

**WE ARE MAURITANIANS**  
**Securing Citizenship for Millions of**  
**Stateless People**





# WE ARE MAURITANIANS

The Open Society Institute is fighting for every person's right to citizenship, opposing the power of state authorities to exclude anyone they dislike for their race, ethnicity, politics, sexual orientation, gender, or religion.

PHOTOGRAPHS BY AUBREY WADE  
Returning Mauritians, Lisse Rosso, Mauritania









Exiled Mauritians in  
Dagana, Senegal

---







Returning Mauritians in the temporary settlement of Lisse Rosso

---





Returned Mauritians in the village  
of Medina Salam

---





# Securing Citizenship for Millions of Stateless People

MAHMOUT DIAGNE AND HIS family were expelled in 1989 from their country, Mauritania, and informed by their government that they were no longer Mauritanian. Indeed, in its public rhetoric of Arab nationalism, the Mauritanian state suggested that the Diagne family, and the approximately 75,000 other black Mauritanians expelled with them, had never been Mauritanian in the first place.

The Diagnes joined the ranks of the stateless, who today number at least 12 million worldwide. Statelessness can be perpetrated as part of an ethnic cleansing exercise, as in the Mauritanian case, where states legally disown the citizens they do not want, expelling people, confiscating and destroying their ID cards. But statelessness can also be perpetrated through years of stonewalling, repeated denials of citizenship documents that leave individuals in limbo, still living in their country of birth, but without rights.

Statelessness is so intolerable that it impelled Mahmoud Diagne and his family to leave their home in exile, an orderly Senegalese village, when a return to Mauritania became possible. They chose to endure heat, dust, mud, thirst, and physical hardship in a windswept, bare-earth settlement of returned Mauritanians

called Lisse Rosso. There, in September 2008, as he reclined on a mat spread beside a tent he was sharing with his wife and nine children, Diagne talked about his life. He had no job. His family's food had nearly run out. And the dry season was approaching. Yet Diagne felt his struggle was worth it. For almost two decades, he had lingered in forced exile in Senegal with no identification card, no passport, no right to vote, no legal standing to hold a job or travel freely. Now, by persevering in Lisse Rosso, it seemed, Mahmoud Diagne might regain from his homeland legal recognition that he and his family were citizens in every sense.

## Who Is a Citizen?

The Open Society Justice Initiative supports and pursues local, regional, and international efforts to help the world's stateless people gain or regain citizenship. "Combating statelessness challenges one of the most fundamental aspects of state sovereignty: the power of government to determine who is and is not a citizen," said James Goldston, executive director of the Open Society Justice Initiative. "Whether our focus is the rights of blacks from Mauritania, people of Haitian ancestry in the Dominican Republic, the Nubian people of Kenya,



---

# Kenya

## Denies Nubians Rights and Benefits

Many of the more than 100,000 Nubians in Kenya cannot obtain identity cards or passports and are barred from traveling, working in the formal sector, and benefiting from government services. The state's refusal to recognize Nubians as citizens encourages ethnic discrimination and hostility toward them throughout Kenya. The Justice Initiative is acting as co-counsel in a case before the African Commission, alleging that the Kenyan government's actions constitute a discriminatory denial of citizenship to the country's Nubians.

---

or the 'erased' people of Slovenia, the Justice Initiative aims to tear down this last bastion of discretionary prerogative by making citizenship denial and statelessness international human rights issues.”

To secure political power or to pursue the idea of a mythical national identity, many governments block or revoke the citizenship of members of particular ethnic, racial, religious, or social groups. They do so by changing the law, or simply by applying citizenship laws in discriminatory ways, consigning unwanted citizens to a state of perpetual illegitimacy by refusing to issue them the documents they need to prove their citizenship.

Discriminatory manipulation of citizenship is common in countries with ethnically or racially mixed populations that have emerged from defunct multiethnic states like the successor states to the Soviet Union and Yugoslavia; in countries like Kenya, that have a colonial past and multiethnic populations; or areas of regional conflict such as Burma

or Nepal, where populations that may have moved decades or generations ago are still categorized as “refugees.”

Loss of citizenship has a devastating impact upon the victims, even if they have not been physically deported. It prevents people from sharing in the responsibilities citizenship demands. It systematically cheats people of access to public services, including health care, education, and housing. Many victims descend into extreme poverty, and too many become prey to human-trafficking and slavery networks. Depriving people of their citizenship also warps political life and can undermine the security and well-being of entire countries and regions.

The Justice Initiative has taken a leading role among the nongovernmental organizations working strategically to establish citizenship as an inalienable human right and to strengthen international law, which fails, for example, even to define the circumstances under which individuals have a right to claim citizenship of a specific

country. It has developed statements of principle on statelessness and joined with other organizations to promote their adoption by international bodies, including the United Nations High Commissioner for Refugees, the United Nations Committee on the Elimination of Racial Discrimination, the African Commission on Human and Peoples' Rights, and the African Union.

The Justice Initiative has also launched or supported litigation aimed at resolving specific inequities that statelessness has caused. On a strategic level, it has litigated to promote the development, by international human rights tribunals, of a critical mass of legal precedent that will limit the power of governments to render people stateless and to discriminate on the basis of race, creed, or ethnicity in the administration of citizenship laws and regulations.

“As a complement to other advocacy,” Goldston said, “litigation effectively spotlights the untenable justifications governments frequently offer to defend actions to withhold or withdraw citizenship, or distinguish arbitrarily between citizens and noncitizens.”

The litigation that the Justice Initiative has supported includes cases brought against the Dominican Republic, Kenya, Pakistan, Slovenia, and Zimbabwe. In the Dominican Republic, for example, the government systematically denies the rights of citizenship to Dominicans of Haitian descent. The Justice Initiative filed an amicus curiae brief that helped secure a landmark ruling in 2005 by the Inter-American Court of Human Rights in *Dilcia Yean and Violeta Bosico v. Dominican Republic*. The court ruled that the government discriminated on the basis of race in denying Dominicans of Haitian descent access to the rights of citizenship, and ordered it to extend citizenship rights to all Dominicans of Haitian descent. The Dominican Republic subsequently ignored

---

## Pakistan Refuses to Admit Loyalists from Bangladesh

When Bangladesh split from Pakistan in a civil war in 1971, hundreds of thousands of people loyal to Pakistan were stranded. Pakistan has refused to accept these people, many of whom are still living in internal refugee camps. The Justice Initiative will submit an amicus brief in a case to be filed in the Supreme Court of Pakistan arguing that these people had the right to choose their citizenship and Pakistan committed an arbitrary and discriminatory act in denationalizing them.

---

and challenged this ruling. The Justice Initiative supported a study to monitor the citizenship policies of the Dominican government since the court's ruling.

### Who Is Mauritanian?

In 1989, Mauritania's Arab-dominated government revoked the citizenship of Mahmoud Diagne and an estimated 75,000 other blacks and had the police and army deport most of them into neighboring Senegal (up to 15,000 blacks were expelled to Mali). The guns just happened to be pointed primarily at black civil servants, prosperous black merchants, and black land owners, so the government found itself with



a windfall of vacant jobs and unprotected assets to distribute to Arabic-speaking loyalists. The government had reconsidered the expulsions by 1994. About half of the exiles had returned by 1997; however, many subsequently left again because they could not regain recognition of their nationality and get their lands back.

In 2000, the African Commission ruled that Mauritania had breached the African Charter when it undertook the deportations. This ruling and the installation of a new government in Mauritania during 2007 presented the Justice Initiative and its partners with an opportunity to press for the return of the rest of the black deportees lingering in Senegal. In January 2008, under United Nations auspices, a return began, and 4,760 people found their way back into Mauritania before the rainy season made further travel impossible.

“Despite the hardship it has entailed, the return to Mauritania of thousands of people who had been forcibly deported and rendered de facto stateless constitutes one of the most successful, if belated and still incomplete, efforts to combat statelessness and citizenship deprivation in recent years,” Goldston said.

The challenges of the return and the perseverance of the people who have risked making it are evident in two locations on Mauritania’s side of the Senegal River: Medina Salam, a long-established village of rice farmers with its own mosque, school, and water tower, and Lisse Rosso, the temporary, at least for now, settlement where Mahmoud Diagne and his family were placed.

Medina Salam welcomed home about 45 exiled families in the wave of returns that ended in 1997. The Mauritanian government, however, returned only half of the land that the village cooperative was holding in common on that day in 1989 when

---

## Slovenia Denationalizes Longtime Residents

In 1996, Slovenia’s government placed the names of 18,305 longtime residents who had failed to apply for citizenship on a register of foreigners residing illegally in Slovenia, and it has since denied them social services including health care and education. The Justice Initiative has submitted arguments before the European Court of Human Rights in *Makuc, et al. v. Slovenia*, a case brought by 11 longtime residents of Slovenia who are challenging the government’s action depriving them of their legal status.

---

the police surrounded the place, packed practically everyone into pick-up trucks, and dumped them at a ferry crossing to Senegal. The 59 exiled families that returned in 2008 could not be absorbed back into the cooperative because, the earlier returnees say, their numbers would so dilute the profits as to make survival impossible for everyone. Many exiles who returned in 2008 became dollar-a-day farm laborers.

At a gathering of Medina Salam’s villagers in September 2008, one of these laborers, 35-year-old Modou Gueye, lamented that he and his family had consumed almost all of the wheat flour, beans, oil, and sugar they received from the United Nations. “After this aid is gone, I will barely be able to sustain

myself,” he said. “We were given cows, but I don’t have enough milk, and even the cow is sick. In Senegal, I had the opportunity to participate in a farming program with microcredit. We were able to work. When we came here we were promised land.”

“The women know they are heading for hardship,” said Gueye, who was helping to support two wives, five children, and his mother. “I left in Senegal a house with two rooms, one for each wife. Now, I have a tent that is more like an oven. And one of my wives stayed in Senegal.”

---

## Mugabe Removes Citizenship of Opponents in Zimbabwe

Using a new law prohibiting dual nationality, President Robert Mugabe’s government has refused to issue identity cards or passports to anyone suspected of having “foreign” citizenship—in practice, those with “foreign” names—unless they formally renounced their supposed foreign citizenship. The move disenfranchised opposition supporters, commercial farmers, and independent newspaper owners. The Justice Initiative and the Open Society Initiative for Southern Africa are supporting cases brought in Zimbabwean courts on behalf of individuals rendered stateless by Mugabe’s decision.

---

Another villager at Medina Salam spent 10 days in jail after approaching the Mauritanian authorities and complaining that a local police officer had occupied his land. “We all think about going back to Senegal,” said yet another villager, Yousuf Niang, age 39. “We have seen nothing of what they promised. It is mental torture to look at your land, see someone else farming it, and not be able to get it back.”

Still, they have persevered. Some of the exiles who returned to Medina Salam have gone to seek jobs in Rosso, a nearby town, or in Mauritania’s capital, Nouakchott. But well-paying employment is difficult to find, especially when the people returning have no official Mauritanian identification card. Of the 291 persons who had returned to Medina Salam by September 2008, only two had received a personal identification card from the Mauritanian government. Others had only a receipt showing that they had been registered for a card.

### Who Gets an ID Card?

Mahmout Diagne, who is 51, and his wife, Oumou Diaw, 41, were promised identification papers when they returned to Mauritania in April 2008 and set up camp in Lisse Rosso. They also believed they had been promised something to compensate for the losses Diagne suffered when he was driven from the country.

Months of uncertainty followed their return. Lisse Rosso is nothing but eight white, single-room blockhouses and a few dozen tents. Barred from planting crops, Lisse Rosso’s men risked grazing their cattle on someone else’s land or cut fodder with machetes on a nearby riverbank and carried it back in plastic bags for their sheep, goats, and cows. By September, Diagne’s family had also consumed almost all of its one-time United



Nations food allotment, which was supposed to have lasted only three months.

Oumou Diaw talked of returning to the house their family had occupied during their exile across the river in Senegal. Diagne and Diaw had been small merchants in Senegal. They managed to build a five-room house and raise a family. They took advantage of the nearby school and health care facilities. And they did not leave these assets behind without hedging their risk. They left their home in the care of a friend. They made sure there were guarantees that they could return to Senegal if Mauritania failed to honor its commitments.

Diagne speaks of working again as a merchant. He and Oumou Diaw have already set out snack foods and other items in a makeshift kiosk in a metal locker standing on the bare earth outside his tent. Diaw said that life for her has become tougher in Mauritania. "Here you have to go into the bush to collect cooking wood," she said. "Then you have to walk to the market, and it is a long way. Then, when you come back, you go to collect water and cook under the sun."

"I am not used to the dust and the heat, but I am back at home," she said. "It is not exciting, but I am back at home."

Diagne clutched his tattered Koran. "A man sometimes has to face hardship," he said, "and to trust in God to change things."

Thousands of Mauritanian exiles still in Senegal have signed up to make their way back to their homeland. They have heard about unfulfilled promises and the hardship in Lisse Rosso and other settlements on the Mauritanian side of the river.

In Dagana, a Senegalese village just across the river from Medina Salam, Amadou Sy, 36, described life in Lisse Rosso for his neighbors. "I was very excited after 19 years, I was going to get back all my rights," he

said. "But when I saw my rights were gone, I was disappointed. We were supposed to spend no more than 15 days in temporary tents. Nothing was done. They [the United Nations refugee-relief agency] said we'd get identification cards from the Mauritanian government. Nothing. I sold my cow and calf and started to trade. I realized I couldn't do anything with that, so I returned."

Amadou Sy's neighbor, Mansour Harouna, who was 24 when the Mauritanian government expelled him, heard Sy lament about Lisse Rosso. But Harouna has not struck his name from the list of exiles who have signed up to return. "It is not because I am suffering here," Harouna said. "I earn a respectable living breeding cattle. In Mauritania, I will be living in a hut or a tent. But I am going back."

"It is a matter of principle," he insisted. "My parents are still there. And I would be returning to their village. We have been living there for five centuries."

## OSI ONLINE

Learn more about the global problem of statelessness and efforts to secure citizenship rights for all people.

[www.soros.org/ar08/stateless](http://www.soros.org/ar08/stateless)