



## **DETERIORATION OF HUMAN RIGHTS DEFENDERS' SITUATION – BRIEFING**

On 11 November 2014, nine anti-slavery human rights defenders were arrested in Chgara, Mauritania. By the end of 2014, eighteen anti-slavery human rights defenders had been arrested, seventeen from anti-slavery NGO Initiative pour la Résurgence du mouvement Abolitionniste (IRA-Mauritanie) and one from Kawtal. Three of those arrested – including 2013 UN Human Rights Prize laureate and 2014 Mauritanian Presidential runner-up Biram Abeid – have since been sentenced to two years in prison.

### **BACKGROUND: SLAVERY AND COMBATTING SLAVERY**

At the time of their arrests, they had been engaging in awareness-raising initiatives to draw attention to widespread slavery practices in Mauritania. Called *La Caravane de la Liberté*, protestors would travel from place to place raising awareness of this plight through a variety of peaceful means (e.g., protests, sit-ins, public speaking). This is the latest initiative in a long history of the anti-slavery movement in Mauritania.

Reprisals against anti-slavery human rights activists are common. IRA-Mauritanie's President Biram Abeid has been arrested on several occasions, including in 2011 and 2012, and has had numerous calls for his death by certain influential religious leaders. IRA-Mauritanie's activists and personnel are also frequently arbitrarily arrested, and its office has been forcibly closed on several occasions (most recently in November 2014), thus curtailing their important contribution as an NGO to eradicating slavery.

Between four and twenty percent of Mauritians exist as slaves in this regard, most of whom are from the Haratin ethnic group, and are women. The Haratin ethnic group is the historical victim. One of the major issues in combatting its continued practice is that those alleged to be the slave masters, the Arabo-Berbers, dominate all positions of power: the judiciary, law enforcement, politics, business. There has only been one conviction under the 2007 Anti-Slavery Law which criminalised the act of possessing slaves for the first time; this person only received a four-month sentence.

### **TRIALS AND SENTENCING**

On 24 December 2014, the hastily-arranged trial in Rosso of nine of the arrested individuals commenced. The nine individuals who stood trial included Mr Abeid and other prominent anti-slavery human rights defenders. They were tried on charges of "racism", "working in an unauthorised organisation", "violating public order", "inciting violence" and "offending the authorities". The three week trial ended on 15 January 2015 with the pronouncement of the verdict of two years in prison for three of the detainees – Biram Abeid, Brahim Ramdhane and Djiby Sow – and acquittal for the others. A preliminary fact-finding mission by the OHCHR issued a press release expressing that the sub-standard conditions of detention for the detainees did not conform to accepted international standards.

Following the announcement of the verdict, the three individuals were transferred to the largest prison in Mauritania, situated in the southern-centre of the country, some 260km from Nouakchott, in the sparsely-populated Aleg. This is reportedly one of Mauritania's most notorious and dangerous prisons with frequent

unrest due to the conditions of detention (e.g., being “brutally” woken in the night, inadequate healthcare, and denials thereof). Neither their families, nor their lawyers or colleagues were informed of this transfer. Partners and lawyers have however been granted visits since.

On 5 February 2015, a second trial of Mariem Mint Cheikh Dieng and Yacoub Ould Moussa and Dr Saad Louleyd was begun in Nouackchott, with the verdict postponed on 25 February 2015 until 12 March 2015.

## **CAUSES FOR CONCERN**

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There are a number of concerns surrounding the arrests and trials. Firstly, NGOs play an important and complementary role to the state in eradicating human rights violations, including slavery. NGOs must be free to work in an enabling environment, free from reprisals even when raising concerns over the state’s handling of a human rights situation.

There are reasons to believe that the defendants were not granted a fair trial. There was only a period of 3 months between the defendants’ arrests and their convictions, which has not given their lawyers sufficient time to build their defence. Further, we are concerned that the charges and subsequent sentencing violate the rights to freedom of assembly and of association. The Mauritanian authorities have failed to substantiate their objections against the *Caravane* protest in which the defendants were engaging.

It is therefore deeply concerning that three anti-slavery human rights defenders have received a prison sentence that far exceeds the 4 months given to the only convicted slave master, and a sentence that is equal to the maximum a person can receive for holding slaves in Mauritania.

During the trial, supporters protested outside the courts. Following the announcement of the verdict, there were reports of protesters being sprayed with tear gas and beaten with batons. Anti-slavery human rights defenders and supporters have expressed their concern that if 2014 Presidential runner-up and prominent anti-slavery human rights defender can be arrested and sentenced, then no-one is safe.

There are now fears on the ground that a major step backwards has happened in regards to eradicating the well-documented problems of continued slavery in Mauritania as the conditions in which anti-slavery human rights defenders has substantially deteriorated.

## **RECOMMENDATIONS**

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IRA-Mauritanie would like to recommend that:

- The Human Rights Council (HRC) and its members remind the Islamic Republic of Mauritania of its obligations to uphold international law as it relates to the rights of human rights defenders and to combatting slavery;
- The HRC expresses its concern regarding the cases of detentions mentioned in this statement and urge the Mauritanian government to investigate the situation, rectify wrong-doings and provide reparations where appropriate;
- The HRC reaffirms its recognition of the important role NGOs play in combatting the continued practice of slavery, and that their right to freely assemble and associate peacefully to exercise their right to freedom of expression is non-derogable;
- The Mauritanian Government steps up efforts to eradicate the continued practice of slavery through fostering a healthy environment in which NGOs may work, including seeking international guidance, working in collaboration with both international and national NGOs, and training of law enforcement and the judiciary;
- The HRC and its members continue to watch closely the developments of this case in the coming months;
- The Mauritanian government extends an open invitation to the UN Special Rapporteur on Human Rights Defenders.
- The Mauritanian government undertakes extensive action to render the 2007 Anti-Slavery Law more robust and effective in its application so as to ensure justice for slavery victims and the end of impunity for slave owners.