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**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

## Visit to Mauritania

### Report of the Working Group on discrimination against women and girls\*, \*\*

#### *Summary*

The Working Group on discrimination against women and girls visited Mauritania from 25 September to 6 October 2023. In the present report, the Working Group sets out its assessment of the situation of the human rights of women and girls in the country, noting achievements, challenges and pathways to progress, taking into account the context of the country's current legal, institutional and policy framework for promoting gender equality and the participation of women in the family and economic, social, cultural, political and public life, paying particular attention to discriminatory laws and sociocultural norms and gender-based violence against women and girls. It concludes with recommendations for making further progress in eliminating discrimination and promoting gender equality.

\* The summary of the report is being circulated in all official languages. The report itself, which is annexed to the summary, is being circulated in the language of submission and French only.

\*\* Agreement was reached to publish the present document after the standard publication date owing to circumstances beyond the submitter's control.



## Annex

### Report of the Working Group on discrimination against women and girls on its visit to Mauritania

#### I. Introduction

##### A. Visit

1. The Vice-Chair of the Working Group on discrimination against women and girls, Meskerem Geset Techane, visited Mauritania from 25 September to 6 October 2023, at the invitation of the Government. The Working Group expresses its deep appreciation to the Government for its extraordinary cooperation and the fruitful exchanges during the visit.

2. The Vice-Chair met with representatives of central and local authorities, independent State institutions, international organizations and civil society organizations and women and girls in Nouakchott, Mamghar and Bassikounou. In Nouakchott, the Vice-Chair met with the Commissioner for Human Rights, Humanitarian Action and Relations with Civil Society, and representatives of the Ministry of Foreign Affairs, Cooperation and Mauritians Abroad, the Ministry of Justice, Ministry of the Interior and Decentralization, the Ministry of Islamic Affairs and Original Education, the Ministry of Social Action, Children and the Family, the Ministry of Health, the Ministry of Economic Affairs and Promotion of Productive Sectors, the Ministry of National Education and Education System Reform, the Ministry of Higher Education, Scientific Research and Information and Communications Technology, the Ministry of Culture, Youth and Sports, the Ministry of Civil Service and Labour, the Ministry of Digital Transition, Innovation and Modernization of Administration, the Ministry of Commerce, Industry, Handicrafts and Tourism, the Ministry of Employment, Vocational Training and Information and Communications Technology, the Ministry of the Environment and Sustainable Development, and the Chamber of Commerce. The Vice-Chair also met with representatives of the Office of the General Prosecutor, the Supreme Court, local courts at the department (*moughataa*) level, the National Human Rights Commission, the National Observatory for the Rights of Women and Girls and the National Independent Election Commission. She held meetings with parliamentarians on the Foreign Affairs Committee and the Islamic and Social Affairs Committee and members of an ulama association. In Mamghar and Bassikounou, the Vice-Chair met with women's associations and cooperatives. In Bassikounou, she visited the Mbera refugee camp, which hosts more than 90,000 refugees,<sup>1</sup> and met with local authorities, including the mayor, a department-level court official and the gendarmerie. In Nouakchott and Bassikounou, the Vice-Chair visited local schools and public hospitals, including the Nouakchott Mother and Children's Hospital. In addition, in Nouakchott, she visited a women's prison, a special police commission for children, a State-run shelter for children and young people, and a civil society-run shelter for victims of gender-based violence. The Working Group expresses its sincere appreciation to all interlocutors for their engagement and valuable input.

3. The Vice-Chair also met with representatives of United Nations entities, in Nouakchott and Bassikounou, and civil society organizations and associations that promote the rights of women and girls. The Working Group would like to thank the courageous activists who shared powerful testimonies and insights, including those who had travelled from Nouadhibou and Selibabi to meet with the expert. The Working Group also wishes to thank the Office of the United Nations High Commissioner for Human Rights (OHCHR) country office in Mauritania, the Resident Coordinator Office and the Office of the United Nations High Commissioner for Refugees (UNHCR) office in Bassikounou, for their invaluable support.

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<sup>1</sup> UNHCR, Operational Data Portal, "Mauritania: situation map as at end of September 2023", available at <https://data.unhcr.org/en/documents/details/104248>.

## B. Context

4. The geographical position of Mauritania as a bridge between North and sub-Saharan Africa has made it a melting pot of civilizations. This vast multi-ethnic country with a rich sociocultural heritage has a population estimated at 4.5 million, with women representing about half of it. It is one of the least densely populated countries in the world, and 56 per cent of its inhabitants live in urban areas, where living conditions sharply contrast those in rural areas. Mauritania faces considerable challenges with growing desertification and droughts and limited arable land, and the unstable security context in the region leads to massive influxes of refugees.

5. Although poverty has been steadily declining in recent decades, it still affects 58.4 per cent of the population, severely affecting women and girls. The country's socioeconomic development is hampered by environmental challenges and structural challenges. After its independence in 1960, the country's history was marked by political instability and military coups. However, in recent years, Mauritania has made considerable progress towards democratization, with a peaceful transfer of power in 2019.

6. Despite the increased participation of women in political and public life, the country still lags behind others in terms of gender equality. Mauritania ranked 146th of 156 countries in the Global Gender Gap Index in 2021,<sup>2</sup> ranking 14 of 19 countries at the regional level. Most interlocutors stressed that sociocultural constraints hindered further progress in that area. They also indicated that the realities lived by women and girls greatly varied depending on their ethnic background and geographical location, with those living in rural areas facing greater obstacles in claiming their rights. The Working Group fears that Mauritania will not be able to achieve sustainable development without ensuring the genuine and equal participation of women and girls in all spheres of life.

## II. Legal, policy and institutional frameworks

### A. Ratification of international instruments and cooperation with human rights mechanisms

7. Mauritania has ratified all core United Nations human rights instruments, the African Charter on Human and Peoples' Rights, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), the African Charter on the Rights and Welfare of the Child, the Convention relating to the Status of Refugees and several conventions of the International Labour Organization (ILO).<sup>3</sup> The Government has demonstrated a strong commitment to cooperating with United Nations human rights mechanisms, as shown by its robust engagement with the human rights treaty bodies and extending invitations to special procedure mandates. In interacting with human rights mechanisms, the country's leadership has reiterated its commitment towards the fulfilment of the human rights of women and girls.

8. While Mauritania ratified the Convention on the Elimination of All Forms of Discrimination against Women, in 2001, it has entered reservations to article 13 (a) and 16 of the Convention, on the grounds of incompatibility with sharia. The Working Group emphasizes that, under international human rights law, religious principles may not be used as a justification to perpetuate discrimination against women and girls.<sup>4</sup> Mauritania has not yet ratified the Optional Protocol to the Convention, nor the Optional Protocols to the Convention on the Rights of the Child. Ratifying those instruments would be a welcome step, demonstrating the Government's commitment to the protection of the rights of women and girls.

<sup>2</sup> World Economic Forum, *Global Gender Gap Report 2021*, p. 273. Available at [www3.weforum.org/docs/WEF\\_GGGR\\_2021.pdf](http://www3.weforum.org/docs/WEF_GGGR_2021.pdf).

<sup>3</sup> See [www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11200:0::NO::P11200\\_COUNTRY\\_ID:103075](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11200:0::NO::P11200_COUNTRY_ID:103075).

<sup>4</sup> See [A/HRC/43/48](#).

## B. Constitutional and legal framework

9. Discrimination, including on the basis of sex, is prohibited under article 1 of the Constitution of Mauritania. The preamble to the Constitution affirms the country's commitment to the principles of democracy as defined in the Universal Declaration of Human Rights, the African Charter on Human and Peoples' Rights and other international conventions ratified by Mauritania. International instruments, once published in the *Official Gazette*, have primacy over domestic laws, pursuant to article 80 of the Constitution.

10. In recent years, the Government has adopted several laws promoting the rights of women and girls, including Act No. 2018-023 on the prohibition of all forms of discrimination, including sex discrimination, Act No. 2022-023 on children's right to education and Act No. 2018-024 on the protection of children, including from female genital mutilation. The Labour Code of 2004 establishes the right to equal pay for work of equal value for men and women, under article 191, and provides for maternity leave with daily financial assistance, under articles 39 and 41.

11. Nevertheless, the Working Group regrets that the plural legal system of Mauritania, in which sharia takes primacy over all domestic legislation, comprises numerous discriminatory laws that are contrary to the State's international human rights obligations and impede genuine advancement towards gender equality.

### 1. Personal Status Code

12. The Personal Status Code of 2001 remains one of the chief sources of discrimination against women and girls in Mauritania. The Code provides for a marital framework under the authority of the husband, based on the "complementarity" of rights, instead of equal rights between the two spouses. This set of rights is based on the concept of male guardianship over women and children. Article 1 defines the purpose of marriage as procreation, and article 56 states that a husband constitutes the head of household, whereas a wife's role is to assist him in managing the family. The Code contains a series of troubling provisions on, inter alia, the repudiation of marriage, which can only be initiated by the husband, inheritance rights, which accord the man twice a woman's share, and the custody of children upon the dissolution of marriage, in which the mother loses custody of children upon remarriage, with a narrow set of exceptions.

13. The Working Group regrets that article 45 of the Code recognizes polygamy as an institution under ordinary law. In the absence of a monogamy clause agreed with the first wife, a husband may simultaneously have four wives without obtaining the consent of the existing wife or wives or the court. Polygamy, as the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women have expounded, is contrary to the dignity of women and girls and infringes on their human rights and freedoms, including equality and protection within the family.<sup>5</sup>

14. Under articles 6 and 7 of the Code, child marriage is permitted, with minimal restrictions. While setting the minimum age of marriage at 18, it allows for exceptions if a male guardian consents to a child's marriage on the basis of a determination that it is in the child's best interests. Even in cases where a guardian is found to have consented only for personal gain, the marriage remains valid. Under article 9 of the Code, there is no absolute minimum age under which marriage may not be authorized, and a girl's consent to marriage may be implied by silence.

### 2. Penal Code

15. The Working Group regrets that several provisions of the Penal Code of 1983 are prejudicial against women and girls and fail to adequately protect them from gender-based violence. For example, article 307 of the Penal Code punishes extramarital relationships (*zina*) with public flogging, fines, imprisonment or a death sentence for the married person. As

<sup>5</sup> See joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices.

stressed by the Working Group,<sup>6</sup> the criminalization of adultery may seem gender-neutral, but in practice, such sanctions are overwhelmingly targeted at women, given that pregnancy is used as a proof against them, and grant impunity to men in cases of sexual violence (see paras. 82 and 93 below).

16. The Penal Code contains a section on “morality crimes”, which include heresy and apostasy (article 306), and such punishments as lapidation, amputation and flagellation, which are contrary to the human rights obligations of Mauritania.

17. The Working Group further regrets that, under article 293 of the Penal Code and Act No. 2017-025 on reproductive health, the voluntary termination of pregnancy and assisting termination are punished with imprisonment, fines and a minimum five-year suspension of one’s professional license, if applicable. Exceptions are made only when the life of the pregnant woman is in danger, and termination is even prohibited in cases of rape, incest, threats to the health of the pregnant woman or severe fetal impairment.

18. While the Penal Code criminalizes rape, under article 309, it does not define the crime, rendering its application ambiguous in the light of the criminalization of adultery. Furthermore, there is no provision on domestic violence in the Penal Code, nor any mention of psychological violence or economic abuse.

### **3. Draft law on violence against women**

19. A draft law on violence against women, which would, inter alia, define and criminalize rape, incest, sexual harassment, economic violence and psychological violence, has been pending since 2016. Owing to considerable resistance from various sectors of society and misconceptions about its scope and objective, the bill has not been adopted yet. However, the Working Group observed that the vast majority of stakeholders, including some religious leaders, supported its adoption as essential for tackling the impunity for gender-based violence.

20. The experts welcome the recent consultations held in the context of the draft law, which involved civil society organizations, religious leaders, parliamentarians and other concerned stakeholders. Such consultations with women’s rights organizations should be sustained in an inclusive manner.

21. Although a step in the right direction, the draft law has several deficiencies in the light of international standards.<sup>7</sup> The bill’s definition of rape does not place the absence of the victim’s consent at its core and fails to cover marital rape or other forms of sexual violence besides bodily penetration. Furthermore, while the draft law criminalizes child marriage, it only does so for persons who violate the Personal Status Code, which allows for child marriage if it is deemed to be in the child’s best interests (see para. 14 above).

22. The Working Group urges the Government to continue building momentum for the adoption of a comprehensive law on gender-based violence and to strengthen the draft law in line with international standards.

### **4. Other laws**

23. The Nationality Code of 1961 fails to give Mauritanian women equal rights in transferring their nationality to their children who are either born abroad or to a foreign spouse.<sup>8</sup> Under the Code, while a Mauritanian man may pass his nationality to his non-Mauritanian wife upon marriage, there is no express provision that allows the same for

<sup>6</sup> See

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=23447>.

<sup>7</sup> See Committee on the Elimination of Discrimination against Women, general recommendation

No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19; and Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, the latter of which is open to universal ratification, as the most solid road map for addressing gender-based violence against women and girls.

<sup>8</sup> This issue was also raised by the Working Group in a communication sent in 2014, available at

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=17525>.

Mauritanian women (arts. 8, 13, 16 and 18). Similarly, while a Mauritanian father may pass his nationality to his children wherever they are born, a Mauritanian mother may do so only if her children are born in Mauritania or if the father's nationality is unknown.

24. The Labour Code contains discriminatory restrictions on women's right to work, under articles 166 and 247, such as prohibition from working in occupations deemed contrary to their health, physical integrity and decency and from working at night in certain professions (e.g. jobs in factories and at mining and construction sites).

25. In view of the State's legally binding obligations under the international human rights instruments to which it is a party, the Working Group recommends a thorough and comprehensive revision of all laws that may be, directly or indirectly, discriminatory against women and girls.

### C. Policy and institutional framework

26. The Government has adopted numerous policies and action plans relevant to gender equality, including the national strategy for gender institutionalization, in 2015, the national strategy to end violence against women and girls, in 2019,<sup>9</sup> the national strategy for the elimination of child labour, in 2015, and several others (see paras. 62, 64 and 81 below). The Working Group welcomes the establishment of gender units in various ministries and emphasizes the importance of allocating sufficient resources to them.

27. The Working Group commends Mauritania for establishing the National Observatory for the Rights of Women and Girls by decree No. 2020/140, which is mandated to monitor the realization of, and promote, the rights of women and girls, in collaboration with the Government, the parliament and civil society actors. However, as an institution housed under the Office of the Prime Minister, and not an autonomous body established by law, the Observatory has not been given full independence or the necessary budget to fulfil its mandate.

28. The Working Group recognizes the commendable work of the National Human Rights Commission<sup>10</sup> and welcomes its initiatives to document gender-based violence. The experts hope that the Commission will deepen its analysis of discriminatory laws and the root causes of gender-based discrimination in the country and that it will continue receiving the necessary support to fulfil its mandate, in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

29. While some relevant policy and institutional frameworks for protecting the rights of women and girls are in place, several gaps remain in terms of implementation, coordination, monitoring and the resources attributed to key entities. The Working Group urges the State to adopt a whole-of-government approach to gender equality, including by ensuring gender-responsive budgeting across all ministries.

## III. Family and culture

30. During the visit, interlocutors shared contrasting perceptions on the status of the rights of women and girls in the country. Whereas many acknowledged the gender-based discrimination deeply rooted in the fabric of society and culture, others denied the existence of such discrimination. Certain interlocutors regretted that women were instrumentalized to perpetuate misperceptions of a so-called "matriarchal society where the woman is cherished".

31. The Working Group observed that, due to cultural misconceptions about the complementarity of women and men, instead of promoting the substantive equality of women and men, women are left behind. Discriminatory expectations of the appropriate role of

<sup>9</sup> CEDAW/C/MRT/4, para. 38.

<sup>10</sup> The National Human Rights Commission was accredited with A status in 2020 by the Global Alliance of National Human Rights Institutions.

women and girls and the unequal distribution of domestic tasks and care considerably hamper women from participating equally in all spheres of society.

32. The Working Group was told that most men do not want to question the established representation of masculinity.<sup>11</sup> Several interlocutors, including State officials, stressed the urgency of addressing patriarchal norms and attitudes, which continue to legitimate male domination and the oppression of women. In that regard, the Government must take all appropriate measures to modify the social and cultural patterns of conduct of men and women, as required under article 5 of the Convention on the Elimination of All Forms of Discrimination against Women.

## **A. Marriage, including child and forced marriage and polygamy**

33. The Working Group is alarmed that one third of women in Mauritania (32 per cent) are married to spouses that they did not choose themselves, with 8 per cent of them having entered into forced marriages. The percentage of women who marry without choosing their spouses is particularly high in rural and low-income areas, where more than half of women and girls marry in this manner.

34. The rate of women in polygamous unions varies, between 24 per cent and 1 per cent depending on their age, level of education and geographical location, with the average being 8 per cent across the country. Polygamy is most common in the *wilaya* (governorate) of Guidimagha (24 per cent), a rural region with the highest rate of poverty in Mauritania. Given polygamy's grave consequences on the health, well-being and socioeconomic opportunities of women and children, and communities as a whole, the Working Group is pleased to note the decrease in this harmful practice, and it urges the Government to continue its efforts towards its elimination.

35. The Working Group is also concerned that 39 per cent of girls in Mauritania are married before the age of 18 and that 17 per cent are married before the age of 15, with child marriage rates being the highest in rural and low-income areas. In contrast, only 2 per cent of boys are married before the age of 18. With its disproportionate impact on girls, child marriage is mainly the result of gender-based discrimination and a harmful practice that must be eradicated.<sup>12</sup> In order to prevent child marriage, the Government should challenge the religious and cultural discourse that encourages this practice and employ broad public education strategies, in tandem with sanctions, including criminal sanctions, against perpetrators.

## **B. Birth and identity registration**

36. The Working Group welcomes initiatives to address the low rates of birth registration, which has considerable lifelong repercussions on a person's civil status, education and health. Only 45 per cent of Mauritanian children under 5 years of age are currently registered, and this rate greatly varies depending on the region (from 16 per cent to 81 per cent), with the lowest rates of registration in low-income and rural areas. The vicious cycle of parents and children left without an identity must cease, and sustained efforts to register all individuals must be organized and deployed.

37. Some interlocutors deplored that the wounds of the regrettable and painful events of 1989 had still not been duly addressed. Children and families of expelled Black Mauritians, including women and girls, continue living in precarious situations, sometimes deprived of an identity and nationality. The Working Group hopes that, to sustain the stability and unity of the country, the Government will prioritize genuine national reconciliation and reparations,

<sup>11</sup> See [A/HRC/WG.11/37/1](#).

<sup>12</sup> See joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices.



in line with human rights standards, providing all necessary assistance for expelled Mauritians to reintegrate into society on an equal standing.

### C. Rising religious fundamentalism

38. Some interlocutors expressed concerns about the rise of religious fundamentalism in the country, especially in the most marginalized areas. They noted a pressure to adopt religious interpretations that were not inherent to Mauritanian traditions, leading to a sense of losing one's national identity. While the Working Group is committed to upholding freedom of religion or belief, it regrets the increasing challenges to gender equality in the name of religion, which should never be used to justify discrimination against women and girls.<sup>13</sup>

39. The experts urge the Government, civil society actors, the media and international partners to promote the positive values of Mauritanian culture and traditions and deploy all efforts to vehemently combat discriminatory interpretations of religion. In that regard, the Working Group recognizes the important contribution and potential of women religious leaders, including the ulama and *mourchidates*,<sup>14</sup> and urges the Government to robustly support their scholarship and leadership in combating extremism and promoting gender-inclusive interpretations of religion.

## IV. Public and political life

### A. Elected and appointed positions

40. The Working Group welcomes the adoption in 2006 of order No. 2006-029, introducing gender quotas, allocating 20 of 88 seats for women in the National Assembly and 20 per cent of seats for women on municipal councils, among other measures. Since then, there has been an increase in the representation of women in the parliament, which rose from 17 per cent in 2006 to 23.3 per cent following the elections held in May 2023.

41. Although the latest elections yielded the highest percentage of women elected to the parliament, the representation of women holding elected office at the regional and municipal levels has decreased. There is 1 woman president of a regional council, of 13 (7.6 per cent), and 2 women mayors, of 238 (0.84 per cent).<sup>15</sup> Furthermore, there is only 1 woman governor, of 15 (6.6 per cent), and 8 women deputy prefects, of 54 (14.8 per cent). Some interlocutors regretted that women often did not have sufficient financial means to run for elected offices, despite being leaders and vocal advocates in their communities, and faced barriers to meaningful participation in political decision-making, even when they were elected.

42. The Working Group is concerned that the electoral quota law, which requires political parties to alternate between men and women on their candidate lists, can be misinterpreted in such a way that women, in most cases, are placed lower than men on the electoral list, thereby limiting their chances of assuming a seat won by their party.<sup>16</sup> Furthermore, there is no gender quota imposed on parties for heads of their candidate lists, which would be an important measure to promote the political representation of women. The Working Group also heard from interlocutors that women continued to be underrepresented in political party leadership, with only 4 of 25 (16 per cent) parties including women in their leadership.

<sup>13</sup> See [A/HRC/38/46](#) and [A/HRC/29/40](#).

<sup>14</sup> United Nations Office on Drugs and Crime, "The Mourchidates: the Mauritanian women religious guides responsible for deconstructing radical discourse and preventing violent extremism", available at [www.unodc.org/westandcentralafrica/en/westandcentralafrica/stories/2022/the-mourchidates--the-mauritanian-women-religious-guides.html](http://www.unodc.org/westandcentralafrica/en/westandcentralafrica/stories/2022/the-mourchidates--the-mauritanian-women-religious-guides.html).

<sup>15</sup> In addition, 1,435 (34.65 per cent) of 4,142 municipal counsellors are women.

<sup>16</sup> Interlocutors informed the Working Group that, under a different interpretation of the law, the alternation can be implemented in pairs, whereby, instead of alternating one man for one woman on the list, two candidates may be alternated for another pair, resulting in women always being the alternate and decreasing their chances of winning office.



43. At the Cabinet level, only 7 of the 28 ministries (25 per cent) are led by women, and, in diplomatic positions, only 3 of 44 ambassadors are women (6.8 per cent). Overall, 34.6 per cent of public servants working in the Government are women. The Working Group welcomes the Government's affirmative action programme for women in the civil service placement exams, but it regrets that women are still not uniformly represented across various ministries and are largely underrepresented in decision-making positions. The experts encourage Mauritania to continue implementing special measures to increase the representation of women at the highest levels of public life, given that gender parity (50:50) is a key indicator of gender equality.<sup>17</sup>

## **B. Justice sector**

44. Mauritanian women are severely underrepresented in the law enforcement, judicial, and legal sectors. According to information received, there are only 18 women working as police officers and/or police inspectors in the entire country, with one woman serving as a high-ranking police commissioner and four women serving as commissioners who head police stations specializing in child justice matters. Furthermore, there are very few women lawyers in the country, and only 1 of 314 magistrate judges are women.

45. The Working Group was informed that prevailing negative social and cultural norms about the roles of women in society have been frequently employed to undermine the participation of women in the legal and law enforcement sectors, on the basis of the stereotype that women are unfit or hesitant to pursue these fields due to the high workload and intensity. Nonetheless, the Working Group was encouraged to meet with committed women police commissioners and lawyers who had overcome negative stereotypes and occupied positions of leadership, exhibiting a strong desire to pave the way for other women and girls.

## **C. Women and girl human rights defenders**

46. Women's associations and organizations in Mauritania play a key role in the gender equality struggle, complementing, and often taking on, tasks of the Government. Most interlocutors regretted the lack of coordination and the duplication of work among civil society actors. They systematically called for enhanced networking and solidarity-building within the movement, including with international and regional women's rights organizations. They also stressed the importance of holding intergenerational dialogues to reinforce current efforts.

47. The Working Group notes with concern the current climate of self-censorship among women and girls, in particular in discussions concerning the draft law on gender-based violence and gender equality issues in general. An activist shared the concern that "being labelled as a feminist is to have the whole society against you", highlighting the fear of stigmatization and reprisals.

48. Any harassment, intimidation or threats against activists must not be tolerated and must be duly addressed. The Working Group recommends the adoption of a gender-responsive law ensuring the protection of human rights defenders in compliance with international standards.<sup>18</sup> Furthermore, in the light of the key role that women's and girls' organizations and networks play in strengthening democracy, they should be granted sufficient resources and opportunities to participate in policymaking and lawmaking.

<sup>17</sup> Convention on the Elimination of All Forms of Discrimination against Women, art. 4; and Committee on the Elimination of Discrimination against Women, general recommendation No. 25 (2004) on temporary special measures.

<sup>18</sup> Convention on the Elimination of All Forms of Discrimination against Women, art. 7; International Covenant on Civil and Political Rights, art. 19; Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms; (General Assembly resolution 68/181; Human Rights Council resolutions 31/32 and 13/13; [A/HRC/23/50](#); and [A/HRC/50/25](#).

## V. Economic and social life

49. Poverty experienced by women and girls often emanates from blatant systemic failures rooted in gender-based discrimination and exclusion, manifesting in the lack of decent work, lack of high-quality and accessible education, unequal access to rights to land and housing and chronic food insecurity.<sup>19</sup> The vicious cycle of poverty and exploitation particularly afflicts women who experience multiple and intersecting forms of discrimination, including rural women, migrant and refugee women and girls, women with disabilities and women from marginalized ethnic groups. In Mauritania, the heaviest burden of poverty is borne by women and girls in rural areas, where three quarters of Mauritians living in poverty reside.<sup>20</sup>

### A. Participation in the labour force and entrepreneurship among women

50. The Working Group commends the efforts of Mauritania to provide vocational training to women by establishing centres where they can be trained for jobs in female-dominated sectors, such as sewing, hairdressing, soap production, secretarial services and medical equipment maintenance. Nevertheless, the Government should diversify training courses to include those oriented towards jobs in traditionally male-dominated sectors.

51. The gender gap in labour force participation in Mauritania remains stark, with only 26.4 per cent of women participating compared with 56.6 per cent of men. Informal and precarious employment remains high among Mauritanian women, at 76.5 per cent, compared with 42.9 per cent among men. Rural women are largely excluded from the formal labour market, although they are active participants in the agricultural and livestock sector. The low rates of participation in the labour force among women and their concentration in the informal sector reflect structural discrimination, including the persistence of gendered expectations, norms and attitudes.

52. Women and girls often carry the majority, if not all, of the burden of unpaid care and household work, which many interlocutors described as the “woman’s job”. The absence of childcare offered by the State also significantly hinders women from working outside the home and achieving economic empowerment. This burden is especially pronounced for women who are heads of household, which represent 39 per cent of all households, often owing to their being widowed or abandoned by their spouses without receiving any spousal maintenance or social protection.

53. Women continue to be severely underrepresented in entrepreneurship and business ownership. As of 2018, only 11 per cent of Mauritanian businesses were owned by women. Furthermore, as of 2014, only 5 per cent of Mauritanian firms in the private sector included women in upper management. Although the Government has facilitated microfinancing programmes targeting women, in particular rural women, access to credit remains a significant challenge. The Working Group was told that banks tended to provide credit only to men, even when women could provide collateral, which is a discriminatory practice that severely curtails entrepreneurship among women and their ability to improve their livelihoods.

### B. Access to land and property

54. Land and house ownership among Mauritanian women remain at extremely low levels, significantly hindering women’s right to an adequate standard of living, food security and access to credit. According to data from the Government’s demographic and health survey, 2019–2021, less than 14 per cent of women owned a house, and only 6 per cent of them owned land. In contrast, 34 per cent of Mauritanian men owned a house and 20 per cent of them owned land.

<sup>19</sup> See [A/HRC/53/39](#).

<sup>20</sup> The most recent Gini index (2014) for Mauritania is 32.6.

55. The lack of land ownership among rural women is especially troubling, given that 60 per cent of them work in the agricultural sector. Only 4.2 per cent of rural women own land, rendering the vast majority of them highly vulnerable to livelihood shocks and the negative effects of climate change. As such, adopting legislation guaranteeing equal rights for women to land and property ownership and implementing initiatives to facilitate asset ownership among women will be a key stepping stone for Mauritania in lifting families out of poverty and achieving sustainable development.<sup>21</sup>

## C. Education

56. Mauritania has made notable strides in enhancing access to education for women and girls, although much remains to be achieved. The Working Group was informed that the Government provides free education at all levels and has undertaken a revision of textbooks to eliminate gender-stereotyped content. Furthermore, State interlocutors explained that the Government sought to prioritize girls in the allocation of scholarships, with a 30 per cent quota for girls in certain programmes, and that enrolment of women and girls in public universities had increased, from 37 per cent in 2019 to 48 per cent in 2023. The Working Group was pleased to learn that the Government endeavours to promote cultural and artistic expression and sports among women and girls through various initiatives, including by maintaining a national women's football team.

57. While there have been significant gains in gross enrolment in primary education, with 98 per cent of girls enrolled in 2020, the enrolment rate for secondary education remains low, at 38 per cent, and only 45 per cent of girls complete lower secondary education. Girls, in particular in rural areas where poverty is even more acute, face significant barriers in access to education, because schools are located far away from their homes. Pregnancy resulting from child marriage is also a significant factor for school dropout among girls.

58. The Working Group was concerned to hear that tertiary, and sometimes even secondary, education is a luxury only available to girls from families who can afford to send their children to larger cities. Interlocutors also regretted that most primary schools remained highly underresourced, in some cases obliging teachers to simultaneously instruct multiple grades in the same classroom and lacking sufficient textbooks to individually distribute to students.

59. Sexual harassment and gender-based violence from teachers were also reported as a concern likely contributing to school dropout among girls. The Working Group was shocked to hear about serious cases of sexual violence against girls, including in religious schools (*mahadra*), with little to no accountability. It is unacceptable that schools, which should be safe spaces for growth and learning, can on the contrary be places for violations of students' human rights and dignity.

60. Despite the educational shortcomings and challenges faced by girls, the Working Group was encouraged to hear that girls often outperformed their male peers at school. The Government should continue investing in education to allow for girls to reach their full potential, including through targeted initiatives for girls in rural areas, girls pursuing secondary and tertiary education and girls who have dropped out of school.

## VI. Health

### A. Access to health care

61. The extremely precarious public health situation in Mauritania is marked by high morbidity and mortality, in particular among women and children. The country's health-care system is significantly hampered by meagre resources, leading to a severe scarcity of health care, both in terms of quality and geographical coverage. The Working Group notes with

<sup>21</sup> In that regard, please see the Working Group's position paper on insecure land rights for women, available at [www.ohchr.org/sites/default/files/Documents/Issues/Women/WG/Womenslandright.pdf](http://www.ohchr.org/sites/default/files/Documents/Issues/Women/WG/Womenslandright.pdf).

regret that some hospitals do not even have a single gynaecologist. Despite these major constraints, the Working Group observed the admirable commitment and passion of certain health-care workers who operated, around-the-clock, in extremely challenging conditions (e.g. inadequate infrastructure and limited equipment and medicines).

62. There is no universal health coverage in the country, even though it is one of the objectives set in the national health development plan, 2022–2030. State interlocutors explained that the available public health scheme only covers 10 per cent of the poorest population. According to the demographic and health survey, only 9 per cent of women are covered by a medical insurance, and 56 per cent of women cited cost as their main obstacle to obtaining health care, with 41 per cent indicating the distance to facilities and 34 per cent referring to issues obtaining permission from a male relative as additional challenges. The Working Group also learned that hardly any women receive preventative health care, with only 1 per cent of women receiving uterine cancer screening.

63. Data show that obesity disproportionately affects Mauritanian women, with more than 20 per cent of women, compared with 10 per cent of men affected. Although the harmful practice of forced feeding (gavage) seems to have almost disappeared in urban areas, it persists in some rural areas. Moreover, the Working Group was informed that many women and girls use skin whitening products and medicine for weight gain that pose major health risks, raising the need to proactively combat discriminatory and stereotypical beauty standards.

## **B. Sexual and reproductive health**

64. The Working Group welcomes the Government's efforts to improve access to sexual and reproductive health services and to combat maternal mortality, in particular the adoption of Act No. 2017-025 on reproductive health and the national strategy on reproductive health.

65. Despite some progress made, maternal mortality rates in Mauritania remain among the highest in the world (424 per 100,000 births in 2020), and a significant percentage of women (30 per cent) give birth without the assistance of a skilled provider. The high maternal mortality rate is inextricably linked to teenage pregnancy, lack of birth spacing, female genital mutilation and the lack of antenatal care, in particular in rural areas. Fertility rates in the country are 5.2 children per woman (6.4 in rural areas and 4.1 in urban areas). Data show that 18 per cent of girls give birth by 18 years of age.

66. The Working Group was informed that contraceptives, including the emergency contraceptive pill, are distributed for free in some hospitals and health centres. However, only 13 per cent of women use a modern contraceptive method, and 31 per cent of women have unmet contraceptive needs. Interlocutors regretted that some health centres required the consent of a woman's husband to provide her with contraceptives, although it was not formally required.

67. The Working Group welcomes the efforts by the Ministry of Health to involve religious leaders in raising awareness of the importance of spacing births, increasing the number of mobile units providing antenatal care and training community midwives. The experts encourage the Government to step up efforts, including by providing a free and enhanced State-sponsored obstetric package to pregnant women, which, according to information received, currently costs 450 ouguiyas (approximately \$11) and fails to provide any essential medicines besides iron.

68. The Working Group is dismayed by the high rates of teenage pregnancy, which has irremediable consequences. It therefore strongly recommends that the Government address the current lack of comprehensive sexual and reproductive health education in the mandatory school curriculum for adolescent girls and boys,<sup>22</sup> with special attention devoted to preventing child marriage, teenage pregnancy and gender-based violence.

<sup>22</sup> Special Rapporteur on the right of everyone to the highest standard of physical and mental health et al., "Compendium on comprehensive sexuality education", March 2023, available at

69. In view of the alarming prevalence of rape (see para. 71), which often results in a forced pregnancy (in over 32 per cent of rape cases, according to information received), the Working Group echoes concerns expressed by various human rights bodies<sup>23</sup> concerning the criminalization of abortion except in limited circumstances. According to data from the World Health Organization, such restrictions compel women to turn to unsafe and clandestine abortions, putting their lives and health in danger.<sup>24</sup>

70. Overall, issues related to the sexual and reproductive health rights of women and girls deserve increased attention by the authorities concerned and international partners. All relevant stakeholders should not shy away from addressing sensitive concerns made invisible by societal taboos.

## VII. Gender-based violence against women and girls

### A. General prevalence and manifestations of gender-based violence

71. Interlocutors repeatedly raised their concern about the widespread nature of gender-based violence against women and girls. In particular, the Working Group heard that sexual violence was widespread, including in the family and the community, and on the way to and in school. According to data received, the victim in the majority of rape cases was a girl under the age of 18. The Working Group also received alarming reports of girls in street situations who were particularly vulnerable to sexual violence, including perpetrated by police officers.

72. The Working Group was told that the concept of marital rape was not accepted, due to a dominant belief that “when a husband needs his wife, she has to be available”. Interlocutors also raised grave concerns about increased cases of extreme domestic violence resulting in severe injuries and alarming cases of femicides. The Working Group also heard that women were at times severely harassed at work and were compelled to leave their jobs. Sexual harassment on the street has also been described as omnipresent, affecting women and girls in both urban and rural areas.

73. The data on gender-based violence from the demographic and health survey indicate that 10 per cent of women 15 to 49 years of age have experienced physical violence, and 6 per cent have experienced sexual violence, among whom 65 per cent have never sought help or told anyone. The experts fear that, given the stigma around gender-based violence, the real prevalence is not reflected in these surveys. Most interlocutors explained that victims of domestic violence were silenced, their suffering often kept within the family, and that, in certain sociocultural spheres, it was even accepted as normal.

### B. Female genital mutilation

74. The Working Group commends the prohibition by law of female genital mutilation,<sup>25</sup> and several preventive actions led by the Government, including through the socioeconomic rehabilitation of traditional cutters. The general prevalence of female genital mutilation in the country remains very high (67 per cent). Despite a decrease in female genital mutilation rates (45 per cent for girls under 14), the experts are appalled that the practice persists, in particular in rural areas (77 per cent, compared with 55 per cent in urban areas).

75. Notably, 35 per cent of women and 44 per cent of men still believe that female genital mutilation is required under the tenets of their religion, while 44 per cent of women and

[www.ohchr.org/en/documents/tools-and-resources/compendium-comprehensive-sexuality-education](http://www.ohchr.org/en/documents/tools-and-resources/compendium-comprehensive-sexuality-education); see also [A/HRC/47/38](#).

<sup>23</sup> See [CEDAW/C/MRT/CO/4](#) and [CCPR/C/MRT/CO/2](#).

<sup>24</sup> World Health Organization, *Abortion Care Guideline*, 2022, available at <https://iris.who.int/bitstream/handle/10665/349316/9789240039483-eng.pdf?sequence=1&isAllowed=y>.

<sup>25</sup> Act No. 2017-025 on reproductive health and the General Child Protection Code of 2018.

26 per cent of men think that female genital mutilation should be discontinued. In that regard, the Working Group welcomes the Government's efforts in working with religious leaders to deconstruct cultural misconceptions and raise awareness of the devastating effects of female genital mutilation. The Working Group was informed that, since the adoption of the laws prohibiting female genital mutilation, no cases were reported to authorities, highlighting a serious monitoring gap.

76. No belief or custom should be distorted for the purpose of violating the rights of women and girls. It is crucial to deploy every possible means to eradicate this atrocious form of violence and torture,<sup>26</sup> which has serious and irreversible psychological and physical consequences for girls and women, including death. Reporting of the practice must be encouraged and perpetrators of the mutilation severely sanctioned.

### C. Access to justice

77. The Working Group welcomes the current efforts by the Office of the General Prosecutor to document and duly address cases of sexual violence and encourages the continuation of such undertakings. Furthermore, in view of the alarming number of rapes perpetrated against girls, the Working Group welcomes the appointment of women police commissioners and inspectors leading police stations specializing in child justice. They perform their functions, often going beyond the call of duty, with very limited resources.

78. Despite current efforts, most interlocutors explained that access to justice for women and girls who are victims of gender-based violence is obstructed by major systemic shortcomings and sociocultural barriers, leading to a culture of total impunity. Most cases of gender-based violence, including domestic violence and sexual violence, remain unreported, given that families and communities prefer reconciliation, due to the stigma associated with victimization. Rape convictions are rare, due in part to a lack of clarity in the Penal Code concerning sexual violence (see para. 18 above), but mainly due to the high evidentiary burden, which makes it practically impossible to prove the offence and receive justice.

79. The Working Group was informed that a significant number of women are arrested, prosecuted and sentenced for adultery, including in cases of rape. Interlocutors also explained that victims were deterred, sometimes by their own lawyers, from reporting sexual violence, due to fears of prosecution. It is unacceptable that women in Mauritania are dissuaded from denouncing this brutal form of gender-based discrimination out of a fear of being prosecuted themselves.

80. The Working Group was also informed that, even when a victim decides to lodge a complaint, she is often stigmatized and blamed by members of the justice sector, from police officers to prosecutors and judges. For example, victims are subject to derogatory and gender-discriminatory questions and comments about their attire at the time of rape and the reason for their presence at the place in question, insinuating that they are responsible for what happened to them. According to interlocutors, even if a rape conviction is secured, in some instances, sentences are unjustly mitigated during the appeals process.

81. Despite the law on legal aid,<sup>27</sup> which was intended to increase access for women to legal assistance, and the development of the national strategy for judicial assistance, 2020–2024, all concerned stakeholders with whom the Working Group met during the visit asserted that, regrettably, there was no such institutionalized legal assistance. Instead, committed civil society organizations have worked relentlessly to fill the gaps, providing not only legal assistance but also handling a helpline, offering medical and psychosocial support and educational and vocational training, although there are currently no medium- or long-term shelters for survivors. A special unit for victims of gender-based violence (*Unité spéciale de prise en charge des victimes de violences basée sur le genre*), five of which are in operation within public hospitals, offer medical support to victims. The Working Group hopes that the special units can be further developed and adequately resourced to operate as

<sup>26</sup> See A/HRC/31/57.

<sup>27</sup> Act No. 2015-030 of 10 September 2015 on legal aid and order No. 171-2017.



one-stop centres integrating all the necessary services, including health, psychosocial, police and legal services, for victims of gender-based violence.

82. The Government should spearhead a positive transformation within the justice sector to break the vicious cycle of gender-based violence and impunity. The Working Group observed that, among the highest-ranking members of the judicial authorities, there is total denial of the existence of gender-based discrimination. The Working Group hopes that the results of the audit conducted by the Ministry of Justice will facilitate a frank and constructive debate that will allow for much needed progress towards a victim-centred approach in judicial proceedings. Without first acknowledging the barriers that women face in access to justice, the country will be unable to achieve sustained progress towards gender equality.

## **VIII. Women and girls facing intersecting forms of discrimination**

83. Women and girls experience multiple and intersecting forms of discrimination that reinforce and sustain each other. All women are affected by gender-based discrimination, with differing levels of intensity and disparate consequences.

84. Throughout its analysis, the Working Group has demonstrated how rural women are marginalized in every sphere of life, experiencing higher rates of poverty, lower levels of access to high-quality education, lower rates of birth and identity registration and greater exposure to child and forced marriage and gender-based violence, including female genital mutilation (see paras. 33–36, 49, 51, 53, 55, 57, 63, 65 and 74 above). Other groups of women also experience the challenges analysed above more acutely, including women and girls who are victims/survivors of slavery, women and girls with disabilities, refugee women and girls and women deprived of liberty.

### **A. Women and girls who are victims/survivors of slavery**

85. The Working Group joins the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, in welcoming the strides made, in particular in the legal framework, to combat slavery. The experts deeply lament the dreadful realities of victims of this crime against humanity that continues to shackle women and girls from Haratin and Black Mauritanian communities and those descended from groups historically subjected to enslavement.<sup>28</sup> The Working Group heard outrageous accounts of “masters” raping women and girls who are victims of slavery, with impunity, using gender-based violence as a way of exerting reproductive control and generating more labour through forced childbirth.

86. A continuous and systematized engagement with anti-slavery organizations is crucial to duly address the needs of victims and survivors of slavery. The experts stress with the utmost urgency the need for Mauritania to robustly implement its anti-slavery legislation, identifying perpetrators and providing meaningful reparations to victims in a gender-responsive manner, given that women reportedly make up the vast majority of slavery victims.

### **B. Women and girls with disabilities**

87. Women and girls with disabilities face multiple barriers to claiming their rights, with greater exposure to poverty and violence, severely limited access to justice and basic services, lack of employment and difficulty obtaining specialized health care and educational opportunities. While the Government provides cash transfers and subsidized health care to persons with disabilities who have a disability card, the cards are limited in availability, and obtaining one involves long wait times. The Working Group is especially concerned by the lack of sexual and reproductive health care provided to women and girls with disabilities, who may have greater needs due to their increased vulnerability to sexual violence and abuse.

<sup>28</sup> See [A/HRC/54/30/Add.2](#).



88. Women with disabilities remain underrepresented in decision-making processes in public and political life. While the Working Group was pleased to hear that political parties and electoral lists have quotas for persons with disabilities, women and girls with disabilities are not systematically consulted and represented in key national bodies, including the National Observatory for the Rights of Women and Girls. Overall, the dearth of data gathered and research conducted on the multiple and intersectional discrimination faced by women and girls with disabilities continues to impede the design of adequate policy responses that meet their distinct needs.

### **C. Refugee women and girls**

89. The Working Group commends the Government for its continued determination in welcoming refugees. Despite colossal efforts deployed by the authorities and their humanitarian partners, protection needs for refugee women and girls persist; they continue to be disproportionately affected by poverty, lack of educational and economic opportunities, exploitation and gender-based violence.

90. During the visit to the Mbera refugee camp, many women noted that they had experienced long wait times for registration and receiving identity documents, which sometimes lasted more than a year. Access to education was unstable, with funding delays and shortages causing some schools to postpone opening, despite the school year having officially begun. Overall, the Working Group observed that women and girls lived in precarious conditions where their access to basic services was contingent on unpredictable funding from international donors.

91. The Working Group also heard that many women struggled financially due to a lack of job opportunities and training courses. Given that a significant number of refugees are widows and heads of household, specialized support to sustain their livelihoods should be developed and implemented. Any attempts to exploit women and girls in vulnerable economic situations, in particular as low or unpaid domestic workers, should be duly investigated and punished.

92. Some women reported that they did not feel safe inside the camp. They emphasized that rape remained a serious problem and that victims did not report it, due to a fear of being stigmatized. The Working Group also heard that child marriage and polygamy was common within the camp; with poverty as a central motivator, girls are being given in marriage from about 12 years of age. In that regard, the Working Group urges the Government and all partners to dedicate increased resources to the investigation, prosecution and punishment of gender-based violence, and to educational and economic opportunities for women and girls, especially given that the camp's population continues to grow and had past 90,000 people as at the time of reporting. Those who have fled the painful experience of war should not face further violence and serious deprivation in refugee camps.

### **D. Women deprived of liberty**

93. The Working Group expresses its gratitude to the authorities for facilitating transparent access to the women's prison in Nouakchott. At the time of the visit, 34 women were detained, among whom 22 (65 per cent) were in pretrial detention. The majority of them were charged with non-violent offences, such as adultery, drug abuse and theft. The Working Group was alarmed that 8 of 34 (23.5 per cent) women were imprisoned in relation to charges of adultery, five of whom faced additional abortion-related charges, and two of whom faced additional prostitution-related charges. While many women are incarcerated on charges of adultery, no charges were brought against the men concerned.

94. The Working Group was concerned by the high number of women in pretrial detention for extremely long periods of time, ranging from several months to more than a year. Several women in pretrial detention said that they had never been given a trial date, and, even when they had, the trial was continually delayed without any notice. Moreover, many of them noted that they had very limited or no access to legal assistance.

95. The unhealthy and unsanitary living conditions and overcrowding at the prison facility, with up to 14 women sleeping in a small cell with mattresses on the floor, was a major source of alarm. The facility lacked access to open air and became frequently overheated, causing women to feel unwell. Women who were incarcerated with their children were not always separated from other inmates, other than having separate rooms to sleep in. Many women also had children living outside the prison.

96. Many women explained that they had limited access to medical care and that the food was of poor quality, with some also noting restrictions placed on family visits. The Working Group observed the lack of vocational training and income-generating activities organized for the women detainees. On a positive note, they did not report any mistreatment from prison staff and, on the contrary, praised their receptivity. The Working Group welcomes the recent inclusion of female prison personnel and hopes that the prison guards at the gate can soon be replaced by female guards.

## **IX. Conclusions and recommendations**

### **A. Conclusions**

97. Mauritania has taken commendable steps towards gender equality by strengthening its institutional, political and legal framework. However, gaps in implementation, coupled with major systemic shortages and sociocultural barriers, hamper further progress. The country has much potential, with part of its political leadership eager to see a positive transformation, which should now be accelerated.

98. There is a critical need to break societal taboos and engage in an open, inclusive and sustained national dialogue on the main barriers in all areas of the human rights of women and girls, including through their meaningful participation in decision-making. Discriminatory laws and social norms that reinforce gender stereotypes should be eliminated. The lack of access to justice and the general culture of impunity around gender-based violence should cease immediately. Women and girls should no longer be mutilated, married against their will or as children, sacrifice their education and health, and risk death while giving birth.

99. The State and the international community have a responsibility to duly prioritize gender equality and the empowerment of women and girls, placing at the centre the interrelatedness and interdependence of the human rights of women and girls. Without substantive equality between women and men in the family and in cultural life, women will never be able to enjoy their rights to the highest standard of health and be fully empowered, economically, socially and politically.

100. Simultaneously, efforts should be intensified at the local level, ensuring that communities take ownership of positive change. Women and girl human rights defenders and women's and girls' organizations should be further empowered, strengthening their networking capacity and intergenerational solidarity within the movement. The potential of male allies, including religious leaders, and positive values in Mauritanian culture should also be maximized and independent media supported to catalyse a healthy democratic debate on the pathways towards gender equality.

101. Ultimately, Mauritania will not be able to achieve sustainable development without ensuring the full realization of the rights of women and girls and their genuine and equal participation in all spheres of life. The unjust status quo should not be accepted anymore, and change must start from within the family and culture and permeate to all areas of society.

### **B. Recommendations**

102. Regarding the legal framework, the Working Group recommends that the Government:

- (a) Ratify and implement the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women;
- (b) Withdraw the reservations to articles 13 (a) and 16 of the Convention;
- (c) Amend the Personal Status Code to eliminate all forms of discrimination in the family, including by prohibiting child and forced marriage and polygamy, and ensure that women have equal rights to men in all aspects of family life, including in the right to repudiate marriage, receive inheritance and retain child custody;
- (d) Repeal discriminatory provisions in the Penal Code, including the criminalization of adultery, and abolish the death penalty and other cruel, inhuman or degrading forms of punishment;
- (e) Revise the discriminatory provisions in the Nationality Code and the Labour Code, ensuring that women in Mauritania have equal rights to men in transferring their nationality and pursuing employment;
- (f) Enact comprehensive legislation to prevent, combat and redress all forms of gender-based violence, including female genital mutilation, in line with the principles of the Maputo Protocol and building on the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women and the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence;
- (g) Strengthen the implementation of existing legislation on the protection of women's rights and gender equality.

103. Regarding the policy and institutional frameworks, the Working Group recommends that the Government:

- (a) Strengthen the leadership of the Ministry of Social Action, Children and the Family, by providing it with sufficient human and financial resources, and take steps to enhance interministerial coordination to accelerate progress towards the targets outlined in the national strategy for gender institutionalization;
- (b) Provide the National Observatory for the Rights of Women and Girls, the National Human Rights Commission and the National Independent Election Commission with the human and financial resources and full independence necessary for the execution of their mandates;
- (c) Allocate sufficient human, technical and financial resources to gender units in various ministries, including through capacity-building and training activities, and ensure gender-sensitive budgeting across all ministries;
- (d) Enhance the capacities of parliamentary standing committees to ensure gender-sensitive lawmaking and policymaking, including by integrating into their mandates the responsibility to oversee gender budgeting.

104. Regarding political and public life, the Working Group recommends that the Government:

- (a) Collaborate with the National Independent Election Commission to ensure that the electoral quota law is duly implemented and conduct gender audits of elections and political parties, adopting targeted measures in response to the outcome;
- (b) Amend the electoral quota law to require the equal representation of men and women among those identified as the head of candidate lists;
- (c) Provide adequate resources, including financial support and capacity-building, to women standing for election and adopt legislation addressing violence against women in the context of elections and politics;
- (d) Expand temporary special measures to increase the representation of women at all levels of government, in particular in managerial positions, with a view to achieving gender parity;

(e) Adopt a comprehensive approach to addressing the underrepresentation of women in the justice sector, including as law enforcement officials, judges and lawyers, at both the national and local levels;

(f) Provide robust support to women's and girls' organizations, granting them adequate resources, allowing them to carry out their work without fear of reprisals, including them in lawmaking and policymaking and strengthening their capacity to engage with international organizations.<sup>29</sup>

105. Regarding economic and social life, the Working Group recommends that the Government:

(a) Implement gender-responsive measures to ensure decent work for all women, in particular domestic workers and rural women, and increase their access to formal employment;

(b) Raise awareness of men's shared responsibility for raising children and doing domestic chores and invest in State-sponsored childcare and other targeted initiatives to alleviate the burden of domestic work on women, especially for women who are heads of household;

(c) Adopt legislation and implement initiatives to guarantee equal rights for women to land and property ownership, credit and other productive resources, with a particular focus on rural women;

(d) Promote the representation of women in leadership positions in the private sector by establishing quotas, ideally requiring gender parity, for corporate boards;

(e) Incorporate human rights education into school curricula at all levels, supporting school clubs and programmes on human rights, and provide comprehensive, age-appropriate sexuality education based on scientific evidence in schools;

(f) Ensure that girls enrol and remain in school, through such measures as providing academic coaching, supplying free meals and ensuring their safety on their way to and from school, and design targeted interventions to tackle the causes of school dropout among girls, including pregnancy and/or child and forced marriage;

(g) Establish child-friendly and gender-sensitive reporting mechanisms for gender-based violence within schools and issue relevant directives to school administrators with clear obligations to report incidents to the justice system, with the application of sanctions for failure to do so, as a deterrent;

106. Regarding health, the Working Group recommends that the Government:

(a) Ensure full access to reproductive health services, such as confidential access to affordable modern contraceptive methods and family planning services, for all women and girls, including adolescents and those in situations of vulnerability, irrespective of their marital status;

(b) Develop initiatives to enhance access for women to preventative health care, including regular breast and uterine cancer screening, and increase the number of gynaecologists in the country through targeted recruitment and the provision of training courses and scholarship opportunities;

(c) Ensure that women and girls who terminate a pregnancy and the health professionals assisting them are not subject to criminal or professional penalties, by legalizing abortion and developing clear protocols to guide health institutions;

(d) Provide comprehensive, State-sponsored obstetric packages for free, ensuring that women and girls have access to all essential medicines prescribed during pregnancy.

<sup>29</sup> See, for example, [www.musawah.org](http://www.musawah.org).

107. Regarding family and cultural life, the Working Group recommends that the Government:

- (a) Continue to raise awareness about the harmfulness of such practices as female genital mutilation, child and forced marriage and polygamy;
- (b) Implement measures to prevent, prohibit and end child marriage and female genital mutilation, including through preventive educational programmes and sanctions, including criminal sanctions, against perpetrators;
- (c) Maximize efforts to ensure birth and identity registration, through sustained information strategies and regular mobile registration campaigns, including to the most remote places;
- (d) Launch public awareness-raising campaigns to counter harmful, fundamentalist narratives that perpetuate discriminatory gender stereotypes and incite violence, including when it is done in the name of religion, mobilizing the media, local communities and religious leaders.

108. Regarding gender-based violence, the Working Group recommends that the Government:

- (a) Address the barriers faced by women and girls in gaining access to justice, by establishing accessible complaint mechanisms for reporting gender-based violence, including hotlines, creating sufficient shelters, including medium- and long-term facilities, enhancing the provision of comprehensive psychosocial and legal support to victims/survivors and ensuring that complaints are duly investigated and perpetrators sanctioned;
- (b) Increase the number of skilled women police officers and prosecutors, ensuring that all law enforcement and legal personnel are duly trained to handle cases of gender-based violence in accordance with international standards;
- (c) Ensure that women and girls who are victims of gender-based violence benefit from due protection and have access to medical, legal and psychosocial services and guarantees of non-repetition;
- (d) Provide regular, compulsory gender-responsive training to all relevant actors, including members of the police, the health services, the social services and the judiciary, in order to combat gender stereotyping and victim blaming in the justice system.

109. Regarding women and girls facing intersecting forms of discrimination, the Working Group recommends that the Government:

- (a) Adopt sustained strategies and measures to address the needs of marginalized groups of women and girls, including rural, refugee and migrant women and girls, victims/survivors of slavery and those with disabilities, ensuring a human-rights based and intersectional approach is taken in national policies and in agreements with other States;
- (b) Ensure that the living conditions of women prisoners comply with international standards, including the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules);
- (c) Devise alternatives to incarceration for women, especially pregnant women and mothers, and avoid lengthy pretrial detention, in accordance with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);
- (d) Enhance, in collaboration with technical partners, protection measures for refugee women and girls to prevent and address gender-based violence within refugee camps and step-up efforts to provide employment, training courses and educational opportunities, prioritizing marginalized women and girls, such as widows and orphaned girls;

(e) **Prioritize the needs of women and girls with disabilities in designing strategies and programmes, develop in-country professional capacity for specialized education and health care and ensure the inclusion of women and girls with disabilities in all levels of decision-making;**

(f) **Urgently provide meaningful reparations to women and girls who are victims/survivors of slavery and implement measures to integrate them into society, including psychosocial support, socioeconomic empowerment, education and awareness-raising to end discrimination against them.**

**110. The Working Group recommends that the technical and financial partners of Mauritania, including United Nations entities:**

(a) **Strengthen and support the women's rights movement in Mauritania, through coordination and collaboration with women's and girls' associations, cooperatives and human rights organizations;**

(b) **Apply an intersectional gender lens across their programmes and take a holistic approach to promoting gender equality;**

(c) **Provide the Government with comprehensive assistance in implementing the recommendations contained in the present report.**

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