

Statement of SOS Esclaves

11th session of the Forum on Minority Issues

“Statelessness”

29 and 30 November 2018

Item 3: Statelessness resulting from conflicts, forced population movements, and migration affecting minorities: main challenges and possible solutions”

The right to exist is a long and perilous path for minorities in Mauritania, where the Harratines, Wolof, Soninke, and Pular minorities are greatly affected by statelessness, despite having always lived on the territory.

All minorities are victims of discrimination in relation to the establishment and renewal of civil status, under a prism of discrimination from multiple facets: limited access to land, education (as their languages are ignored), water, and to health and public services, etc...

The right to citizenship in Mauritania is currently framed by a new, so-called “modern” law. However, the process of registering civil status, called “enrolment”, is discriminatory. There are many constraints and obstacles for when a member of a minority wishes to register: the requirement of proof of nationality (when they know that Black people lost their documents during the events of 1989), birth certificates of parents, marriage certificates, etc...

For the survivors of slavery, it is even more difficult because the births of slaves are not declared by their masters. They do not have any identity or legal recognition, because they are considered as objects.

The lack of registration results in the impossibility of obtaining education, the right to vote, and social services, and reduces the internal mobility, which is marked by questioning, arrests, and multiple humiliation.

Guaranteeing the right to citizenship can only be effective if the registration and census procedures are accessible and applicable for all people in a territory, regardless of socio-economic status, ethnicity, language, gender, or place of residence.

1. Recommendation to the State to institute specific measures for the access of survivors of slavery to civil status, since it is pointless to ask them for certificates that they never had.
2. The UN must recommend to the state to reinstate the civil status of former deportees returning to the country.

Statement

Madame Chair,

Statelessness involves serious violations of the human rights of women and children in my country of Mauritania. Some women from Afro-Mauritanian minorities and migrants residing in the country for more than 30 years do not have access to civil status and to basic social services.

Women who are victims of slavery and its after-effects are discriminated against and subjected to inhuman and degrading exploitation. This exploitation is mainly characterized by the trafficking of the descendants of slaves. They are the most vulnerable to this form of exploitation since they do not have papers.

13,000 children identified by our organization in a database are stateless, including children born out of wedlock, abandoned children, and migrant children who are born and reside in Mauritania, particularly children born in Afro-Mauritanian families who have returned to the country.

As for Mauritanian women, they cannot give their citizenship to their husband or to children born in a marriage with a foreigner. They are considered as second-class citizens.

With regard to women slaves or the descendants of slaves and their children, 80% do not have civil status, and are deprived of education, health, and access to all basic social services.

Civil status has become a tool for discrimination in Mauritania. The national civil status “enrolment” process prevents these children from enrolling in public schools and sitting for mandatory national examinations.

The consequence of the lack of access of women and children from various minority groups to civil status is that they become stateless in their own country. They are deprived of access to the most basic rights that would allow them to live with dignity just like every human being in their own country.

Although Article 38 of the law on Mauritanian civil status allows all Mauritians to register for civil status, unfortunately, this article remains without effect.

My organizations calls upon:

- the state party to implement article 38 of the law on civil status which allows for the equal access of women and children with their cultural diversity to their civil status papers and citizenship.

- Mauritania to establish the right of women to give their citizenship to their husband and children born from a marriage with a foreigner by revising the citizenship law, and by giving women their full right to citizenship.