

**STATEMENT ON BEHALF OF MINORITY RIGHTS GROUP
INTERNATIONAL AT THE 56TH ORDINARY SESSION OF THE
AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS
21 APRIL – 7 MAY 2015,
BANJUL, THE GAMBIA**

Your Excellency, the Chairperson of the African Commission on Human and Peoples' Rights

Honourable Commissioners, distinguished Members of the NGO Forum, States Representatives, Ladies and Gentlemen

It is a sad truth that slavery still exists in the world today, and Africa is no exception. In fact, Mauritania has the most entrenched system of slavery in the world. Today, members of Mauritania's Haratine community continue to be oppressed by an historic system of slavery. They suffer discrimination, marginalisation and exclusion at the hands of Mauritania's dominant ethnic group, the Beidan, because they belong to the 'slave' class. Living under the direct control of their masters and mistresses, they are treated as property and receive no payment for their work. Slave status is passed down from mother to child, so children born to a mother in slavery will be 'inherited' by the children of the master.

The Mauritanian authorities often claim that slavery no longer exists, because it was abolished and criminalised by the 2007 Anti-Slavery Law, which prohibits slavery and related discrimination. However, MRG has seen clear evidence that this law is not respected or implemented in practice. The government's failure to

implement the law was also the main criticism raised by the UN Special Rapporteur on Slavery in her 2014 mission report. In fact, Mauritanian anti-slavery organisations estimate that up to 500,000 Haratine may still be enslaved or living under some form of control by their former masters. Only 1 slave-owner has ever been successfully prosecuted under the law, in November 2011, for holding 2 young boys in slavery. However, he was given a sentence of just 2 years - well below the recommended sentence of 5 to 10 years. In addition, he appealed the sentence and was released on bail by the Mauritanian Supreme Court just 4 months after his conviction, while waiting for his appeal. To date, the appeal has not yet been heard; meanwhile the convicted slave-owner remains at liberty.

MRG is equally aware of other similar cases where, for example, the decision of the investigative judge to refer the matter to the criminal court has been upheld by both the Court of Appeal and the Supreme Court but where, some 3 years later, no hearing has been scheduled at the criminal court despite the case involving 3 minors.

The lack of full, effective implementation of Mauritania's Anti-Slavery law is hardly surprising given the societal and practical barriers which exist in reality. Slaves and former slaves face problems accessing lawyers, fear repercussions if they do pursue a claim, and lack the means to make an alternative living, having been dependent on their master all their life. In addition, slave-owners dominate the country's government, military, judiciary, and ownership of business, land and other resources. The judiciary demonstrate a clear unwillingness to investigate or prosecute allegations of slavery, whilst the law itself contains several fundamental flaws that undermine its potential to be enforced.

Nevertheless, MRG wishes to congratulate the government of Mauritania for recently drafting a new Anti-Slavery law, which awaits adoption by Parliament. MRG welcomes this proposed law, which in particular addresses some of the shortcomings identified by the UN Special Rapporteur on Slavery. The draft law provides for human rights organisations to act as a civil party in slavery cases, granting them standing to bring charges and pursue cases on behalf of victims. This is an important step in recognising the difficulties that slaves and former slaves face in bringing claims under the current law. The draft law also proposes an increased sentence and a possible fine.

However, MRG expresses concern that there is nothing to suggest this law will be better implemented than the 2007 law. We therefore call upon the Honourable Commission to engage with the Mauritanian authorities on this issue, seeking confirmation of the concrete measures that they will take to see the new law implemented in practice. This should include additional resources, training of judges and prosecutors on the new law and more importantly on the issue of slavery. This will ensure that the new law will meet with more success in bringing slave owners to justice and ensuring that slavery is eradicated in Mauritania, once and for all.

I thank you.