

Haratin

The Mauritanian Citizens Shackled by Slavery

Introduction

The Haratin constitute the largest minority group in Mauritania and the most politically and economically marginalised in what remains a society deeply stratified by race and class. After centuries of enslavement, approximately 50% of the Haratin community languish in conditions of *de facto* slavery through domestic servitude and bonded or forced labour. It is estimated that 90% of these modern-day slaves are women. There is a pressing need to uphold Haratin rights as guaranteed by national and international laws. Only in this way may it be possible to improve the situation of the Haratin so that they can participate as full citizens in the political and economic life of Mauritania.

Slavery and the Law



During the 1990s, there were reports of slaves and shackles being sold openly in Mauritanian markets. Although abolished three times, it was not until 2007 that the holding of slaves was criminalised, and only after international pressure. The resulting law imposes a term of 5-10 years imprisonment for slaveholders and 2 years for apologists of slavery. Whilst welcomed by the UN Special Rapporteur on Slavery in her 2010 report, it was noted that the law inadequately defines slavery and provides no initiatives to aid newly-freed slaves. In spite of the 2007 Law, Mauritanian authorities profess that only the 'last vestiges of slavery' remain despite the regular testimony of NGOs to the contrary. Reflecting Nouakchott's indifference to the problem, the first conviction under the Anti-Slavery Law was only made in December 2011 with no evidence of subsequent cases being prosecuted. In citing Maliki interpretations

of Islamic jurisprudence and the precedence of Islamic law under Mauritania's constitution the Anti-Slavery Law has been enervated. In this regard, Mauritania has added reservations to several international human rights instruments on provisions that are contradictory to Shariah Law. Legal provisions are further undermined by conditions stipulating that third-parties cannot file complaints on behalf of slaves, hampering efforts to combat slavery.

Situation of Freed Slaves

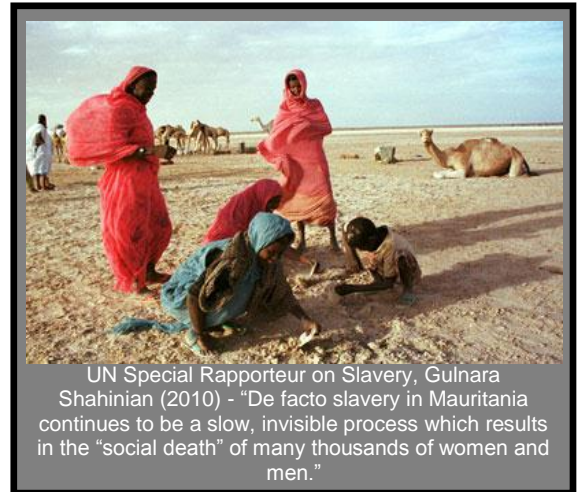
Many new or continuing hardships face those slaves that are freed. In a deeply engrained social system they face stigmatisation as descendants of slaves and members of the lowest caste. There are limited opportunities to secure education, landownership, healthcare or employment as these are usually dominated by current or former slave-owners. Freed slaves often return to former masters out of desperation for food, clothing, and shelter. Many find themselves psychologically dependent on their masters after centuries of hereditary enslavement, in which they have been taught to believe that they will ascend to heaven only through their enslavement. This is reflected in a traditional Mauritanian expression which states that, 'Paradise is under your master's foot'. As a consequence, they are forced to return to masters and work in conditions of indentured servitude or other unpaid work. This hinders their opportunities to advance their social mobility. Illiteracy of the Haratin is estimated at 49%. Many Haratin are therefore unable to read the laws in place supposedly to protect them, or are completely unaware of the illegality of slavery. There have been further reports that development funds provided by international donors often do not reach the people who need it most and are instead appropriated by elites.

Political Marginalisation

Since independence, Mauritania has been ruled by a succession of military dictatorships and single-party regimes that have vehemently denied the continuance of slavery and done little or nothing to end it. The Haratin remain marginalised and underrepresented in Mauritania and make up only 15% of governors and 6% of prefects. Particularly unrepresentative are the offices of the National Assembly and Senate, where Haratin hold 5% and 2% of the seats respectively. However some former slaves have been able to pursue political ambitions. Messaoud Ould Boulkheir, a former slave and President of the National Assembly, contested the 2006 Presidential election coming second with 16% of the vote in an election where turnout was estimated to be approximately 25%. But with Haratin making up 40% of the Mauritanian population, it is clear that their marginalisation from public life extends from the very local to national levels. This disenfranchisement is reinforced by the general alienation of Mauritanian citizens from their political system, reflected in the low turnouts for successive elections.

Harassment of Human Rights Defenders

Anti-slavery human rights defenders regularly meet with contempt or lack of cooperation from the responsible authorities. A persistent denial of slavery still pervades Mauritania and plays a major role in the discrimination against Haratin anti-slavery advocates. Although grassroots NGOs seek out the enslaved and with their consent bring many to the authorities, instead of redress they can face arrest, physical abuse and detention on false or arbitrary charges. In 2011, peaceful sit-ins and demonstrations protesting the failure to observe the Anti-Slavery Law were met with violence and intimidation. The leaders of such peaceful protests are particularly targeted and report receiving death threats and being put under surveillance. Authorities also find ways to deny anti-slavery NGOs the ability to register as official civil society organisations. In addition, attempts to infiltrate and co-opt anti-slavery NGOs through bribery or other means have been reported. Those that report such stories also receive threats. In one example, the director and staff of the Taqadoumy news agency have told of being repeatedly harassed, imprisoned and beaten for condemning the government's position on slavery. The one member of the Mauritanian Human Rights Commission to represent the Haratin, and only in an advisory role, found his position untenable and has since resigned, leaving no Haratin representative on the Commission.



UN Special Rapporteur on Slavery, Gulnara Shahinian (2010) - "De facto slavery in Mauritania continues to be a slow, invisible process which results in the "social death" of many thousands of women and men."

Conclusion

UNPO deplores the continuing practice of slavery in Mauritania as an affront to fundamental human rights and the dignity of the Haratin. Whilst the 2007 Anti-Slavery Law and the recent Law on Domestic Workers is welcomed, progress has been unacceptably slow in abolishing a practice that has long been accepted as not conducive with international norms. Mauritania should remove reservations placed on several important human rights conventions, including the ICCPR, CEDAW, UNCRC and the African Charter for Human Rights, which are creating legal loopholes to make the laws *de facto* redundant and are acting as a facilitator for the acceptance of the legality of slavery and stigmatisation of the Haratin. The European Union is supporting development and improving governance but must strengthen its positions regarding human rights in Mauritania as a parallel objective to furthering these goals and improving the conditions of the Haratin and all Mauritania. The lack of participation of a significant segment of society can only hinder this process, and their lack of participation is proving negative to Mauritanian society as a whole.

About UNPO

The UNPO is an international, nonviolent, and democratic membership organisation established in 1991. Its members are indigenous peoples, minorities, and territories who have joined to protect and promote their human rights through nonviolent solutions.

Contact information

Unrepresented Nations and Peoples Organization
Avenue Louise 52, B-1050, Brussels, Belgium
Telephone: +32(0)251 31459
Fax: +32(0)251 31495
unpo.brussels@unpo.org
www.unpo.org