financial burden for their families.

## **Article 11**

### **Equal rights to employment and work**

85. The number of women wage earners remains low, with only 12.4 per cent of the economically active female population in work or having worked (compared with 27.3 per cent of the economically active male population). Women's jobs are concentrated in agriculture (48.6 per cent of economically active women) and, to a lesser extent, in the administration (14.6 per cent) and commerce (13.5 per cent).<sup>19</sup> Women continue to be marginalized on the employment market by comparison with men and, given the absence of strict laws against it, are often victims of sexual harassment. The findings of the 2004 Permanent Household Survey (EPCV) show that the rate of economic activity among persons aged 15 to 65 years is 59.2 per cent but conceals disparities between men (81.9 per cent) and women (39.1 per cent). The national average unemployment rate is 32.5 per cent.<sup>20</sup> Unemployment (30 per cent) affects young people and women aged 16 to 24 more severely (45.6 per cent)<sup>21</sup> and women are more seriously affected than men (47.3 per cent, compared with 25.2 per cent). Women in rural and urban areas have similar unemployment

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<sup>19</sup> RGPH 2000.

<sup>20</sup> Ministry of Social Affairs, Children and the Family/UNDP: Study on women's access to productive resources, December 2009.

<sup>21</sup> EPCV 2004 and Ministry of National Education (MEN), cited by ESG, 2006.



rates: 47.0 per cent and 47.8 per cent respectively.<sup>22</sup> Women work, but their work tends to be unpaid (75.8 per cent of women, compared with 29.6 per cent of men), while the overwhelming majority of men do paid work.<sup>23</sup> Moreover, even though women are employed in the different units of the national army, they remain confined to specifically “female” jobs.

86. While the Ministry of Social Affairs, Children and the Family has launched numerous income-generating and microcredit projects and activities in recent years, two factors conspire to limit their impact. Income-generating activities and microcredit are palliative measures designed to combat situations of extreme monetary poverty and should not be seen as a panacea for promoting women’s economic rights. They are limited in time and space and have no effect on the majority of poor women. Women’s economic presence has been strengthened in recent years by the appointment of women to head some businesses viewed as models of innovation and success.

## **Article 12**

### **Equal access to health-care services**

87. Over the past two decades, the Government has paid particular attention to the right to health, which is enshrined in the preamble and article 10 of the Constitution. In addition to increasing the capacity and quality of health services, it has worked to implement a health policy that takes account of the need to provide mothers and children with an adequate and comprehensive care package. Overall, the following actions have been taken:

- Improving access to health-care structures through health-centre and health-post building and renovation programmes, training of health-care personnel and provision of capital equipment, including ambulances for evacuating at-risk cases, such as women experiencing childbirth difficulties;
- Establishing health-care training structures by opening a medical school and a school for health-care personnel, thereby facilitating the development of specialized hospitals such as a mother and baby hospital;
- Implementing a flat-rate obstetric payment programme enabling poor women to receive obstetric care;
- Launching a pilot health-insurance programme in some *moughataas* in order to improve access to health care, especially for women and children;
- Introduction of a reproductive health programme in some poor areas, including Aftout;
- Launching the National Health Insurance Fund (CNAM), thereby helping to improve access to health care for families of civil servants and other target populations;
- Carrying out IEC campaigns on maternal and child health, family planning, etc.;
- Strengthening the national immunization programme through the adoption of the new protocol adding hepatitis B vaccine, thereby improving the protection of mothers and their children;

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<sup>22</sup> *Idem.*

<sup>23</sup> *Idem.*

- Continuing activities under the National Programme to Combat HIV/AIDS, particularly its awareness-raising and information component on transmission channels, prevention methods, etc.;
- Continuing activities under the national health and nutrition programme, with its different awareness-raising components on good nutritional practices, improving nutritional status, etc.<sup>24</sup>

88. The implementation of the Government's health strategy has made it possible to improve health-care coverage and the quality of the services provided to women. This, in turn, has led to a drop in maternal mortality, which declined from 747 per 100,000 live births in 2004 to 686 per 100,000 in 2007. This outcome was achieved through efforts to:

- Provide prenatal monitoring for pregnant women, with coverage increasing from 64.6 per cent in 2004 to 75.4 per cent in 2007;
- Increase the proportion of births attended by skilled health personnel; such coverage increased by four percentage points between 2004 and 2007;
- Increase birth spacing for better maternal health by meeting the ever-growing demand for family planning (27.5 per cent in 2007 compared with 22.7 per cent in 2004). For instance, contraceptive prevalence rose from 8 per cent in 2004 to 9.3 per cent in 2007.

Table 3  
**Trends in the maternal mortality ratio**

<i>Indicators</i>	<i>1990</i>	<i>2000</i>	<i>2007</i>
Maternal mortality ratio (per 100,000 live births)	930	747	686
Proportion of births attended by skilled health personnel	40 %	57 %	75.4 %

*Sources:* MICS 2007, EDMS 2000/2001, MICS 1995.

89. The improvement in health-care coverage has helped bring health services closer to women, especially pregnant women. Children are benefiting too, with the rate of routine DPT3 immunization under the Expanded Programme on Immunization (EPI) reaching 75 per cent in 2007. Nutritional status, especially women's nutritional status, has also improved. As a result, the prevalence of low birth weight among newborns is now 33.7 per cent. Exclusive breastfeeding reached a rate of 11 per cent in 2007. Vitamin A supplementation among new mothers has increased, reaching 30.1 per cent in 2007. In the area of reproductive health, the national reproductive health programme, which forms part of efforts to promote universal risk-free motherhood, offers a range of services to help reduce and prevent complications of pregnancy and childbirth.

Table 4  
**Situation of the main reproductive health indicators**

<i>Indicators</i>	<i>Rate</i>
Maternal mortality ratio	686 per 100 000 LB MICS – 2007
Global fertility rate (GFR)	4.7 % EDMS 2000-1

<sup>24</sup> Ministry of Social Affairs, Children and the Family: Evaluation of Mauritania's implementation of the recommendations of the Beijing Platform for Action, June 2008.

<i>Indicators</i>	<i>Rate</i>
Prevalence of excision in girls aged 15 to 19	66 % EDSM 2000-01
School enrolment rate for girls (lower secondary education)	57.4 % MICS – 2007
Coverage of PEC needs in obstetric complications	36 % (2005 survey)
Mortality rate attributable to obstetric complications	1.3 % (2005 survey)
Contraceptive prevalence	9 % MICS – 2007
Coverage of pregnant women with at least 4 prenatal visits	65 % (EDSM 2000-01)
Exclusive breastfeeding rate	11 % MICS – 2007
VAT 2 coverage of pregnant women	40 % (EDSM 2000-01)
Proportion of births attended by skilled health personnel	61 % MICS – 2007
Proportion of Caesarean births	1.10 %
Availability of basic and complex obstetric emergency care (SOUB and SOUC) structures	4 SOUB/51 13 SOUC (5 in NKTT, 8 for the rest of the country)
Proportion of State budget allocated to the health-care sector	4.6 % (2008)

*Source:* Reproductive health project 2007.

90. Estimated HIV prevalence among adults (15 to 49 years) was 0.8 per cent in 2007, while the estimated number of people of all ages living with HIV was 26,000. The number of cases of mother-to-child transmission is 3,900 and the number of paediatric infections for children living with HIV is 500. HIV prevalence among young women (15 to 24 years) is 0.5 per cent. The national response to HIV/AIDS has completed three phases (1994 to 2000, 2001 to 2003 and 2004 to 2008), which helped to curb the pandemic and provide support where necessary. From 1994 to 2000, efforts to combat AIDS adopted a monosectoral approach, with activities centred basically on Nouakchott. At the time, there was very little political and financial support for efforts to combat AIDS, which were handicapped by a lack of data and the absence of a strategic vision. Between 2001 and 2004, anti-AIDS efforts took a multisectoral approach and enjoyed increasingly visible and quantifiable political support. This prompted development partners, notably UNFPA (“Let’s Talk” about HIV/AIDS project) and the World Bank (preparation of the Multisectoral HIV/AIDS Project (MAP)), to become involved. It was in this context that the first study of HIV seroprevalence in pregnant women was carried out in 2001. A strategic framework for efforts to combat HIV/AIDS was then prepared and approved, with support from the Joint United Nations Programme on HIV/AIDS (UNAIDS), and this was followed by the establishment of the National Commission to Combat AIDS (CNLS) and the Executive Secretariat to Combat AIDS (SENL) to ensure the sustainability of efforts to combat AIDS in Mauritania. From 2004 to 2008, anti-AIDS efforts gained momentum from the adoption of a multisectoral approach, the decentralization of the national response and the support and political commitment of Mauritania’s partners. This resulted in closer cooperation with agencies of the United Nations system and greater visibility for people living with HIV/AIDS, culminating in the September 2007 adoption of a law on HIV/AIDS prevention, care and control.

91. Despite these outcomes, efforts to combat AIDS and protect women against the pandemic face a number of constraints, namely, lack of coordination, ownership and

domestic resources for the national response and poor grasp of AIDS project management procedures. The national programme will be adjusted by incorporating prevention of mother-to-child transmission (PMTCT), the perinatal transmission of HIV from mother to child. Difficulties in tackling HIV/AIDS persist, however. While prevalence remains low (0.8 per cent), only a fifth of women are able to identify methods for protecting themselves against transmission of the disease and only 36.4 per cent of women know the three ways in which the virus can be transmitted from mother to child.

### **Article 13**

#### **Finance and social security**

92. In Mauritania, one of the main obstacles to women's economic development is lack of access to appropriate financial services. The development of permanent microfinance institutions (MFI) able to offer women financial services is therefore one of the best ways of combating poverty. To this end, the Government has made microfinance a cornerstone of its poverty reduction strategy, the ultimate aim being to build an effective nationwide network of local microfinance institutions able to provide financial and non-financial services suited to women's needs. The Poverty Reduction Strategy Paper outlined the features of such a network and provided support for the capacity-building of microfinance institutions.

93. The institutional framework for supporting microfinance in Mauritania comprises the Department of Employment, Integration and Vocational Training, which is responsible for encouraging and promoting appropriate approaches to the promotion of microfinance and micro-enterprise, the Central Bank of Mauritania, which oversees the financial sector, and the Association of Microfinance Professionals and Operators (APROMI). Microfinance is an emerging sector in Mauritania and the first MFIs date back only to the mid-1990s. The sector is growing rapidly and currently comprises the following:

- 72 approved institutions;
- Five MFI networks (PROCAPEC, GAFIF, MAFEC, GFEC/Nissa Banks, CECA);
- 61 public or private enterprise institutions, operating in both rural and urban areas;
- 16 private and one public women's enterprise institutions, which help diversify the supply of microfinance services;
- One professional association, the Association of Microfinance Professionals and Operators (APROMI), set up by professionals and operators in the microfinance sector.

94. The sector covers all 13 *wilayas* in Mauritania. A sectoral analysis reveals that existing MFIs are weak and cover only a very limited share of demand. While most institutions are small (fewer than 500 members), the CAPEC network alone has 50,022 members and 21,237 active borrowers. The most vulnerable population groups (rural and peri-urban areas) have virtually no access to the existing supply of microfinance and MFIs offer only a very limited range of financial products. The availability of "micro" loans that really fit the definition of microcredit, namely, with a ceiling equivalent to per capita GDP (US\$ 480, or roughly UM 120,000), is particularly limited.

95. Several factors limit the sector's ability to cover a wider and more diversified demand adapted to women's needs. The population groups targeted by the various microfinance systems are fairly diverse and wide-ranging: farmers, livestock producers, craftspeople, women, individuals or groups, small or micro-entrepreneurs (craftspeople, small and medium-sized businesses), unemployed graduates, poor wage earners and

workers whose wages have lost value. Some MFIs target a specific group (women), regardless of their activity, or a category of operators linked to a specific subsector (craftspeople). The difficulty of extending credit to men from disadvantaged groups on a basis of shared responsibility for repayment is a distinctive feature in Mauritania, for a number of reasons:

- Microcredit is more suited to women's complementary activities than to men's;
- The high mobility of the male population increases the risks of non-repayment. The risk is high in peripheral neighbourhoods of Nouakchott, where people settled relatively recently. In many cases, men do not have residence permits and sell their labour;
- Women find it relatively easy to come together to establish savings and loan schemes or engage in joint economic activities, but men seem less inclined to do so, making it more difficult to rely on them to share responsibility for repayment.

96. A handful of MFIs do not receive any outside financial support towards funding their operations. They operate according to a system based on charitable donations that may ultimately hinder their development and reduce the contribution they are able to make to women. The remaining MFIs are subsidized but are of little benefit to women. The sector has to contend with the following constraints that prevent it from meeting women's finance needs:

- Low population density and difficult climatic conditions in rural areas, which may hinder the establishment of permanent MFIs in environments generally inhabited by women;
- Regulations that often do not permit lending to women unless they already have considerable financial resources;
- Oversight and monitoring tools that are inappropriate for the sector and difficult to apply in a system designed to target poor women;
- Interest rate capping, which threatens the sustainability of MFIs;
- Difficulty of putting in place an effective consultation framework;
- Limited competencies of MFIs (human resources, accounting and information systems, inadequate planning);
- Limited availability of training and advisory services for MFIs;
- Absence of mechanisms for collecting exhaustive, reliable statistics on the sector;
- Lack of resources for the medium and long-term refinancing of MFIs;
- Minimal involvement of the traditional banking system in the microfinance sector;
- Limited geographical coverage; imbalance in the availability of microfinance between rural and urban areas and within urban areas;
- The fact that most MFIs are small and are not yet financially independent.

97. Men and women are subject to the same social security system, which covers women for old age, disability, death (survivor's benefits), industrial accidents and work-related illness and entitles them to family-related benefits. Labour law requires employers to pay for health-care services for employees and their family members and employers are also required to pay daily benefits in the event of illness. Daily maternity benefits are paid as part of family benefits, however. The system does not protect either women or men against the risk of unemployment. The National Social Security Fund (CNSS) is the

system's institutional framework and comes under the authority of the Ministry of the Civil Service and Labour, which manages the social security system in Mauritania.

Table 5  
**Social security funding**

<i>Benefit</i>	<i>Employer's share</i>	<i>Employee's share</i>
Occupational health	2 %	
Old age - disability - death (survivors)	2 %	1 %
	3 %	
Industrial accidents	(2.5 % if employer covers health-care services and cash benefits for	
Work-related illnesses	temporary incapacity)	
Family benefits, including cash maternity benefits	8 %	

98. Women wage earners benefit from workplace medical care, which is managed by the National Office of Occupational Health. The Office's operating costs are covered by a 2-per-cent contribution paid by employers into the National Social Security Fund. All businesses are required to register with the Office and declare their employees to it. The National Social Security Fund informs employers about the inter-enterprise medical service scheme, of which businesses automatically become members for each of their establishments. Labour law requires employers to pay for health-care services for employees and their family members and to pay daily sickness benefits in the event of illness. Pregnancy- and childbirth-related medical benefits and cash benefits form part of family benefits. Employers are required to pay for the health care of male and female workers and their family members under the enterprise or inter-enterprise medical service scheme. Under the Labour Code, employers pay daily sickness benefits in the event of illness for a number of days determined by the applicable collective agreement. All male and female wage earners are covered, including temporary or casual workers.

99. Men become eligible for an old-age pension at age 60, and women at age 55. Men aged 55 and women aged 50 who fulfil the requisite eligibility requirements may claim an early retirement pension on grounds of ill health. Like men, provided that they have paid insurance contributions for at least 12 months, women who have reached pensionable age but are not eligible for an old-age pension are entitled to receive a lump-sum old-age benefit equivalent to one month's wages per contributory year. To qualify as disabled, a woman must have lost two thirds of her earning capacity. A woman receives a widow's pension if her deceased husband was in receipt of or eligible for a pension or had 180 months of contributory service. She is also eligible for a widow's pension if she is aged at least 50, has a disability or married her deceased husband at least one year before his death, or if she is pregnant at the time of his death. A woman who is financially responsible for her deceased husband's children is also entitled to receive a widow's pension until the children reach the age of 14 or, if they are apprenticed, studying or disabled, up to the age of 21. If the deceased was not eligible for a disability or old-age pension and had less than 180 months of contributory service at the time of his death, his surviving spouse receives a lump-sum survivor's benefit equivalent to one month of the pension to which the deceased would have been entitled for each six months of contributory service.

100. A woman does not have to have been working for a minimum period of time in order to qualify for benefits arising from an industrial accident or work-related illness. Employers must report an industrial accident or work-related illness within 48 hours. Women workers receive the same benefits as men, namely: medical care for any injuries

sustained in an accident; daily sickness benefit in the event of temporary incapacity for work; disability pension or benefit in the event of permanent total or partial incapacity; and survivor's benefits and funeral costs in the event of death. Aside from emergency first aid, for which employers are responsible, women employees are entitled to the same medical care as men, provided either under the Social Security Fund or by selected official institutions and private bodies approved by the medical authorities, in which case they are reimbursed at a flat rate established by agreement between the establishments concerned and the Fund. In the event of temporary incapacity, the employer is responsible for paying the woman a full day's wages for the day on which she stopped working. As is the case for men, daily sickness benefit equivalent to two thirds of the victim's average daily wage is payable from the day following an accident until the woman has completely recovered.

101. Men and women are subject to the same system of incapacity benefits. A woman duly certified as permanently totally incapacitated is entitled to a total disability pension equivalent to 85 per cent of the average monthly wage, increased by 50 per cent if she requires the assistance of a third party. A woman who has been permanently partially incapacitated as a result of an industrial accident is entitled to a disability pension if she is at least 15 per cent disabled. Depending on the degree of disability, the amount of the permanent partial disability pension is proportional to the pension to which the victim would have been entitled had she been totally incapacitated. Where the degree of disability is less than 15 per cent, a lump-sum benefit is paid. The disability benefit is calculated by multiplying by three the annual amount of the pension corresponding to the woman's degree of disability. If a worker dies following an industrial accident, the surviving spouse (widow or widower) is entitled to survivor's benefits and an allowance for funeral costs. Family benefits include daily maternity benefit, prenatal allowances, the newborn child allowance, family allowances and assistance to mothers and infants in the form of cash benefits. These benefits apply to wage earners with at least one child.

102. Medical benefits and daily maternity benefits are payable to women who have been registered with CNSS for 12 months and have worked for 55 days or 360 hours in the preceding three calendar months. The daily maternity benefit is equivalent to 100 per cent of the average daily wage for the three months prior to taking maternity leave and is paid to women who cease paid work completely for 14 weeks – six weeks before and eight weeks after giving birth. Women workers who are eligible for family benefits and have one or more dependent children receive such benefits for any month in which they have worked a minimum of 18 days or 120 hours at the minimum wage. Family benefits comprise prenatal allowances, the new child allowance, family allowances and assistance to mothers and infants in the form of cash benefits. Any woman who was employed — or was married to someone who was employed — during the nine months preceding the birth of a child is eligible for a prenatal allowance, provided that the pregnancy is reported during the first three months of pregnancy; if the pregnancy is reported after this period, eligibility for the allowance begins on the date on which it was reported. Payment of the prenatal allowance is subject to the mother undergoing medical examinations, while payment of the new child allowance is subject to both the mother and the child undergoing the statutory medical examinations. The new child allowance is paid only for the first three children. To be eligible for family allowances, a woman must be financially responsible for children up to the age of 14, or 21 if they are apprenticed, studying or disabled. The National Social Security Fund may put employers in charge of paying family allowances, which must in any case be paid to the mother.

## Article 14

### Rural women

103. Despite the progress made in improving Mauritanian women's daily lives, rural women still face difficulties intrinsic to the rural environment. Poverty affects female-headed households more acutely in rural areas (57.9 per cent) than in urban areas (52.9 per cent).<sup>25</sup> The same trend can be observed with regard to literacy: the literacy rate is 65.2 per cent in urban areas, but 52.0 per cent in rural areas. Even though school attendance is compulsory and the gross primary school enrolment rate is 82.3 per cent (70.2 per cent in rural areas and 101.4 per cent in urban areas), only 48.5 per cent of school-age children actually attend primary school in rural areas. At 29 per cent, the nationwide rate of secondary school enrolment is relatively low: 49.8 per cent in urban areas and 12.1 per cent in rural areas.

104. With regard to health care:

- DPT3 immunization coverage is very low in rural areas;
- Contraceptive prevalence is very low (3.3 per cent in rural areas, compared with 13.8 per cent in urban areas);
- Take-up of prenatal care is far from universal (66.1 per cent in rural areas, compared with 88 per cent in urban areas);
- The nutritional situation in rural areas is severe: 36.5 per cent of children are moderately underweight, 9.5 per cent are severely underweight and 30.9 per cent are stunted;
- The proportion of births attended by skilled health personnel is low (39 per cent in rural areas, compared with a national average of 60.9 per cent);
- Very few rural women know about HIV/AIDS (8.4 per cent in rural areas, compared with 17.3 per cent in urban areas).<sup>26</sup>

105. These figures, which reflect the difficulties faced by rural women in exercising the rights recognized in the Convention, have an adverse effect on their status. Rural women's lives are precarious, characterized by:

- High prevalence of practices harmful to their health, such as excision, force-feeding and early marriage;
- Polygamy, divorce and domestic violence;
- Lack of awareness;
- Lack of participation in decision-making;
- Limited access to social and legal protection;
- Ignorance of economic and social rights.

106. With regard to employment, the situation of rural women is cause for concern. The rural unemployment rate is around 47.9 per cent and the job situation is precarious, dominated by:

- The prevalence of collective work that is not explicitly remunerated;

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<sup>25</sup> Ministry of Social Affairs, Children and the Family/UNDP: Study of women's access to productive resources, December 2009.

<sup>26</sup> *Idem*.



- The absence of a dynamic market in paid work;
- The persistence of different forms of work performed for others.<sup>27</sup>

107. To give effect to the rights of women in general and rural women in particular recognized in the Convention, the Government drew up a four-year plan of action for the development and advancement of rural women (2009–2012). The aim of the plan of action is to promote and improve rural women's living conditions by making national and international public opinion aware of the difficulties they face, involving them in consultations on policies designed to advance their status and recognize their role in achieving food security and sustainable development and raising their awareness of the role that they must play in tackling climate change. The Ministry of Social Affairs, Children and the Family has also implemented an ambitious programme to disseminate and raise awareness of the Convention both nationally and regionally (formation of 70 non-governmental organizations, translation of the Convention into four national languages and production of four audiocassettes, plus the launching of the campaign in three *wilayas*: Gorgol, Assaba and Dakhlet-Nouadhibou). The plan includes an analysis of the situation of rural women in the areas of health, education, social integration and economic constraints and the drafting of a programme of action to address the problems identified by a committee of national and international experts, as well as the establishment of a monitoring and evaluation mechanism based on an institutional framework and a reliable information system.

108. The action plan for rural women has the following objectives:

- To promote women's rights through advocacy, the development of communication media and the dissemination of rural women's rights;
- To enhance rural women's health by combating practices harmful to their health, improving their access to health-care structures and sexual and reproductive health, combating epidemic diseases and promoting personal and collective hygiene;
- To increase rural women's access to education by optimizing educational provision in rural areas and supporting school attendance and literacy teaching for rural girls;
- To develop infrastructure that enhances rural women's lives by improving geographical access, building dams, dykes and stone cultivation terraces, upgrading water sources, extending village electrification programmes and improving environmental conditions;
- To promote female employment in rural areas through vocational training, income-generating activities, access to credit and marketing of produce;
- To build the capacities of structures working for rural women, through activities to build central management structures, support regional structures that assist women and strengthen rural women's organizations.

## Articles 15 and 16

### Article 15 Equality in legal and civil matters

109. The 20 July 1991 Constitution provides for legal equality between men and women. Article 6 states that all citizens are equal before the law, which means that women, as

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<sup>27</sup> *Idem.*

citizens, are entitled to exercise their political, economic and social rights fully. Act No. 2001.052 of 19 July 2001 on the Personal Status Code was an important milestone in giving women a more equitable place in society, offering prospects for the harmony of the family unit and for social cohesion. The 2002 Act making education compulsory for children, including girls aged 6 to 14, supplements the inviolable guarantee of social rights enshrined in the preamble to the Constitution. The Personal Status Code guarantees women's rights to education, social protection and employment, but many women, particularly rural women, are unaware of its existence. As a result, the Code is not being applied nationwide because its main beneficiaries — women — are not availing themselves of its provisions.

110. Article 12 of the Constitution states that all Mauritians are equal before the law. Pursuant to article 1 of the Code of Criminal Procedure, criminal proceedings are based on the principle of equality of all persons, men or women, before the law and before the courts. Under article 10 of the Constitution, everyone, regardless of gender, enjoys equal rights. Capacity to exercise rights means the ability to be vested with one or more rights, while legal capacity is exercised from birth to death. Under the Code of Obligations and Contracts, legal capacity for men and women can be restricted only in situations and according to procedures defined by law. Agreements designed to restrict legal capacity have no legal validity. Article 2 of the Code of Civil, Commercial and Administrative Procedure gives all Mauritians, men and women, access to justice to defend their rights. Mauritanian legislation does not authorize any restriction on the movements of Mauritanian men or women or on their freedom to choose their place of residence and domicile.

111. With regard to family law, the adoption of the Personal Status Code, which establishes the complementary roles of the two spouses and introduces new ways of dissolving a marriage that are favourable to the wife, put an end to discrimination against women in family law, traditionally regarded as the area in which inequality persists. The Code set the age of marriage for both men and women at 18 years, unless express authorization is obtained from a judge for the marriage of a young man or woman below that age. Moreover, under Islamic law, which applies in Mauritania, women retain responsibility for managing their own property and carry on professional, commercial and civil activities without requiring their husband's authorization. The Personal Status Code is strongly influenced by Islamic law and thus accords the man twice the woman's share in matters of inheritance, while making him responsible for her upkeep in accordance with the various matrimonial regimes.

## **Article 16**

### **Equal rights in the family**

112. Family relations are governed by Act No. 2001.052 of 19 July 2001 on the Personal Status Code. The right to marry is inalienable, natural and fundamental for all men and women. Intending spouses marry of their own free will. The complementary roles of men and women in contracting marriage and choosing a spouse freely are recognized in article 1 of the Family Code, which defines marriage as a legal contract by which a man and a woman come together to create a lasting conjugal life, the aim of marriage being fidelity and procreation through the founding, on a sound basis and under the husband's direction, of a home that allows the spouses to fulfil their reciprocal obligations with affection and mutual respect. Article 25 of the Personal Status Code, which draws heavily on the provisions of the Mauritanian Constitution, establishes equality between the husband and the wife with respect to individual rights and property rights. It provides that in order to marry, both the intending spouses must have given their consent and have reached the age required by law.

113. Civil status law allows women to take their husband's surname or keep their maiden name. Article 28 of the Personal Status Code guarantees women the right to free choice of a job or occupation. Article 102 of the Code recognizes women's right to request a divorce on grounds of injury. A man has the right to repudiate his wife by divorcing her at any time without having to provide justification or being required to pay compensation. The Code enshrines each spouse's right to his or her own property and affirms women's capacity to manage their property themselves. It defines systematically and in detail the rights and obligations of the spouses both during marriage and upon its dissolution.

114. Since the Personal Status Code came into force, it has been evaluated annually by both the Government and civil society. The Ministry of Social Affairs, Children and the Family, in partnership with the Ministry of Justice, also organizes a seminar each year to assess the Code's application. These evaluations give some idea of the Code's effectiveness and identify the constraints and challenges that have to be addressed, which include the Code's dissemination and application. One key element for the Code's application is helping women to demand their rights in court. Training women's rights advocates and judges and judicial personnel will also contribute to the Code's effectiveness. Women's rights defenders have publicized the Family Code in all the country's major cities and awareness-raising activities are now being carried out in locations not reached by earlier campaigns, to encourage people to embrace a legal instrument that is essential for the promotion of the family.

### **Part III**

## **Implementation of the recommendations of the Committee on the Elimination of Discrimination against Women**

115. The Government has implemented a series of measures designed to respond to the concerns of the Committee on the Elimination of Discrimination against Women and follow up its recommendations.

### **Measures to implement the Convention on the Elimination of All Forms of Discrimination against Women**

116. Mauritania has taken institutional, political, social and economic measures to implement the Convention. These measures, highlighted in its initial report and expanded upon in the present report, are designed to give effect to the women's rights enshrined in the Convention. The institutional measures taken by Mauritania to implement the Convention include the creation of the following bodies:

- State Secretariat for the Advancement of Women (1992), upgraded in 2007 to the Ministry for the Advancement of Women, Children and the Family and in 2008 to the Ministry of Social Affairs, Children and the Family;
- National Multisectoral Gender Monitoring Group and three regional gender monitoring groups;
- National Commission on Harmful Practices (1997), which became the National Committee against Gender-based Violence in 2008;
- Four regional and 13 departmental committees against gender-based violence (2007/2008);
- National Committee to follow up the Committee's recommendations (2007);
- Cooperation and coordination committees for settling family disputes (one national and five regional);

- Network of Women Ministers and Parliamentarians (2007);
- National Children's Council (2002).

117. These institutional measures were accompanied by the adoption of a number of strategic measures, including the following:

- National Strategy for the Advancement of Women (1995), updated in 2005 (2005–2008);
- Early childhood development policy (2005);
- Family policy (2006);
- National nutritional development policy (2006);
- National policy to end female genital mutilation, approved in 2008;
- National gender mainstreaming strategy, approved in 2008;
- Action plan for rural women, approved in 2009;
- Communication strategy, approved in 2008.

118. Progress was made in the legislative area through the adoption of the following instruments:

- 1991 Constitution guaranteeing and protecting citizens' rights;
- 2001 Personal Status Code;
- 2001 Act making basic education compulsory;
- 2005 Ordinance promulgating the Code for the judicial protection of children;
- 2006 Order promulgating the organic law on the promotion of women's access to elected office and elective positions (20 per cent quota);
- 2005 Ordinance on legal and judicial assistance;
- 2009 Decree creating judicial assistance offices attached to regional courts;
- Ratification in 2005 of the Protocol to the 1981 African Charter on Human and Peoples' Rights on the Rights of Women;
- Ratification in 2005 of the African Charter on the Rights and Welfare of the Child.

#### **Achievements in implementing the Convention on the Elimination of All Forms of Discrimination against Women**

119. Mauritania's main strategic achievements in implementing the Convention have included the following:

- Political commitment to increasing women's participation in political life and decision-making (20-per-cent quota);
- Growing awareness of gender issues at the different levels;
- Starting in 2004, recognition of and first efforts to address taboo issues such as female genital mutilation (FGM) and violence against women (sexual violence);
- Motivation of some women to assert their rights despite social constraints (conjugal violence).

120. With regard to decision-making, the table in paragraph 39 shows how indicators on women's participation in decision-making have evolved.

121. With regard to economic progress, the following achievements are noteworthy:
- Women's cooperatives now number 4,000;
  - In civil society, 60 per cent of all non-governmental organizations are headed by women;
  - The army, the gendarmerie, the national guard and the police all now include women;
- 122.
- The Women's Department has created two microcredit structures (Nissa Banks and GFECs (Women's Savings and Loan Groups));
  - There are Nissa Banks in 11 *moughataas*, with 2,400 member cooperatives and a total of 3,037 funded microprojects;
  - There are GFECs in eight *moughataas*, with 1,200 women members and 1,780 funded projects;
  - The Women's Department has funded over 651 income-generating activities for women under the special intervention programme and 184 under the emergency programme;
  - The Ministry of Social Affairs, Children and Family has funded 431 income-generating activities for widows, divorcees or women victims of family disputes;
  - Women have their own market.

#### **Legal aid**

123. In partnership with the World Bank, the Mauritanian Government has put in place a system giving poor people, especially women, access to justice. The Ministry of Justice has organized, in partnership with civil society, a series of conferences and awareness-raising workshops designed to make women aware of their rights, familiarize them with the justice system and encourage them to take advantage of its services. This will allow judges and judicial officials to take women's complaints and specific judicial needs into account in order to help them exercise all their rights. Such awareness-raising activities will bear fruit only if they are maintained and strengthened and if women are directly and actively involved in them.

124. Mauritanian laws are not sexist and do not bar women from positions across the public administration, including the justice sector and the diplomatic corps. Indeed, the Mauritanian diplomatic corps used to be headed by a woman, while the obstacles to women becoming judges are no longer a question of law but of public attitudes, which the authorities believe will ultimately be replaced by enlightened, sustained awareness. Only this year, a woman passed the competitive examination for recruitment as a judge.

#### **Decision-making power**

125. The Government has made progress in promoting women's participation in decision-making by ensuring their presence in lower-level power structures and in Parliament. It is currently working to promote women's economic integration by reorganizing and strengthening the financial system so that it is geared towards financing activities initiated by women. The adoption of the rural women's development action plan will also give women a place in the economic system as both producers and wage earners.

**Violence and trafficking of women**

126. Civil society is stepping up its awareness-raising activities and advocacy in favour of the adoption of a law on violence against women. The Government has responded by educating members of the judiciary about how to tackle violence against women and by discussing studies and statistics on violence against women with members of the departments responsible for tackling the issue, in order to involve them more closely. Lastly, in keeping with the provisions of the Convention, the Government has added to its agenda the adoption of a law on physical violence against women.

127. Mauritania has legislation against sexual harassment, but it only protects children. However, the adoption of legislation on sexual violence against women will make it possible to include sexual harassment of women, a problem that reduces women's access to employment. Sexual harassment is often a major obstacle to women's access to employment and to their advancement if they manage to make a place for themselves in the economy. To ensure the enforcement of its legislation on human trafficking, the Government has issued instructions to the prosecution, investigation and sentencing authorities and the necessary guidelines to ensure that they act on all civil society allegations concerning the different forms of trafficking of girls both within and outside the country by investigating the information thus received. This is a prelude to the updating of the plan of action against trafficking of persons, which the departments concerned are currently implementing to protect women and girls against this practice.

**Education and rural women**

128. Mauritania's achievements in the area of education include the following:

- Universal primary education for girls, improved secondary school retention rates and increased access to higher education and vocational training;
- In 2006, the gross enrolment rate in primary education was 100.5 per cent for girls and 95.4 per cent for boys (2008 progress report on the achievement of the Millennium Development Goals);
- The proportion of girls in secondary education was 44.5 per cent in 2006, while the proportion of girls in higher education was 18 per cent in 2007 (2008 progress report on the Millennium Development Goals);
- Literacy rates have improved: the literacy rate among women aged 15 to 24 years is 78 per cent (2008 progress report on the Millennium Development Goals).

129. More generally, a rural women's development action plan has been adopted that will give rural women access to justice, education and health care and help them escape from poverty. With regard to reproductive health care, which is essential for improving women's health, a bill proposed by a member of the National Assembly and submitted to a number of ministerial departments for amendment will be adopted shortly. Lastly, the Poverty Reduction Strategy Paper mainstreamed the gender dimension in order to accelerate the advancement of rural women.

**Implementation of the Committee's recommendations**

130. An institutional mechanism has been put in place to monitor the implementation of the Committee's recommendations, in the form of a national commission under the authority of the Ministry of Social Affairs, Children and the Family. The commission is made up of representatives of the ministerial departments concerned and members of civil society active in the area of the promotion of women's rights. The commission has drawn up a plan of action and has worked to monitor the implementation of the following recommendations:

**(a) General reservation**

131. Wide-ranging consultations on lifting Mauritania's general reservation to the Convention were held with the different currents of Islamic thought in Mauritania. Workshops organized to this end with Islamic scholars advocated replacing it with two express reservations to the Convention (article 16 and article 13(1)).

**(b) Dissemination of the Committee's concluding observations and recommendations to Parliament and the Government**

132. Implementation of this recommendation has begun with the production of a booklet containing a simplified version of the Committee's recommendations.

**(c) Public awareness-raising about the Convention, particularly among judges and members of the legal profession**

133. Awareness-raising seminars and campaigns have been conducted in recent years, including the following:

- Production and distribution of awareness-raising tools on the Convention;
- Translation and dissemination of the Committee's recommendations in French and Arabic;
- Audiocassette recording of the Convention in the country's four languages (Hassaniya, Halpulaar, Soninke and Wolof);
- Organization by the Government, with the support of the country's technical and financial partners, of a number of campaigns to publicize the Convention within government departments. To this end, contracts were concluded between the State and non-governmental organizations under a partnership for national and regional communication, awareness-raising and advocacy concerning the Convention;
- These national and regional campaigns targeted *ulemas* (Islamic scholars), judges, police, lawyers, court registrars and *hakems* (departmental prefects), who now have a clear idea of the Convention's provisions and the obligation to apply them.

**(d) Incorporation in Mauritanian law of an explicit definition of discrimination against women**

134. As part of the implementation of the gender-mainstreaming strategy, there are plans to adopt a gender guidance law that will define discrimination against women.

**(e) Women's access to justice**

134*bis*. The bodies for the management and distribution of legal and judicial aid provided for in the 26 January 2006 Ordinance on legal aid have still not been established. Such aid, which must include a consultation at which the beneficiary obtains information about his/her rights and the necessary advice, as well as assistance in drawing up legal documents, will also cover the costs of access to the courts for the poorest people. It does not cover the activities of some non-governmental organizations or the family dispute service.

**(f) Strengthening of the national machinery for the advancement of women**

135. This machinery exists in the form of governmental institutions for the promotion and protection of human rights in general and specific categories of rights in particular (Ministry of Social Affairs, Children and the Family, Office of the Human Rights

Commissioner, National Human Rights Commission, Ombudsman), but cooperation among them seems to be very limited.

**(g) Implementation of temporary special measures**

136. These measures are reflected in the Act on quotas for women, in the numbers of women in the diplomatic corps, the army and the police and, above all, in the granting of scholarships specifically for girls.

*Raise awareness about the provision in the Code of Criminal Procedure that prohibits female genital mutilation for minors, ensure its enforcement and adopt the draft law on female genital mutilation*

137. A number of actions have been taken to this end:

- Awareness-raising campaigns and the involvement of religious leaders in efforts to combat FGM represent significant progress towards the application of article 12 of the Ordinance promulgating the Code on the judicial protection of children. Mention should also be made of the latest fatwa calling for the prohibition of excision. The FGM bill must now be adopted to give full effect to the fatwa;
- An anthropological study of FGM has been conducted;
- A training module on FGM has been developed;
- The FGM fatwa has been publicized among 720 imams in the seven *wilayas* where FGM is very prevalent;
- Practical measures to protect young female domestic workers against all forms of exploitation and abuse and enable them to exercise their rights to education have been strengthened and measures taken to eliminate vestiges of slavery.

138. The Government's efforts in this connection include the Programme for the Eradication of the Legacy of Slavery and the application of a 1954 order, amended in 1965. Act No. 2001.054 of 19 July 2001 makes basic education compulsory, but it needs to be amended to include non-formal education benefiting vulnerable groups and education for children with special needs.

*Enact legislation prohibiting sexual harassment.*

139. Mauritanian criminal law does not contain provisions on sexual harassment. It will have to be amended to include the crime of sexual harassment and a definition of its constituent elements. The Child Protection Code criminalizes sexual harassment, however.

## **Part IV**

### **Follow-up to international conferences**

#### **A. Follow-up to the Beijing Declaration and Platform for Action**

140. As part of the follow-up to the Beijing Declaration and Platform for Action, adopted by consensus on 15 September 1995 and reflecting the international community's commitment to the advancement of women and to the implementation of the Platform for Action, the Mauritanian Government ensured that the gender perspective was mainstreamed in all the country's development policies and programmes. To this end, the Ministry of Social Affairs, Children and the Family took a number of actions for the advancement of women. To honour its commitments to women, the Government established a State



Secretariat for the Status of Women in 1992, which was later upgraded to a Ministry for the Advancement of Women, Children and the Family before becoming the Ministry of Social Affairs, Children and the Family. The institutional framework for the promotion and protection of women was expanded to include the National Multisectoral Gender Monitoring Group and regional gender monitoring groups. The National Commission on Harmful Practices and later the National Committee against Gender-based Violence and its regional and departmental counterparts then put the need to combat violence against women on the Government's agenda.

141. Institutional actors such as the National Committee to follow up the recommendations of the Committee on the Elimination of Discrimination against Women and the regional cooperation and coordination committees for the settlement of family disputes, together with the Network of Women Ministers and Parliamentarians and the National Children's Council, are helping to implement the Beijing Declaration, the content of which is also reflected in a number of strategies for the advancement of women, efforts to end FGM, gender mainstreaming, communication and, just recently, the action plan for rural women. These strategies are putting into practice early childhood development, family and nutrition policies that are helping to improve the environment in which Mauritanian women live.

142. The legislative framework is based on the Constitution, which guarantees and protects the equal rights of all citizens. It also comprises several laws representative of a society that recognizes women's status as full citizens participating fully and fairly in their country's development. These include the Personal Status Code, the Act on compulsory education, the Ordinance on the code for the judicial protection of children, the Order on women's access to elected office, the Ordinance on legal and judicial assistance and the Decree creating regional judicial assistance offices, all of which have helped paved the way for a society that supports the recognition of women's rights.

143. With regard to international legislation, Mauritania has ratified several conventions, in addition to the Convention on the Elimination of All Forms of Discrimination against Women, in order to enhance the legal status of women and the family. These include the Convention on the Rights of the Child, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women and the African Charter on the Rights and Welfare of the Child.

144. With regard to strategy, the action taken by Mauritania to follow up the Beijing Declaration and Platform for Action resulted, firstly, in a political commitment to increasing women's participation in decision-making through the institutionalization of a 20 per cent quota. It helped raise awareness of gender issues at the different levels of decision-making and led subsequently to certain taboos such as female genital mutilation and violence against women (sexual violence) being recognized and addressed. Lastly, it motivated some women to assert their rights, despite social constraints.

145. In the economic sphere, there are now over 4,000 women's cooperatives, women head 60 per cent of all non-governmental organizations and women have a market. The Ministry of Social Affairs, Children and the Family has also created two microcredit structures — Nissa Banks and GFECs. There are Nissa Banks in 11 *moughataas*, with 2,400 member cooperatives and over 3,037 funded microprojects. There are GFECs in eight *moughataas*, with 1,200 members and 1,780 funded projects. In addition to establishing credit structures, the Ministry financed over 651 income-generating activities for women under the special intervention programme and 184 under the emergency programme in 2007. It also helped put in place 431 income-generating activities funded for widows, divorcees or women victims of family disputes. In cooperation with its partners, the Ministry periodically prepares a document that allows progress in implementing the

Beijing Declaration and Platform for Action to be measured. The most recent national report, entitled "Beijing + 15", was produced in June 2008.

## **B. Follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance**

146. The Mauritanian Government ratified the Convention on the Elimination of All Forms of Racial Discrimination on 13 December 1988. With a body of progressive legislation already in place and having ratified the international conventions against racial discrimination very early on, Mauritania's efforts to combat racism have been exemplary. Its laws, especially the Constitution, the Labour Code, the Act on trafficking in persons and the Criminal Code, reflect its position on this issue.

147. In 2008, Mr. Doudou Diene, United Nations Special Rapporteur on contemporary forms of racism, visited Mauritania with a view to producing a report on racism in the country. The following year, Ms. Gulnara Shahinian, United Nations Special Rapporteur on contemporary forms of slavery, made a visit to Mauritania that resulted in a report on slavery. Both Special Rapporteurs commended Mauritania's legislation against such practices, which are a violation of human rights, but emphasized the importance of applying the laws in question, especially the law criminalizing slavery, which has still not been implemented. All in all, they recommended fuller application and incorporation of the international conventions on human rights in general and women's rights in particular to which Mauritania is a party.

## **C. Follow-up to the special session of the General Assembly of the United Nations on children**

148. Like other developing countries, Mauritania took part in the 2002 special session of the General Assembly of the United Nations on children. Its large delegation was headed by the Prime Minister and included representatives of Mauritanian children, reflecting the extent of Mauritania's commitment to complying with the guidelines and recommendations on the implementation of the plan of action for "A World Fit for Children". Mauritania also contributed via Internet, with a sample of 2 per cent of its total population (over 50,000 people), to defining the priorities discussed at the May 2002 session.

149. The national plan of action for "A World Fit for Children" focused on the following issues:

- Promotion of children's rights;
- Children's education;
- Protection of children from abuse;
- Combating exploitation and violence against children.

150. An ad hoc steering committee comprising representatives of the six social sectors, the National Children's Council, civil society and UNICEF was put in place, under the auspices of the Ministry of Economic Affairs and Development, to measure the impact of the plan of action. A group of experts was entrusted with drawing up and finalizing the report analysing the progress made towards achieving the goals of "A World Fit for Children". To ensure that children could participate, a workshop was held to hear what they thought and felt about the issue. A consolidated report was prepared and approved by the steering committee at a final workshop.

151. The report dealt with the following six points:

- National actions for children since 2002;
- Trends in the resources allocated for children;
- Follow-up instruments for “A World Fit for Children”;
- Outcomes of the “A World Fit for Children” plan of action and the Millennium Development Goals;
- Lessons learned.

152. Mauritania is anxious to improve the situation of children and create appropriate machinery for the implementation of the Convention on the Rights of the Child. With civil society and its development partners, it has striven to defend and promote children’s rights to survival, development and protection. With regard to child survival, the Government has designed and implemented a number of health and welfare policies and strategies (Expanded Programme on Immunization, reproductive health programme, national programme against AIDS/STDs, national plan of action for nutrition, etc.). With regard to development, it has focused on education and training. Education for young children, who account for 15 per cent of the population, is key to the future development of adolescents and adults and therefore receives special attention (early childhood development policy). The number of preschool establishments has increased and progress has also been made in access to basic education.

**Child survival programme.**

153. Legal mechanisms have been put in place to ensure the right to protection, which for children means being protected against abandonment, exploitation and different forms of disability. These include:

- The Personal Status Code, which prohibits early marriage;
- The Act making basic education compulsory from the age of six years;
- Juvenile courts;
- A juvenile bureau;
- A corps of social workers;
- The Ordinance on the judicial protection of children;
- The Ordinance on the promotion and protection of people with disabilities;
- The Decree on alternatives to detention for children in conflict with the law.

154. Despite the action taken to improve the situation of children and combat poverty with a view to achieving the Millennium Development Goals, shortcomings and gaps persist that must be addressed in a way that meets the needs of all children. In particular, there are groups of children in difficulties whose natural vulnerability makes their protection a priority. Children with disabilities, child victims of exploitation, discrimination, abuse or lack of parental support, street children and child workers all need special attention. Such needs are all the more pressing, given that the Mauritanian population is very young (45 per cent of Mauritians are aged under 15) and the National Office of Statistics estimates that some child development indicators remain far from satisfactory. Moreover, following a prolonged and severe drought, poverty, household impoverishment, economic difficulties, breakdown of traditional family structures, weakening of solidarity networks and poor housing conditions have increased the numbers of children in difficult circumstances.

155. In 2001, the Government adopted a development policy strategy framework focused on poverty reduction. At the operational level, this strategy framework covered several areas, especially health, education, access to drinking water and nutrition, but its impact on children was minimal. It did not include enough of the measures needed to enforce children's rights, especially aspects related to children's participation and the special protection of children in difficulties. Nationally, ratification of the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child resulted in greater awareness, progress in the legal protection of children and more action by government bodies and civil society for the benefit of children. The preparation of the 2006–2010 phase of the PRSP was important, in that it allowed future strategic orientations to be redefined in the light of what had been achieved in the preceding three years of implementation and placed children on the Government's financial agenda. As a result, the outlook for children is promising. Mainstreaming the child dimension also helped remedy shortcomings and lay the groundwork for a coherent strategy which recognizes that dimension as a crosscutting element of the 2006–2010 PRSP. The following sectors were identified as priorities for action:

- Nutrition;
- Preschool education;
- Protection;
- Participation;
- Capacity-building of the structures responsible for steering the process of implementing actions for children.

#### **D. Follow-up to the visit of the United Nations High Commissioner for Human Rights**

156. Ms. Navi Pillay, United Nations High Commissioner for Human Rights, made a two-day working visit to Mauritania. She emphasized the importance of her visit, the first by a United Nations High Commissioner for Human Rights to Mauritania. These were initial talks to discuss the challenges facing human rights in Mauritania and evaluate the situation of human rights in the country. Mechanisms for cooperation with the High Commissioner were put in place and an agreement was signed on opening an OHCHR office in Mauritania, pursuant to which United Nations staff will be responsible for all missions for the protection and promotion of human rights in the country.

### **Conclusion**

157. In fulfilment of its obligations arising from the ratification of the Convention on the Elimination of All Forms of Discrimination against Women, Mauritania has embarked on a process of promoting and protecting women's rights. The action taken in this area reflects the Government's political will to create an environment favourable to women in all their diversity and social, economic and intellectual specificities.

158. In addition to its political commitment, Mauritania now has some important tools for completing the process of strengthening women's participation in the management of the community. Among other things, there is now a body responsible for gender issues, development partners have been brought into the process, civil society, the media and religious leaders are involved in raising awareness and mobilizing public opinion on women's rights, local courts have been set up to encourage women to assert their rights and women have access to microcredit.

159. However, some factors continue to undermine the success of the reforms that have been made. These include sociocultural resistance to change and to women's participation, inadequate enforcement — or complete absence — of laws criminalizing certain practices harmful to women, delay in the adoption and application of important strategies, lack of skilled human resources, lack of financial resources, absence of synergies among the sectors involved in the protection of women's rights and lack of statistics on women. The failure to decentralize local judicial structures at the regional level and the continuing high rate of female illiteracy are further impediments to the successful promotion of women's rights.

160. To overcome this situation and remove the obstacles to the full implementation of the Convention, the Government, civil society and the country's partners would be well advised to strengthen intersectoral coordination and the enforcement of laws relating to women, while consolidating the gains made in developing human resources to work on gender issues. This will require increased advocacy for the mobilization of resources and simplification of the process for adopting and applying laws and implementing strategies in favour of women.

## Annex

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