



MAURITANIA

CAPITAL: Nouakchott

POPULATION: 3.1 million

GNI PER CAPITA: \$740

SCORES	2005	2007
ACCOUNTABILITY AND PUBLIC VOICE:	2.00	3.56
CIVIL LIBERTIES:	2.39	2.94
RULE OF LAW:	2.12	2.51
ANTICORRUPTION AND TRANSPARENCY:	1.97	2.67

(scores are based on a scale of 0 to 7, with 0 representing weakest and 7 representing strongest performance)

Cédric Jourde

INTRODUCTION

Ever since the bloodless coup d'état that ousted Colonel Maaouya Ould Sid Ahmed Taya and brought to power the Military Council for Justice and Democracy (CMJD) in August 2005, Mauritania has epitomized the metaphor of a "country at the crossroads." The government is presently seeking to carry out an effective transition toward democracy and away from the previous regime, in which de jure democratic reforms could barely hide the de facto authoritarian functioning of the state. The postcoup transition period has generated significant changes in the formal rules of the political game; elections, the independence of the judiciary, and freedom of the press have been greatly improved. However, it is still unclear whether the new democratic infrastructure will be

Cédric Jourde is an Assistant Professor at the School of Political Studies, University of Ottawa. His research focuses on the politics of ethnicity, the processes of democratization and authoritarian restoration, and political Islam in Mauritania. He has published articles in journals such as *International Studies Quarterly*, *Comparative Politics*, and the *Journal of Contemporary African Studies*. He has also written chapters in volumes edited by William F. S. Miles, Zekeria Ould Ahmed Salem, Charles-Philippe David, and David Grondin.

2 COUNTRIES AT THE CROSSROADS

reflected in practice and help Mauritania move away from its authoritarian past.

Since achieving independence in 1960, Mauritania has been governed by authoritarian regimes (either civilian or military), including that of Colonel Taya. Although he first came to power in a 1984 military coup, the system Taya oversaw after 1991 included the formal elements of democracy, such as a constitution that provided for political pluralism and recognized universal human rights; an uninterrupted cycle of multiparty elections at the municipal, legislative, and presidential levels; and a flourishing independent press. However, an authoritarian reality stood behind the democratic façade, and ruling elites skillfully manipulated liberalizing reforms. For instance, although elections were organized on a regular basis, the regime never put itself at risk. Taya won all three presidential elections he contested in a process that was generally seen as unfair. In the National Assembly, the presidential party and its smaller allies controlled 100 percent of the seats in 1992, 99 percent in 1996, and 87 percent in 2001. Meanwhile, the government cracked down on alleged Islamist leaders, harassed and jailed opposition leaders, and disbanded opposition parties. In fact, those who successfully ousted Taya were military officers who he thought were his most loyal collaborators.

Three interrelated issues are critical for the fate of the latest democratic transition. The first is the issue of whether the military will accept subordination to civilian control. With the victory of Sidi Ould Cheikh Abdellahi in a March 2007 presidential election, the last stage of the transition was completed, but considering that military officers have been in power without interruption since 1978, the effective retreat of the military from political and economic affairs remains uncertain. The second issue is whether the neopatrimonial and clientelistic management of public offices and resources is going to be gradually replaced by more transparent and equitable processes. Though a certain degree of neopatrimonialism may coexist with a more democratic form of government, the problem in Mauritania is so extensive that significant reforms will be needed. The third issue concerns whether the new government will finally come to terms with the 1989–1991 state-sponsored massacres and expulsions of non-Arabic-speaking communities (the Haalpulaar, Wolof, and Sooninke) and the marginalization of Haratin (also called black Moors, the former slaves of lighter-skinned, Arabic-

speaking Moors known as Bidhan). If these minority groups are not fully included in the political and social spheres, Mauritania's democratization will remain glaringly incomplete. The reforms under way in the country are quite promising on paper, but their actual implementation will be a major test for the new government.

ACCOUNTABILITY AND PUBLIC VOICE

FREE AND FAIR ELECTORAL LAWS AND ELECTIONS:	3.50
EFFECTIVE AND ACCOUNTABLE GOVERNMENT:	2.75
CIVIC ENGAGEMENT AND CIVIC MONITORING:	4.00
MEDIA INDEPENDENCE AND FREEDOM OF EXPRESSION:	4.00
CATEGORY AVERAGE:	3.56

The leader of the transitional CMJD that ousted Taya in August 2005 was Colonel Ely Ould Mohamed Vall, who had served as chief of national police since 1984. He admitted that the democratic institutions adopted under the former regime had been subverted into a de facto single-party system, dominated by Taya's Democratic and Social Republican Party (PRDS).¹

During the postcoup transition period, a constitutional referendum (June 24, 2006) and four different elections were held, including a two-round municipal election, a two-round legislative election (both municipal and legislative elections were held on November 19 and December 3, 2006), a two-round senatorial election (January 21 and February 4, 2007), and a two-round presidential election (March 11 and 25, 2007). Changes in electoral rules and practices made the transitional elections more fair and transparent than those held under Taya, all of which were dominated by the PRDS and smaller pro-Taya parties. A first important change was the creation of an Independent National Electoral Commission (INEC) in November 2005.² Previously, only the Interior Ministry was allowed to organize and monitor elections, which created problems in terms of partiality. Under the new system, the Interior Ministry organizes the elections, but INEC monitors and supervises the process and appoints electoral officials.³ However, the establishment of

INEC was not without flaws. The CMJD unilaterally appointed the INEC chairman, a retired colonel, without consulting opposition parties.⁴ In addition, INEC was inadequately funded and staffed, which limited the extent of its territorial coverage and monitoring capacity.⁵

A second important move was the taking of a census (RAVEL).⁶ It was carried out in the spring of 2006 to establish a new, more reliable electoral list and make the electoral process more transparent. After an initial census was conducted in February 2006, prior to the June referendum,⁷ a second round was held to include the many voters who were left off the list in the first round as well as young citizens who had just reached voting age.⁸ The fact that RAVEL was conducted under the sole jurisdiction of the Interior Ministry, with no INEC monitoring, was highly problematic.⁹ Moreover, leaders of the opposition and independent newspapers claimed that in the Senegal River Valley, many individuals from non-Arabic-speaking minorities were not included in the census on the grounds that they did not have appropriate identification cards.¹⁰ Considering that members of minority communities often had their ID cards taken away or were expelled to neighboring Senegal and Mali during the 1989–1991 period of state-sponsored violence against them, the issue of ID cards should have been seriously dealt with by the transitional authorities. These allegations, if proven, reveal a significant weakness in the reliability of the electoral census and therefore in the protection of minorities' political rights.

Another improvement to the electoral framework was a decree that compels military personnel to vote only in those districts where they are registered.¹¹ Under the Taya regime, military personnel could vote in any electoral district, and trucks loaded with soldiers were sent to districts where the opposition presented a serious challenge so as to guarantee a victory for the PRDS.

In a change that was perhaps more problematic, the CMJD authorized electoral bids by independent candidates; in past elections, only those associated with a political party could seek office.¹² The presence of independent candidates opened the door for a personalization of the vote and facilitated deceptive electoral financing. Newspapers reported that the head of state met with tribal leaders and rural notables and allegedly told them that they should encourage their populations to vote for the independents.¹³ Opposition parties denounced the decision, but to no avail.

In 2006–2007, independent candidates won a majority in the National Assembly, the local councils, and the Senate, having benefited from the financial and political support of people connected to the Taya regime or the junta in power (often the same individuals). Most independent candidates were former members of the PRDS who resigned from the party after the coup, or members of powerful families who were connected to Taya's government. For instance, the leader of the independent deputies, Lemrabott Cheikh Ahmed Ould Sidi Mahmoud, was the interior minister in Taya's last government, and also served as his foreign minister and minister of rural development; he terminated his membership in the PRDS after the coup.

In June 2006, less than a year after the coup, some 97 percent of voters approved a set of constitutional amendments in a national referendum. International observers were generally satisfied with the voting process.¹⁴ INEC reported some problems, however, including the exclusion of local nongovernmental organizations (NGOs) from the electoral monitoring team, the partiality of the personnel of the administration in several districts, the omission of duly registered voters from the electoral list, and the exclusion of some INEC representatives from polling stations by local state officials.¹⁵

The municipal and legislative elections, held simultaneously in late 2006, nevertheless confirmed the improving conditions of the electoral process. International observers, including a European Union (EU) team, viewed the two rounds positively, even noting some improvements between the first and second round, including more neutrality on the part of the administration. The elections were also more open in that the transitional government allowed military officers who had been jailed under the Taya regime for their participation in a failed June 2003 coup to have their own party. Similarly, the government allowed Islamist activists who were frequently arrested and oppressed under Taya to run in the elections. However, they could do so only on an individual basis, as the transitional government maintained Taya's policy of denying Islamists the right to form a party. EU observers raised some concerns about the partiality of staff members at various polling stations. They also criticized the absence of a mechanism to restrict and control electoral spending. The team noted the weak coverage of national monitoring teams and the limited access of political parties to the state-owned television and radio network. Finally, pointing out that more than 15

percent of the ballots were declared invalid in the first round and 6 percent were rejected in the second round, EU observers said more flexible rules were needed in order to forestall a perception that political factors had motivated the ballots' rejection.¹⁶

In all four elections, independent candidates and their allies from the PRDS asserted their dominance over the Taya-era opposition parties. In the National Assembly, the coalition of the independent representatives, who are tied to the CMJD and the former regime (thirty-eight seats), and the political parties associated with the Taya regime (sixteen seats) won a total of fifty-four out of ninety-five seats, while the coalition of Taya-era opposition parties won forty-one seats. At the municipal level, the results were similar, as the coalition of independent candidates and former pro-Taya parties won a majority of city and town councils.

Elections to the Senate in early 2007 were the least democratic of all the voting that occurred during the transition. Though any adult citizen can be a Senate candidate, the pool of voters is restricted to mayors and municipal council members. The limited electorate provided an incentive for widespread vote buying and intimidation. INEC reported that "material and moral pressures are being exerted upon local councilors to influence their voting."¹⁷ Part of this pressure came directly from the CMJD. In fact, the new Senate includes the wives of two officers on the military council, as well as three brothers of CMJD members.¹⁸ The independent candidates and those from Taya's party control two-thirds of the Senate (thirty-seven out of fifty-six seats), while the opposition won only sixteen seats (the three seats reserved for "Mauritians living abroad" were still not allocated at the time of writing).

Finally, the two-round presidential election of March 2007 ended the transition period. In the first round, independent candidate Sidi Ould Cheikh Abdellahi finished first with 24.8 percent of the vote, while Ahmed Ould Daddah, leader of the largest opposition party, got 20.7 percent. Behind them were Zeine Ould Zeidane (15.3 percent), Messoud Ould Boulkheir (9.8 percent), and three other candidates with weaker support. The first two candidates moved to the second round, which Abdellahi won with 52.9 percent of the vote.

In an unusual move for an African election, in the second round the two presidential contenders participated in a debate aired on public television and radio. Furthermore, the election was observed by both local and international monitoring groups. The EU mission reported that the

voting took place in a “calm and transparent” context, with the administration remaining generally neutral and all candidates receiving fair and equitable access to public media. However, the EU team reported some problems, including the absence of limits and a monitoring mechanism for campaign financing.¹⁹ Once the Interior Ministry confirmed Abdellahi’s victory, his second-round opponent publicly acknowledged the outcome, providing further legitimacy to the vote.

Though the constitutional amendments adopted in the 2006 referendum slightly restricted the power of the president by imposing a two-term limit and prohibiting him from leading a political party, the 1991 constitution sanctions “the preeminence of the Head of State.”²⁰ The legislative and judicial branches are in a condition of political subordination. The president appoints and dismisses the cabinet, and can dissolve the National Assembly, which cannot remove him from office except in cases of high treason. He appoints three of the six judges of the Constitutional Council (including its president), which is tasked, among other things, with validating electoral results. Under the previous regime, the executive’s power was strengthened through informal political channels that linked the presidency to local rural leaders, powerful businesspeople, and public servants. The politicization of public institutions was a method of rewarding loyalty to the regime and punishing opposition. Whether this will change under the new elected leadership is difficult to predict. The central government often overawes local elected officials, and representatives of the Interior Ministry and the Defense Ministry currently enjoy unchecked powers in rural areas.

Heavy restrictions were placed on civil society organizations under the previous regime. Organizations with a social or political agenda, such as those aimed at defending Haratin or critiquing the government’s human rights record, were denied official recognition. However, in the weeks prior to the 2005 coup, the Taya regime began to change its approach, deciding to hold official talks with the groups and eventually granting them official recognition.²¹ The same policy was pursued after the coup, when the CMJD confirmed the organizations’ status. It is too early to say whether the new government will maintain the same liberal stance if it confronts civic organizations that strongly criticize its policies. There are no major financial obstacles to the formation of civic organizations, and donors do not face major governmental impediments. Though these groups have had no serious effects on government

actions in the past, this may change if the political liberalization process moves forward.

The transitional government sent a positive signal with respect to freedom of the press when, in December of 2005, it created a commission to advise the government on reforms of the media sector. The commission submitted its report in March 2006, and the resulting Ordinance on the Freedom of the Press was adopted in June.²² The ordinance removed legal mechanisms used under the Taya regime to censor the press, including the infamous Article 11 of the Law on the Press, which forced newspapers to submit a copy of each issue to the interior ministry for approval prior to publication.²³ However, new restrictions have appeared in the form of ambiguously worded regulations that open the door to censorship. Financial and penal sanctions can be imposed if journalists “offend the President of the Republic” (Article 35), if they “attack the honor” of governmental institutions or officeholders (Articles 37–39), or if they threaten “the state’s interior or external security” (Article 33). In other ambiguous language, foreign media can be unilaterally censored by the interior ministry if they “undermine Islam or the reputation of the state, if they go against the public interest, or if they threaten public order and security.”²⁴

The new Law of the Press was combined with the creation of a High Authority for the Press and Broadcast Media (HAPA) in October 2006.²⁵ HAPA’s main task consists of monitoring public communications and enforcing political parties’ and candidates’ equal access to the media during electoral periods, which it did successfully during the presidential election. HAPA will also monitor the liberalization of television and radio stations, which are presently state monopolies. Under the previous regime, the state-owned media were highly propagandistic, but this changed during the transition period. Whether the new government will pursue the reform of its broadcast outlets remains to be seen. The print media, the internet, and foreign satellite television stations operate with relative freedom, but radio broadcasting, with its low cost and accessibility to illiterate people, constitutes the most popular medium.

There were no cases of internet censorship. Access to the internet is on the rise in the capital, and a few attempts have been made to connect large rural towns to the medium. During the transition period, no journalists were arrested or arbitrarily detained. One journalist was physically attacked, allegedly by a former high-ranking official of the Taya regime.²⁶

The cultural expression of non-Arabic-speaking communities is increasingly tolerated. For instance, the government authorized the celebration of the twentieth anniversary of a Haalpulaar cultural association in June 2006. The association, like many others, had been the target of state repression in the 1980s and 1990s.²⁷ Nevertheless, Arabic continues to dominate the state-owned television and radio stations.

Recommendations

- To avoid the radicalization of Islamists, the new government should allow the creation of any political party, including an Islamist party.
- A well-financed and independent institution within the civil service should be created to address the problems of nonmeritocratic and patronage-based appointments.
- In addition to the abolition of Article 11 of the Law on the Press, the provisions concerning criticism of the president and representatives of the state should be removed to prevent government censorship.
- Electoral rules should provide mechanisms for the monitoring of campaign spending, including clear funding limits and disclosure requirements for funding sources.
- Elected local councils should be granted more power vis-à-vis the central government. State representatives should be accountable to local officials on at least some issues, such as land distribution.

CIVIL LIBERTIES

PROTECTION FROM STATE TERROR, UNJUSTIFIED IMPRISONMENT, AND TORTURE:	2.86
GENDER EQUITY:	2.75
RIGHTS OF ETHNIC, RELIGIOUS, AND OTHER DISTINCT GROUPS:	2.25
FREEDOM OF CONSCIENCE AND BELIEF:	2.67
FREEDOM OF ASSOCIATION AND ASSEMBLY:	4.20
CATEGORY AVERAGE:	2.94

Article 13 of the Mauritanian constitution protects citizens from torture and inhumane treatment in prisons. A mediator of the republic (similar to an ombudsman) was established in 1993, both to investigate

the abuse of citizens by state representatives and to make recommendations for settling such disputes.

With respect to protection from state terrorism, torture, and unjustified imprisonment, recent history can be clearly divided into two distinct sections: before and after the 2005 coup. During the period leading up to the coup, oppressive practices continued on a regular basis. Political opponents were routinely arrested, whether they were leaders of opposition parties, Islamists, or military personnel allegedly involved in coup plots. For instance, in November 2004 three top leaders of the opposition were arrested, and an opposition member of the National Assembly was detained in May 2005.²⁸ Moreover, following the coup attempt of June 2003 and the alleged coup attempts of August and September 2004, about 200 soldiers and civilians were arrested. Allegations of torture were made by the prisoners, their lawyers, and their family members. It is very difficult to independently confirm or refute such allegations, given the obstacles to prisoner visits by journalists and representatives of human rights organizations.²⁹ More than eighty of the detainees were issued guilty verdicts in February 2005, and four received life prison sentences, but all were released after the 2005 coup.³⁰

Islamists were frequently arrested under the Taya regime, and no proof of wrongdoing was presented to the public.³¹ More than thirty Islamists were released a few weeks after the 2005 coup, and around one hundred others were granted an amnesty.³² About twenty-four prisoners remained in jail, however, while arrests of other alleged Islamist terrorists continued in June and September 2006 and January 2007, still without the public disclosure of any proof of wrongdoing, without trial, and for a duration that exceeded the legal limit of thirty days.³³

The transitional government announced that it would address the problem of prison conditions, acknowledging that conditions under the previous government had violated basic human rights. In November 2005, the new justice minister promised major improvements through his proposed reform of the justice system. The plan included a pledge to increase the budget for detainees' medical services and food by 75 percent.³⁴ The government also built a new prison to deal with overcrowding at Nouakchott's central prison, as well as a new detention facility for women.³⁵ In a sign of the seriousness of the problem, detainees at the central prison rebelled against their guards on July 18,

2006, calling for improvements in their conditions. An important challenge remains in ensuring that detainees no longer fear being “suicided,” or killed in a staged suicide, when they enter a police station.³⁶ The police claimed in one case that “the suspect committed suicide by hitting his head on his cell’s wall.”³⁷

The CMJD adopted a reform of penal code procedures in December 2006.³⁸ Prisoners now have the ability to contact their families during the first hours of preventive detention (*garde a vue*) and the right to contact a lawyer. Also, the duration of *garde a vue* in cases of threats against the security of the state was curtailed from thirty days to five days. An extension can be authorized by the justice ministry, but not beyond fifteen days. Another important reform is the creation of a Court d’Accusation, which deals with such issues as provisional release demands and accusations against judicial police officers. The critical step will be to ensure that these new legal reforms are implemented in practice.³⁹

The treatment of women in Mauritania varies according to ethnicity, status group (or “caste”), urban-rural setting, and class. In this Muslim country, the Islamic legal tradition applies to personal and family matters and entails certain forms of gender discrimination. These inequalities are maintained in the personal status code adopted in 2001.⁴⁰ Although the code includes certain improvements in gender relations, such as the obligation to obtain a woman’s consent for marriage, these provisions are rarely respected in practice. The code remains ambiguous also, for instance, with respect to underage marriage. Article 6 states that a “legal guardian [who must be a man, as stated in Article 10] can authorize the marriage of a girl under 18 if there is an interest in it [*sic*].” This vague phrase is repeated in Article 9, which states that the marriage must be “in the interest of the woman.”⁴¹

In the formal political arena, a significant effort was made during the municipal and legislative elections to increase the number of female officeholders. For instance, 20 percent of the seats in municipal councils are reserved for women, and at least 20 percent of the candidates on party lists must be women. At the national level, quotas are also imposed for party lists, the size of which depends on the number of seats for each electoral district.⁴² Legislative electoral results did not reach expectations, as women comprise only 18 percent of the legislature, but that was an improvement compared with previous elections. The EU monitoring

team reported that the participation of women, both in the organization of the elections and within political parties, “remains weak.”⁴³ Furthermore, there are no women among the country’s regional governors and local prefects. The conditions for Haratin women remain difficult. Though the government denies the existence of slavery, many are still forced into servitude, a practice that could be dealt with more effectively if serious criminal penalties were enacted and applied (see below on the issue of Haratin).

Under pressure from international organizations such as the UN Development Programme and local NGOs, the government has attempted to address important gender issues, especially violence against women. Training sessions were organized to raise police officers’ understanding and sensitivity toward domestic violence in November 2004.⁴⁴ Also, a pilot project was created in Nouakchott to care for girls and women who have been victims of domestic violence.⁴⁵ In opposing female genital mutilation (FGM), which affects about 70 percent of Mauritanian women, the government obtained the support of religious leaders, who issued a *fatwa* against the practice in 2006.⁴⁶ The transitional government has also adopted a Law for the Penal Protection of Children, some provisions of which deal with FGM.⁴⁷ Article 12 of the law remains ambiguous, however. It states that penal sanctions will apply when “an offense [*une atteinte*] is committed against girls’ genitals . . . if this act has resulted in a prejudice for her.” The last phrase opens the door to contradictory interpretations.⁴⁸ More generally, despite these efforts, the transitional government’s minister of women’s affairs stated that violence against women is still on the rise in Mauritania.⁴⁹ The main problem remains the gap between official policy and its effective implementation.

One defining aspect of Mauritania’s political system continues to be the political, economic, and social status of minority ethnic groups (with “minority” referring more to their political weight than to their number): the non-Arabic-speaking groups (the Haalpulaar, Sooninke, and Wolof) and the Haratin. The transitional government refused to address the 1989–1991 state-sponsored killings and expulsions of Haalpulaar, Sooninke, and Wolof residents. It took no measure to compensate the victims and their families, to allow the collective return of Mauritanian refugees living in Senegal and Mali (as well as the restitution of their stolen property and the reintegration of former civil servants), or even to acknowledge the role played by the government during the violence.

At the time of this writing, the 1993 Law of Amnesty, which protects military personnel involved in the massacres of 1989–1991, was still in effect. It is not clear whether the National Commission for Human Rights, a consultative body created in early 2007, is able to look into the matter; Article 5 of its bylaws states that it cannot deal with events that occurred prior to its creation.⁵⁰

With respect to Haratin, the transition did not bring about significant changes. As in the precoup period, the official policy was to admit the existence only of the “consequences” of ancient slavery practices, not ongoing slavery itself. The transitional government’s justice minister nonetheless organized a conference in March 2006 to discuss the issue and even invited NGOs that were prohibited by the Taya regime. A central problem remains, however: though slavery and the trafficking of individuals are legally forbidden, the practice of slavery is not prosecuted as a criminal offense. As an official from the justice ministry admitted, the current law (the 1983 Penal Code) “does not identify the practice of slavery as a crime against Humanity.”⁵¹ Neither the 2003 Law on the Traffic of Persons nor the 2003 Labor Code mentions the words “slavery” or “slave.”⁵² In rural areas, regardless of what legal texts state, when disputes erupt between freeborn clans and their former slaves, local officials often take the side of former masters at the expense of the Haratin.⁵³

The rights of people with disabilities do not seem to have been affected substantially by the recent political changes. In December 2005, during the International Day of Disabled People, the transitional government promised to work on the integration of disabled people into Mauritania’s social and economic life. A draft law was adopted in 2006 that aims to promote disabled people’s access to basic social services, including health care, education, and infrastructural accommodations.⁵⁴

The government does not prevent the few non-Muslims—limited to Western expatriates and West and Central African immigrants—from practicing their faiths. The state’s interference with religious practices applies only to Islam. Under the Taya regime, the state appointed loyal clerics to official Islamic positions, such as the High Council for Muslim Affairs. Apparently hoping to capitalize on U.S.-led antiterrorism efforts worldwide,⁵⁵ the Taya government frequently arrested outspoken Muslim figures and raided mosques in Nouakchott.⁵⁶ At the time of this writing, the Law on Mosques, adopted in 2003 to transform mosques into government-monitored religious facilities, was still in place. The

transitional government did not take the same repressive approach toward prominent Islamists.

Officially, the state recognizes the right of citizens to assemble, to form independent trade unions, and to demonstrate peacefully. It does not compel people to join specific organizations. In reality, some nuances must be noted. With respect to freedom of association, the Taya regime would prohibit an organization if the issue around which it mobilized was considered politically sensitive, such as antislavery or political Islam. The current government maintains the policy of not allowing moderate Islamists to form a political party. The transitional government did not prohibit or shut down other civic or political organizations. Both before and after the coup, however, the government has generally been quick to break up demonstrations. For instance, in November and December 2006, the police took action against longshoremen at the Nouakchott port and cracked down violently on students who were protesting the difficult conditions at Nouakchott University.⁵⁷ Mauritanian unions are relatively small, covering mostly workers in the small industrial sector and civil servants. Under the Taya regime, they were under the tight control of the government and subject to repression when they became too critical. Since the transition, however, unions have become much less submissive and have not been targeted by the authorities.

Recommendations

- The new elected authorities should both officially acknowledge the state's role in the 1989–1991 massacres and expulsions of Haalpulaar, Sooninke, and Wolof citizens and call for an investigation to identify those responsible. The 1993 Law of Amnesty that protects individuals who have committed human rights violations should be abolished.
- The government should put in place an official mechanism to allow and facilitate investigations of detention conditions and allegations of torture and illegal arrest by state forces.
- The authorities must unambiguously declare slavery a criminal offense. In order to end controversies about the existence of slavery in the country, the judicial system must proceed in a transparent and prompt way when citizens report cases of slavery, trafficking of persons, and forced labor.

- The government must implement a nationwide network of shelters for victims of domestic violence (replicating the pilot project instituted in a Nouakchott neighborhood) and ensure the effective implementation of laws criminalizing violence against women.

RULE OF LAW

INDEPENDENT JUDICIARY:	3.20
PRIMACY OF RULE OF LAW IN CIVIL AND CRIMINAL MATTERS:	2.33
ACCOUNTABILITY OF SECURITY FORCES AND MILITARY TO CIVILIAN AUTHORITIES:	2.00
PROTECTION OF PROPERTY RIGHTS:	2.00
EQUAL TREATMENT UNDER THE LAW:	3.00
CATEGORY AVERAGE:	2.51

The Mauritanian judicial system combines French and Islamic (Malikite rite) legal traditions. Article 89 of the constitution guarantees the independence of the judiciary in theory, and an organic law also protects judges from undue influence. However, even after the postcoup reforms of the judiciary, the system entails the formal domination of the executive over the judiciary.

The president heads the Conseil Supreme de la Magistrature (Superior Council of Magistrates), whose tasks include the nomination of judges. The constitution allows the president to appoint three of the six members of the Constitutional Council, including its chairman, whose voice predominates in case of a split vote. The president also appoints all five members of the High Islamic Council, which advises him on matters of Islamic law.

Formal subordination of the judiciary was reinforced by informal practices during the Taya regime. Specific examples were acknowledged in a report published by the transitional government's commission on justice.⁵⁸ The commission's "Final Report on Justice" identified problems such as the "political instrumentalization of the judiciary" and a "crisis of confidence" in which "no verdict, even when correct, avoids suspicion of partiality."⁵⁹ Very few judicial decisions ever went against the

Taya government. Coming from an official panel, the uncompromising tone of the report is unprecedented in Mauritania. The state-owned newspaper, which in the past never criticized the government, asserted that the justice system under the previous regime “greatly suffered from its lack of independence” and was “plagued by clientelism and mal-administration.”⁶⁰ Even though the constitution considers citizens innocent until proven guilty, the fate of those charged with crimes under Taya depended mostly on their personal connections with powerful people, or lack thereof. Civilian public officials and members of the ruling PRDS were never prosecuted.

To deal with these problems, the transitional government adopted important reforms of the justice system. It created a special interministerial commission in the fall of 2005 whose task was to propose major changes. Three main goals were cited: greater judicial independence, improved quality and quantity of human resources and capacities, and improved material infrastructure. On the last two points, the justice minister identified specific problems, explaining that about twenty courts across the country could not function normally because they simply had no judges; he also said that 60 percent of the buildings owned by the justice ministry were currently rented to private individuals.⁶¹

Reforms implemented since the publication of that report include changes to the Code du Statut de la Magistrature (magistrature status code), passed in June 2006. The new code aims to address the lack of human resources by allowing the magistrature to seek new members among law school professors, private sector legal experts, and clerks of the court, all of whom were previously excluded by recruitment rules. The new code also provides for greater judicial independence by suspending the president’s ability to head the Superior Council of Magistrates when disciplinary actions are taken against magistrates who have committed professional faults.⁶² Also, in December 2006 the government adopted a bill that reformed penal code procedures and included a stricter, more transparent framework for preventive detention (see above).

In December 2005, the government adopted a draft bill designed to improve poor people’s access to legal services.⁶³ The government also created a National Council for Legal Assistance, and set up offices in each of the country’s regions to facilitate and coordinate the delivery of legal aid.⁶⁴

Now that the formal rules of the justice system are improving, the main task is to ensure that they are effectively implemented, as suggested

by the chair of the Mauritanian bar, who publicly demanded at the outset of the transition that more independence be granted to the justice system.⁶⁵

The political power of the military began to rise when Mauritania fought a war in Western Sahara in 1975. Between 1978 and 2005, every change in leadership occurred through a military coup d'état. Although the 1991 constitution provides for a civilian form of government, in reality the military has always been the key pillar of the state. To a large extent, the armed forces' loyalty is secured through the distribution of significant political and economic advantages to top officers, and it can be lost when such distribution fails.⁶⁶ Security matters, which are very broadly defined, are the exclusive domain of the military, as are the armed forces' internal affairs. The elected government's biggest challenge is to obtain both legal and practical civilian control over the military.

Article 15 of the constitution ensures the right to own property. The Law on Land Tenure, adopted in 1983, guarantees private ownership of land. However, it also states that the government can evict citizens, with compensation, to help meet larger "economic and social development needs." Communities that, in accordance with their customs, oppose the individual ownership and sale of land must create cooperatives and officially register as associations. In rural areas, de facto expropriation of land by powerful agents with connections to high-ranking civil servants is common. Such activity was in part responsible for the tensions between state officials and communities of the Senegal River region—the homeland of the Haalpulaar, Sooninke, and Wolof ethnic minorities—that eventually resulted in the state-sponsored killings and evictions of thousands of black African citizens between 1989 and 1991. Conflicts between Haratin and Bidhan masters also broke out in rural areas when the former claimed land ownership on the basis that they were the ones actually working the land. In urban centers, shantytowns have mushroomed, most often without any official property titles, and they have frequently been the targets of violent and sudden evictions by state officials.

A Code of Investments was promulgated in 2002 to facilitate and protect foreign direct investment. Also, to make the local legal environment more secure for business transactions, the transitional government specifically created in 2006 two "tribunals of commerce," in Nouakchott and Nouadhibou.

Recommendations

- The constitutional independence of the judiciary must be upheld in practice to provide for a universal and effective respect for the rule of law. Specific policies should include confirmation mechanisms that would allow the Senate or National Assembly to assess the president's judicial nominees and prevent excessive executive domination of the judiciary.
- The military must be effectively monitored and bound by transparent forms of civilian control, in keeping with the spirit of the 1991 constitution. The exclusive jurisdictions and policy domains of the military and security agencies, whether formal or informal, should be subjected to autonomous civilian oversight.
- The government must implement transparent procedures to prevent the arbitrary seizure of land in rural areas, including safeguards against unlawful decisions by local representatives of the state, such as governors, prefects, and gendarmes. Similarly, fair and open mechanisms for land titling in large urban areas must be established.
- The coverage of tribunals of commerce, which are currently located only in the two large cities of Nouakchott and Nouadhibou, must be extended to the entire country to prevent the development of a two-tiered system that leaves the rest of the country with no reliable legal foundations for business transactions.

ANTICORRUPTION AND TRANSPARENCY

ENVIRONMENT TO PROTECT AGAINST CORRUPTION:	2.80
EXISTENCE OF LAWS AND ETHICAL STANDARDS BETWEEN PRIVATE AND PUBLIC SECTORS:	3.00
ENFORCEMENT OF ANTICORRUPTION LAWS:	2.75
GOVERNMENTAL TRANSPARENCY:	2.14
CATEGORY AVERAGE:	2.67

In the period prior to the coup, state economic policy began to be more clearly defined through the adoption of an investment code, the simplification of the tax system, and the elimination of many bureaucratic

regulations from the economy. However, political clientelism, or the weak separation of public office from the personal and political interests of state officials, remained widespread and nurtured corruption. Management of public resources, whether those generated within the country or those derived from international development aid, was strongly influenced by political and private imperatives.

Under the Taya regime, public access to government information was both limited and unreliable. Even public institutions, such as the different commissions of the National Assembly, the Senate, and the Cour des comptes (comptroller and auditor general), faced great difficulties in gaining access to government information and monitoring the policy-making process.⁶⁷

Major private economic actors, both individuals and firms, enjoyed great economic freedom, so much so that they formed an oligopoly with close family, clan, and personal ties to the presidency.⁶⁸ Postcoup events suggest that this oligopoly has not changed, although its internal hierarchy has shifted, with those closer to the new junta's leaders gaining special access to state contracts and licenses, such as cellular telephone licenses and deals involving Mauritania's airlines. They control most sectors of the market economy, including transport, banking, telecommunications, food importation, and construction.

The Taya regime never cracked down on corruption at the highest levels of the state. The country's auditing body, the Cour des comptes, failed to fulfill its role; its lack of independence stemmed from its subordination to the president, who appointed its chairman.⁶⁹ In September 2005, the transitional government indicated its willingness to fight corruption by creating the Inspection Generale de l'Etat (State Inspectorate General, or IGE), led by an inspector general nominated by the prime minister. Its task is to "promote good governance, healthy management of public affairs, fight against corruption and against economic and financial crimes."⁷⁰ In the words of the inspector general, IGE can "control who it wants, when it wants."⁷¹ A number of unwarranted spending decisions were disclosed by the IGE, suggesting that it is indeed able to tackle the problems of corruption and mismanagement effectively.⁷² Still, it is not clear how this new institution differs from the existing Cour des comptes and the General Inspectorate of Finance, leaving open the possibility of a significant functional overlap.⁷³ It remains to be seen whether the new government will provide the IGE

with the resources and political support it needs to carry out its mission. The CMJD sent a mixed signal concerning corruption when its leader declared that people who had committed economic crimes under the previous regime would not be prosecuted.⁷⁴

The accountability of tax collection is hampered by weak human and material capacity. An International Monetary Fund (IMF) report pointed out, in diplomatic language, the possibility of “inadequate supervision by the revenue-collecting agencies,” noting that they “are not obliged to provide annual reports to the legislature on their activities.”⁷⁵ Some reforms have been adopted since the coup, including the implementation of a single identifying number for each taxpayer and the reform of different strategic sectors, such as fisheries and hydrocarbons.

A few months before the coup, important measures were promulgated to deal with transparency and corruption, such as Mauritania’s participation in the IMF’s General Data Dissemination System (2004), the standardization and computerization of the budgetary and spending process (2004),⁷⁶ the creation of internal auditing institutions in each ministry,⁷⁷ and the creation of an Anti-Corruption Police service.⁷⁸ Following pressure from the IMF, the Taya government acknowledged in May 2005 that the bulk of the data (1992–2005) it had provided to the fund was inaccurate. As stated by the IMF, “The revisions of most economic and financial data since 1992 confirmed that over many years fiscal and monetary policies had been substantially looser than previously reported to the Fund.”⁷⁹ These false data, including major unacknowledged, extrabudgetary military spending,⁸⁰ led the IMF to suspend Mauritania from further negotiations and to demand the reimbursement of monies allocated through Poverty Reduction and Growth Facility (PRGF) accords. Factors behind this fraud included “the lack of program ownership and low accountability of government institutions, combined with their deficient domestic oversight.”⁸¹ In mid-2006, the new government provided revised data to the IMF, which then decided to resume its relations with Mauritania. However, this scandal raises doubts about the reliability of data in other sectors that are of less concern to the IMF, including social indicators.

The transitional government announced that Mauritania had joined the Extractive Industries Transparency Initiative (EITI) to ensure the transparent management of revenues generated by the oil sector. A special account was set up in April 2006 specifically to receive oil money,

to be overseen by the newly created National Committee for the Monitoring of Hydrocarbon Revenues.⁸² While the decision is welcome, its actual implementation and duration will be a major test of transparency. The IMF argues that more efforts are needed “to strengthen the finance ministry’s oversight over oil revenue collection, and to proceed with the appointment of an auditor of international reputation,”⁸³ while the World Bank states that the government-owned Societe mauritanienne des hydrocarbures (Mauritanian hydrocarbon company) should “enhance its openness to public scrutiny to avoid conflicts of interest and prevent it from becoming a ‘state within the state.’”⁸⁴

Under the previous regime, legislators had neither the necessary training nor adequate access to information to provide adequate oversight of the budget-making process. So far, no reform on that subject has been adopted. It remains to be seen whether the newly elected National Assembly will be better equipped.

In theory, a safe legal environment for citizens who denounce cases of corruption is provided by the mediator of the republic, the penal code, and the constitutional right of expression. Under the Taya regime, the reliability of this framework was undermined by the institutional and empirical weakness of the mediator (see Civil Liberties), the judicial system’s lack of independence, and government censorship of newspapers when they attempted to report detailed allegations of corruption.

With respect to higher education, living and working conditions at universities remain inadequate, and faculty often come under pressure to favor well-connected students. Some changes have been implemented during the transition to improve the situation. For instance, in 2006 the distribution of much-valued fellowships to study abroad was more transparent than before. But some sources also reported that several individuals who held key positions in the previous regime and were known for their corrupt practices were still sitting on the fellowship distribution committee after the coup. Family ties seem to be an asset that increases the likelihood of obtaining such grants.⁸⁵

Recommendations

- The new institution in charge of the management of oil revenues should be made as transparent as possible. Related control mechanisms should be created within the energy ministry and the Societe mauritanienne des hydrocarbures.

- In light of the positive work undertaken by the Inspection Generale de l'Etat, internal and external auditing bodies should be granted full independence from the presidency, protected against informal influences, and provided with the resources to carry out their mission.
- An effective mechanism must be set in place to investigate and condemn cases of private appropriation of public resources. This could be done by making the mediator of the republic fully independent of the presidency, by allowing all citizens (not just elected representatives) to lodge a complaint with the mediator, and by providing the mediator with more human and material resources.
- In order to combat petty corruption in education, the faculties and staff of educational institutions should be provided with better salaries and working conditions. An independent body should be created to investigate illegal pressures on faculty by parents and administrative superiors.

NOTES

- ¹ "Premiere conference de presse du President du Conseil Militaire pour la Justice et la democratie," *Horizons* no. 4079 (10 October 2005).
- ² "Transition democratique: la CENI officiellement instituee," *Horizons* no. 4099 (9 November 2005).
- ³ "Conseil des ministres: elargissement des attributions de la CENI," *Nouakchott Info Quotidien* no. 1142 (4 January 2007).
- ⁴ The term "opposition parties" refers to parties that were in the opposition during the Taya regime.
- ⁵ "Adoption du bulletin unique: la bataille des couleurs," *Le Calame* no. 537 (10 May 2006).
- ⁶ RAVEL stands for Recensement a Vocation Electorale.
- ⁷ "Processus electoral: demain, le recensement," *Horizons* no. 4165 (15 February 2006).
- ⁸ "Rapport d'evaluation du vote referendaire par la CENI: Qui veut voyager loin menage sa monture!" *Nouakchott Info Quotidien* no. 1044 (9 August 2006); "RAVEL II: Une autre opportunit e pour se faire recenser," *Horizons* no. 4305 (4 September 2006).
- ⁹ "La CENI a le tournis: les ravages du RAVEL," *Le Calame* no. 528 (8 March 2006).
- ¹⁰ *Ibid.*
- ¹¹ "Vote militaire: une nouvelle reglementation," *Le Renovateur* no. 109 (14 November 2006).
- ¹² "Politique: de la candidature independante," *L'Authentique Quotidien* no. 235 (30 December 2005).
- ¹³ "Processus Democratique: Ely jette un pave dans la mare," *L'Authentique Quotidien* no. 361 (18 September 2006).

- ¹⁴ “Les observateurs internationaux satisfaits,” *Horizons* no. 4255 (24-26 June 2006).
- ¹⁵ “Rapport d’évaluation du vote référendaire par la CENI...,” *Nouakchott Info Quotidien* no. 1044 (9 August 2006); “Exclusion des observateurs nationaux du referendum: la polemique,” *Le Calame* no. 544 (28 June 2006).
- ¹⁶ “Observateurs de l’union: Bien, mais peut encore mieux faire,” *Nouakchott Info Quotidien* no. 1116 (22 November 2006); “Point de presse de la mission d’observation de l’Union Européenne: des ameliorations a apporter au processus electoral,” *L’Authentique Quotidien* no. 403 (7 December 2006).
- ¹⁷ As reported in “Mauritania,” *Country Report* (London: Economist Intelligence Unit [EIU], January 2007), 14.
- ¹⁸ “La victoire des colonels: senatoriales 2007,” *L’Authentique Quotidien* no. 424 (22 January 2007).
- ¹⁹ “Mission d’observation electorale (MOE): Le scrutin du 11 mars s’est deroule dans la transparence,” *Nouakchott Info Quotidien* no. 1192 (15 March 2007). The EU observation mission’s preliminary report can be found on the mission chair’s website: <http://maib.info/1/spip.php?article514>.
- ²⁰ Djibril Ly, “L’Etat de droit dans la constitution mauritanienne du 20 juillet 1991,” *Revue mauritanienne de Droit et d’économie* 9 (1993): 50.
- ²¹ “La reconnaissance des ONG s’inscrit dans la droite ligne de l’ouverture politique,” *Nouakchott Info Quotidien* no. 780 (19 May 2005).
- ²² The new ordinance on freedom of the press can be found here: <http://www.ami.mr/fr/texteslegislatifs.html>.
- ²³ “Conseil des Ministres: Adoption de la nouvelle loi sur la presse,” *Nouakchott Info Quotidien* no. 1002 (8 June 2006).
- ²⁴ Ordinance of the Freedom of the Press, Article 21.
- ²⁵ A copy of the ordinance can be found in “Ordonnance 2006-034 portant institution de la Haute autorite de la presse et de l’audiovisuel (HAPA),” *Horizons* no. 4340 (20 October 2006); see also “Liberalisation de la presse: la Haute Autorite sur les rails,” *Le Calame* no. 555 (27 September 2006).
- ²⁶ Reporters Without Borders, “Editor attacked after receiving death threats,” news release, 17 February 2006, <http://www.ifex.org/en/content/view/full/723471>.
- ²⁷ Personal observations during that event, Nouakchott, June 2006.
- ²⁸ “Après l’interpellation et la liberation d’un depute RFD: les deputes de l’opposition se solidarisent avec leur collegue,” *Nouakchott Info Quotidien* no. 770 (2 May 2005).
- ²⁹ “Qui torture qui? Dossier 8 juin et Co.,” *Le Calame* no. 460 (3 November 2004): 1, 3.
- ³⁰ “Proces des putschistes: plaidoyers, etat de siege et querelles de procedures,” *L’Authentique Quotidien* no. 179 (23 November 2004); “Mauritania,” *Country Report* (EIU, April 2005).
- ³¹ “Un delit politique: detention des chefs islamistes,” *Le Calame* no. 466 (15 December 2004); “Victimes de la loi sur la presse,” *Le Calame* no. 462 (17 November 2004): 3; “Greves des avocats,” *L’Authentique Quotidien* no. 197 (17 May 2005); “Islamistes en prison: la defense denonce des sevices contre deux detenus,” *Le Calame* no. 493 (23 June 2005).
- ³² “Declaration du ministre de la Justice a la presse: 115 individus, dont 32 etaient en prison, ont beneficie de l’amnistie,” *Horizons* no. 4054 (5 September 2005).

- ³³ “Deux presumes salafistes ecroues: on deterre la loi sur le terrorisme,” *Le Calame* no. 554 (20 September 2006); “Nouvelle serie d’arrestations dans les milieux ‘salafistes’: la ‘guerre contre le terrorisme’ continue,” *Le Calame* no. 572 (17 January 2007); “Serie d’arrestations de presumes islamistes,” *L’Authentique Quotidien* no. 418 (11 January 2007).
- ³⁴ “Reforme de la justice: affirmation de l’indépendance du magistrat,” *Horizons* no. 4286 (8 August 2006).
- ³⁵ *Ibid.*
- ³⁶ “Les droits fondamentaux, dans les prisons et les commissariats: Projet d’ordonnance portant revision du Code de Procedure Penale,” *Nouakchott Info Quotidien* no. 1147 (11 January 2007).
- ³⁷ “Journée mondiale contre la torture: menace sur l’intégrité du corps humain en Mauritanie,” *L’Authentique Quotidien* no. 203 (27 June 2005); “Tortures et meurtres attribuées à la police: le FONADH denonce,” *Le Calame* no. 494 (30 June 2005).
- ³⁸ Agence mauritanienne d’information, “Le porte parole du gouvernement commente les travaux du Conseil des ministres,” news release, 27 December 2006.
- ³⁹ “Les droits fondamentaux, dans les prisons et les commissariats: Projet d’ordonnance portant revision du Code de Procedure Penale,” *Nouakchott Info Quotidien* no. 1147 (11 January 2007); “Reforme de la justice: affirmation de l’indépendance du magistrat,” *Horizons* no. 4286 (8 August 2006); “Reforme de la justice et du droit: Le plus grand travail de la transition,” *Le Calame* no. 585 (4 April 2007); “Nouvelles dispositions du Code de Procedure Penale: Detention preventive et controle judiciaire,” *Le Calame* no. 586 (18 April 2007).
- ⁴⁰ The entire Personal Status Code is available on the justice ministry’s website: http://www.justice.gov.mr/NR/rdonlyres/81255DB5-4489-448C-9574-DB9711B39718/0/Code_statutpersonnelFr.pdf.
- ⁴¹ “Nouveau Code de Statut Personnel: la loi qui libere,” *Nouakchott Info Quotidien* no. 813 (18 July 2005).
- ⁴² “Presence des femmes aux cercles de prise de decision: Pour plus de place au soleil,” *Le Calame* no. 529 (15 March 2006).
- ⁴³ Quoted in “Observateurs de l’Union: Bien, mais peut encore mieux faire,” *Nouakchott Info Quotidien* no. 1116 (22 November 2006).
- ⁴⁴ “Session de formation des policiers sur la prise en charge psycho sanitaire des filles et femmes victimes de violence sexuelle: evaluer l’ampleur du phenomene pour apporter une meilleure assistance aux victimes,” *Horizons* no. 3850 (13 November 2004).
- ⁴⁵ “Inauguration d’un centre pilote de prise en charge psycho-sanitaire et sociale des filles et femmes victimes des violences physiques,” *Horizons* no. 3896 (18 January 2005).
- ⁴⁶ See a report by the German international aid agency, GTZ, “Mutilations genitales feminines en Mauritanie,” available at: <http://www.gtz.de/de/dokumente/fr-fgm-pays-mauritanie.pdf>. See also “Tolerance zero aux mutilations genitales féminines: les Ulemas mauritaniens decretent une fatwa,” *Le Calame* no. 524 (8 February 2006); “Mutilations genitales feminines: pour agir contre cette pratique,” *Le Calame* no. 474 (9 February 2005).
- ⁴⁷ The law can be found on the justice ministry’s website: <http://www.justice.gov.mr/NR/rdonlyres/5EBA5298-9830-4234-8022-960D614F303C/0/ordonnancen2005015.doc>.

- See also "Formation sur le code de la protection penale de l'enfant," *Horizons* no. 4234 (26–27 May 2006).
- ⁴⁸ "Tolerance zero aux mutilations genitales feminines," *Le Calame* no. 524 (8 February 2006).
- ⁴⁹ "Violence a l'egard des femmes: necessite de nouvelles juridictions," *Horizons* no. 4112 (28 November 2005).
- ⁵⁰ "La Commission Nationale des Droits de l'Homme chez le colonel Ely," *Le Calame* no. 586 (18 April 2007).
- ⁵¹ "Droits de l'Homme: Consensus pour une lutte sans merci contre l'esclavage," *Nouakchott Info Quotidien* no. 955 (27 March 2006); "Journée de reflexion sur l'esclavage: comment tuer le monstre?" *Le Calame* no. 531 (29 March 2006).
- ⁵² See the interview with the leader of SOS-Esclave in "Entretien avec Boubacar Ould Mes-saoud, President de SOS Esclave," *La Tribune* no. 295 (16 March 2006).
- ⁵³ For an example of that pattern, see "Trarza: un fait divers qui risque d'etre amplifie par les rancoeurs ethno-tribales," *Nouakchott Info Quotidien* no. 1126 (11 December 2006).
- ⁵⁴ Agence mauritanienne d'information, "Commentaire du ministre de la communica-tion," news release, 11 October 2006; "L'accessibilite numerique, theme de la journee internationale: handicaps," *Horizons* no. 4376 (15–17 December 2006); "Journée inter-nationale des personnes handicapees: la Mauritanie oeuvrera a une meilleure integration des personnes handicapees," *Horizons* no. 4116 (5 December 2005).
- ⁵⁵ Cedric Jourde, "The International Relations of Small Neauthoritarian States: Islamism, Warlordism, and the Framing of Stability," *International Studies Quarterly* (June 2007).
- ⁵⁶ "Affaires des islamistes: perquisitions et arrestations dans plusieurs mosques," *Eveil Hebdo* no. 580 (17 May 2005); "Decouverte de plans visant a conduire une 'revolution' islamiste," Agence France-Presse (AFP), 18 May 2005.
- ⁵⁷ "Universite de Nouakchott: Interpellations au sein de l'UNEM," *Tahalil Hebdo*, 14 December 2006; "Journée sanglante a l'universite de Nouakchott," *Al Akhbar Info* (27 December, 2006), available at: <http://fr.alkhbar.info>; "Poursuite des affrontements entre la police et les etudiants a Nouakchott," *Al Akhbar Info* (28 December 2006).
- ⁵⁸ "Faciliter l'acces au droit et a la justice aux categories les plus defavorisees," *Horizons* no. 4084 (17 October 2005); see also "Reforme de la justice: au chevet de la grande malade," *Le Calame* no. 511 (31 October, 2005).
- ⁵⁹ The entire document is available on the government's webpage: <http://www.mauritania.mr> (in Arabic) or <http://www.mauritania.mr/french.default> (in French). See page 12 of that document.
- ⁶⁰ "Reforme de la justice: affirmation de l'indpendance du magistrat," *Horizons* no. 4286 (8 August 2006).
- ⁶¹ *Ibid.*; see also interview with justice minister in "Mahfoudh Ould Bettah, Ministre de la Justice: Les reformes entamees vont etre poursuivies," *Le Calame* no. 535 (26 April 2006).
- ⁶² "Adoption du nouveau statut de la magistrature: la reforme de tous les dangers," *L'Authentique Quotidien* no. 321 (13 June 2006).
- ⁶³ "Faciliter l'acces au droit et a la justice aux categories les plus defavorisees: le ministre de la justice a Horizons," *Horizons* no. 4084 (17 October 2005); Agence mauritanienne

- d'information, "Commentaire du Ministre de la Communication," news release, 21 December 2005.
- ⁶⁴ "Point de presse: creation d'un conseil national pour l'assistance judiciaire," *Nouakchott Info Quotidien* no. 897 (22 December 2005); "Decret sur l'aide juridique et judiciaire," *Le Calame* no. 580 (7 March 2007).
- ⁶⁵ Agence mauritanienne d'information, "Le batonnier de l'Ordre des Avocats reclame plus d'indépendance et de modernisation de la justice," news release, 16 January 2007.
- ⁶⁶ Zekeria Ould Ahmed Salem, "La démocratisation en Mauritanie: une 'illusio' postcoloniale?" *Politique Africaine* 75 (October 1999): 140–41.
- ⁶⁷ *Report on the Observance of Standards and Codes—Fiscal Transparency Module* (Washington, D.C.: International Monetary Fund [IMF], Country Report No. 02/268, December 2002); *Groupe Technique Thematique, "Gestion Ressources Publiques," Rapport Provisoire* (Islamic Republic of Mauritania, February 2004), 7; *Country Financial Accountability Assessment* (Washington, D.C.: World Bank and the Islamic Republic of Mauritania, Report No. 27065, Vol. 1, November 2003), 46–47; *Programme d'appui a la mise en oeuvre du Programme national de bonne gouvernance, 2003–2005* (New York; United Nations Development Programme, March 2003), 63.
- ⁶⁸ *Project Performance Assessment Report* (World Bank, Report No. 29615, 1 July 2004), 25.
- ⁶⁹ *Report on the Observance of Standards and Codes . . .* (IMF, Country Report 02/268), 13–14.
- ⁷⁰ "Inspection generale d'Etat: un gadget de plus?" *La Tribune* no. 273 (26 September 2005).
- ⁷¹ "Entretien avec M. Mohamed Ould Horma Ould Abdi, Inspecteur General d'Etat: toutes les institutions seront controlees en 2006," *Horizons* no. 4215 (27 April 2006).
- ⁷² *Ibid.*, see concrete examples of cases of corruption and mismanagement.
- ⁷³ *Ibid.*
- ⁷⁴ "Premiere conference de presse du President du Conseil Militaire pour la Justice et la democratie," *Horizons* no. 4079 (10 October 2005); see also "Faut-il punir ou excuser les auteurs des detournements des deniers publics?" *L'Authentique Quotidien* no. 214 18–24 October 2005.
- ⁷⁵ *Report on the Observance of Standards and Codes . . .* (IMF, Country Report 02/268), 7–8, 14.
- ⁷⁶ "Chaine des depenses publiques: un pas vers la modernisation, deux pas vers la transparence," *Nouakchott Info Quotidien* no. 694 (12 December 2004).
- ⁷⁷ "Parachever la reorganisation de l'administration et des finances publiques pour une gestion plus saine: le ministre de la communication et des relations avec le parlement, porte-parole officiel du gouvernement," *Horizons* no. 3927 (5 March 2005).
- ⁷⁸ "Creation de nouvelles structures pour combattre le detournement des biens publiques et la corruption," *Horizons* no. 4010 (3 July 2005); see also "Balayer devant sa porte: Commissariat special de lutte contre les crimes economiques," *L'Authentique Quotidien* no. 204 (5 July 2005).

- ⁷⁹ *Islamic Republic of Mauritania: 2006 Article IV Consultation—Staff Report; Staff Statement; Public Information Notice and Press Release on the Executive Board Discussion; and Statement by the Executive Director for the Islamic Republic of Mauritania* (IMF, Country Report No. 06-272, July 2006), 3.
- ⁸⁰ *Ibid.*, 4.
- ⁸¹ *Ibid.*, 7.
- ⁸² The official text for this commission can be found at: <http://www.tresor.mr/static/arrete-cnsrh.doc>.
- ⁸³ *Ibid.*, 20.
- ⁸⁴ *Second Poverty Reduction Strategy Paper/Mauritania* (World Bank, Report No. 38116-MR, 29 November 2006), 6.
- ⁸⁵ See two articles on that subject: “Enseignement superieur: Bourses de la transparence,” and “Les 10 grandes injustices de la Commission Nationale de Bourses CNB,” *La Tribune* no. 295 (16 March 2006): 3

