

References to Caste-Based Discrimination in the Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, on his mission to Mauritania (2 to 8 September 2013)

IDSN June 2014

<p>Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mr. Mutuma Ruteere, following his mission to Mauritania</p> <p>A/HRC/26/49/Add.1</p> <p>June 3 2014</p>	<p>II. Context</p> <p>The Haratine are thought to constitute the largest ethnic group in Mauritania and the most politically and economically marginalized in what remains a society deeply stratified by ethnicity, descent, castes and class. The word Haratine is derived from the Arabic word for freedom, as they are perceived by the rest of society as freed slaves.</p> <p>The Moors are divided into many different tribes stratified in castes by profession, such as blacksmith, religious leader, and warrior, inter alia. The Special Rapporteur was informed that relations among the different castes are very hierarchical and give rise to the exclusion and marginalization of certain castes, such as that of blacksmiths, in favour of others. Access to certain functions, activities and responsibilities is therefore closely linked to caste identity and marriages are highly codified according to descent. For example, the Special Rapporteur met with members of the blacksmith caste, who reported that 90 per cent are involved in business and retailing, that only 5 per cent are primary school teachers and that their sons cannot marry girls from other castes. Although some of the Afro-Mauritanian ethnic groups are not divided into castes, they too are very hierarchically organized and relations among the various subgroups are highly influenced by descent.</p> <p>The Special Rapporteur noted that Mauritanian society is highly stratified along ethnic and caste lines, with de facto slaves and descendants of slaves assigned the lowest status, which is passed down through the generations. This stratification, which has historical roots, fuels latent tensions and conflicts which at times turn violent</p> <p>B. Justice system</p> <p>In addition, the justice system was reported to work mainly in Arabic, as bilingual judges are rare. This, and the fact that judges appear to be recruited mainly from one caste or tribe, represents a barrier to access to justice, leading to de facto exclusion of those who do not speak Arabic.¹ The practice of prioritizing one language and one caste or tribe also makes access to the judiciary profession very limited for the other ethnic communities and contributes to fuelling impunity for human rights</p>
---	---

¹ Fédération international des ligues des droits de l’Homme (FIDH), Mauritanie, “Critiquer la gouvernance: un exercice risqué” (2012).

violations, including cases of ethnic and descent-based discrimination, as victims do not trust the justice sector, which they see as skewed in favour of certain segments of the population

D. Census

The authorities explained that the census was necessary to safeguard the security of the country as well as that of its residents and citizens, through the establishment of a centralized national biometric database to replace the 13 uncoordinated regional population databases, which were dismantled in May 2011. The census process started with the opening of a first census centre in Nouakchott on 5 May 2011; in 2013 there were a total of 216 census centres of which 8 located abroad for the census of Mauritanian expatriates. The Government explained that the census had been designed in three successive phases: (1) registration of the population in possession of all requested documents; (2) registration of those partially fulfilling the documentation requirements; (3) and registration of the population not possessing any identification documents. Although the Government reported that the current census had allowed for the registration of 2.9 million people, representing 700,000 additional citizens who did not appear in the 2008 census and subsequent complementary census operations conducted up to 2009, the current national exercise has brought to the surface not only the deep-seated issues that divided the society along ethnic and **caste** lines, but also unresolved human rights violations perpetrated in the late 1980s. Since September 2011, demonstrations have continued against certain practices linked to the census exercise and groups which have traditionally been discriminated against have expressed concerns with regard to the registration requirements, which have been viewed by some as an attempt to strip members of Mauritanian society of their right to nationality.

F. Youth and education

Young people, particularly in rural areas, appear to be strongly attached to the traditional values of their groups of origin: young people identify first and foremost with the group to which they belong rather than to the nation. Some young people, for example, believe that maintaining the **caste** system is necessary to preserve the group identity and claim that mixed marriages are unacceptable. As a result the ethnic, religious or descent based groups compete with and fill the space left by public institutions and services which are no longer able to cater for an increasing young urban population, thus undermining efforts towards social cohesion.²

From the interactions during the visit, the Special Rapporteur sensed that the feeling of belonging to one nation had not yet been cemented and

² Becapress, Government of the Islamic Republic of Mauritania and UNICEF, “Etude CAP sur les préjugés sociaux, la discrimination et la citoyenneté” (October 2010).

that individuals were more likely to mobilize along ethnic and **caste** lines. Hence it was reported that people tended to favour members of their families, their **castes**, ethnic groups or regions,³ which perpetuates nepotism in both the political and economic spheres, leading to further discrimination and inequalities.

VI. Conclusions and recommendations

There is a need to improve the effectiveness of the relevant institutions in addressing the problems of discrimination and to win public confidence in their effectiveness and commitment to implementing the law. The competent ministries should therefore include in their annual budgets adequate resources to tackle issues of ethnic-, **caste**- and descent-based discrimination as well as slavery-like practices within their areas of responsibility, particularly to strengthen the capacity and expertise of officials, and maintain continued cooperation with relevant United Nations agencies, and in particular with the Office of the High Commissioner for Human Rights in Mauritania.

³ Sall Ousmane and Abdallahi Ould Kerim, “L’*introduction des life skills en Mauritanie: Document de base à l’intention des concepteurs des programmes scolaires de l’éducation nationale*” (June 2005).