



## Convention on the Elimination of All Forms of Discrimination against Women

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### Committee on the Elimination of Discrimination against Women

#### List of issues and questions in relation to the combined second and third periodic reports of Mauritania\*

##### General context

1. Please provide information on the process of preparation and adoption of the State party's report,<sup>1</sup> indicate whether all ministries and other actors were involved in the preparation and provide information on the interministerial committee that was established to draft reports for the United Nations human rights bodies.
2. Please supply information on the action taken to ensure that basic services are provided to women refugees, in particular refugees arrived from Mali, and on the international assistance received in this regard. Please also indicate the status of adoption of the national asylum law. In addition, please provide information on the measures taken to ensure that Mauritanian internally displaced women and Mauritanian women returnees enjoy access to land, health, education, water, food, housing and income-generating projects.

##### Slavery

3. Please provide information on the measures taken and envisaged to completely eradicate all forms of slavery, in particular with regard to women and girls in slavery working in domestic service, to free victims of slavery and to provide victims with psychosocial recovery and reintegration measures. In particular, please provide information on the measures taken and envisaged to raise awareness of the criminal nature of the holding of slaves, to effectively implement the legal provisions criminalizing slavery and to significantly increase the legal sanctions (currently imprisonment for two years) for the holding of slaves. Please also indicate the time frame for the adoption of the road map on the implementation of the recommendations of the Special Rapporteur on contemporary forms of slavery, including its forms and consequences, of 2009, in addition to any steps taken in that regard.

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\* Adopted by the pre-sessional working group for the fifty-eighth session, meeting from 21 to 25 October 2013.

<sup>1</sup> Unless otherwise indicated, paragraph numbers refer to the combined second and third periodic reports of the State party (CEDAW/C/MRT/2-3).



**Constitutional, legislative and institutional framework**

4. Please provide information on the existence of different systems of law in the State party, namely national law, Islamic law and customary law, if any, and on the steps taken to harmonize such systems with the provisions of the Convention. Please also indicate the measures taken and envisaged to eliminate all discriminatory provisions from national legislation, including from the Personal Status Code and the Penal Code, and to withdraw from the Code of Obligations and Contracts the provision that the testimony of two women is equal to that of one man. Please also indicate whether the State party envisages incorporating into the Constitution or into other appropriate legislation a specific definition and prohibition of all forms of discrimination against women, both direct and indirect, in accordance with articles 1 and 2 of the Convention.

**Visibility of the Convention**

5. Please provide information on the steps taken to integrate the content and the main concepts and principles of the provisions enshrined in the Convention into the training curricula of judges, prosecutors and lawyers, the police and other law enforcement officials. Please also provide information on initiatives envisaged to disseminate the Convention, taking into account the high illiteracy rate among women.

**National machinery for the advancement of women**

6. Please indicate whether the State party envisages establishing a specific ministry on gender equality or empowerment of women or strengthening its structures specifically focused on this matter. Please also provide information on the time frame for the finalization and adoption of the draft national gender policy and on measures taken to mainstream gender policies in other policies and national strategies. Please also indicate any progress in the development of a specific system for the collection and analysis of sex-disaggregated data pertaining to all areas of the Convention.

**Access to justice**

7. Please provide information on the existence of religious or customary justice mechanisms and, if any, describe their functioning and their relationship with the formal justice system. Please indicate whether the State party is considering undertaking judicial reform to ensure effective access of women to courts and tribunals and put an end to cases of impunity as regards violence against women. Please also provide information on measures taken or envisaged to provide free legal aid to women without sufficient means.

**Stereotypes and harmful practices**

8. Please indicate specific measures taken to develop a comprehensive strategy to change social and cultural patterns and eliminate gender-based stereotypes and harmful practices, such as child marriage, female genital mutilation, polygamy and forced feeding, as recommended by the Committee in its previous concluding observations ([CEDAW/C/MRT/CO/1](#)). Please provide information on steps taken to educate and raise awareness in this regard and to explicitly criminalize such practices. Please also provide information on measures taken to eliminate racism and discrimination faced by women of non-Arab descent.

**Violence against women**

9. Mention is made in the report of various measures taken to combat gender-based violence against women, including the development of a national strategy against gender-based violence (paras. 57-58). Please indicate the impact of the measures and the time frame for the development of a comprehensive strategy to tackle all forms of violence against women, as recommended by the Committee in its previous concluding observations (CEDAW/C/MRT/CO/1). In addition, please provide information on the measures taken and envisaged to follow up on the findings and recommendations of the joint study on violence against women. Please also indicate the measures taken to encourage women victims of violence to report acts of violence; to ensure the prosecution of perpetrators; to provide victims with remedies and rehabilitation, including psychological support; and to provide for capacity-building and awareness-raising programmes on violence against women for the police, lawyers, health and social workers, the judiciary and the public at large.

10. It is indicated in the report that the State party is planning to adopt a law on physical violence against women (para. 126). Please provide information on the implementation of the existing legal provisions on violence against women, including article 12 of the Penal Code. Please also indicate whether the State party envisages adopting a comprehensive law on violence against women that will define, prohibit and provide for adequate sanctions regarding, among other things, the following cases: rape; domestic violence, including marital rape; sexual harassment; physical and psychological violence relating to forced feeding; and female genital mutilation. Please also indicate the measures taken to ensure that the legal provisions criminalizing adultery (*zina*) are not used to intimidate and criminalize women victims of rape, in addition to the measures envisaged to release women imprisoned on such grounds.

11. Please provide detailed information on the existence of legal provisions criminalizing female genital mutilation, including in the Penal Code and Ordinance No. 2005-015 on the judicial protection of children; the status and time frame for the adoption of the draft law criminalizing female genital mutilation; and the measures taken and envisaged to effectively implement and monitor the implementation of the national strategy for the elimination of female genital mutilation.

**Trafficking and exploitation of prostitution**

12. Please indicate whether the State party envisages carrying out a study to investigate the scope, extent and causes of human trafficking. Please provide information on the status and content of the draft law on trafficking and the prohibition of forced labour, as well as on the legal provisions prohibiting prostitution, their application and their impact on women in prostitution.

**Participation in decision-making and representation at the international level**

13. Please provide information on the measures envisaged to increase the number of women in elected and appointed decision-making bodies, in particular in the Senate (currently only 14 per cent of senators are women), the Constitutional Court (no women) and the Government (11 per cent of ministers are women), as well as at the local level (2 per cent of mayors are women), and to achieve equal representation of women in political and public life, including through the adoption of temporary

special measures in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 on temporary special measures.

**Nationality**

14. Please indicate the measures taken or envisaged to repeal the discriminatory legal provisions included in the Penal Code and Act No. 61-112, on nationality, pertaining to the transmission of nationality to a child and access to Mauritanian nationality for a foreign wife.

**Education**

15. Please provide information on further measures taken and envisaged to significantly increase female literacy; to reduce the school drop-out rate among girls owing to, among other things, poverty, child marriage and early pregnancy; to eliminate economic, social and cultural obstacles to access to education faced by girls, in particular girls of non-Arab descent; and to eliminate stereotypical attitudes about the roles and responsibilities of women and men in textbooks, curricula and teacher training.

**Employment**

16. It is indicated in the report that labour law requires employers to pay for the health care of employees and their family members and to pay daily sickness benefits in the event of illness (para. 98). Please provide information on the protection and the types of legal, social and other services available to or envisaged for women in the informal sector and measures taken in scholar and professional education to ensure that women join the private and public sectors. Please also provide data on the wage gap between women and men, occupational segregation of women in the public and private sectors and women in decision-making positions.

**Health**

17. Please indicate the percentage of the national budget allocated to the health sector. Please also indicate the specific measures envisaged to further address the persistently high rates of maternal mortality, the high number of cases of vesico-vaginal fistula, the lack of access to basic health-care services, including essential obstetric care, and the social and economic obstacles faced by women of non-Arab descent with regard to access to health services. In particular, please indicate the specific measures envisaged to effectively implement and monitor the implementation of the initiative "Committing to child survival: a promise renewed", which combats maternal mortality; to increase the availability of what is known as the "obstetrical package", which ensures access to obstetrical services; and to finalize the draft strategy for health and reproductive health of young people. Please provide information on the measures envisaged to increase the availability and accessibility of comprehensive education on sexual and reproductive health and rights and family planning services, as well as on the rate of contraceptive use. Please provide information on the implementation and impact of the 2011-2015 National Strategic Plan to Combat HIV/AIDS and the measures taken to increase women's knowledge with regard to prevention of HIV/AIDS. Please also indicate the legal status of abortion.

**Rural women**

18. Reference is made in the report to a plan of action for the development and advancement of rural women covering the period 2009-2012 (para. 107). Please provide information on the implementation and impact of the plan and on further measures envisaged to ensure that rural women enjoy equal access to basic services. Please indicate the measures taken to increase women's access to land, including abolition of the need for authorization from a third person to conduct a land transaction, and women's knowledge of the procedure to gain access to land. Please also indicate whether the State party intends to review the microcredit policy to ensure the economic emancipation of women, increase productivity, enhance women's economic activity and promote women entrepreneurship.

**Disadvantaged groups of women**

19. Please provide information on the measures envisaged to ensure that disadvantaged groups of women, including women refugees, internally displaced women, women former slaves and descendants of slaves, women of non-Arab descent, older women and women with disabilities, have effective access to health, education, water, food, housing and income-generating projects.

**Marriage and family relations**

20. Please indicate the measures taken to accelerate the legal reform on marriage and family relations and to withdraw all discriminatory legal provisions, including those relating to polygamy and repudiation, the marriage of girls before the age of 18 years with the consent of a judge, the right to inheritance, the husband as the head of the couple and the legal status of women who are considered to be minors.

**Reservations, Optional Protocol and amendment to article 20 (1) of the Convention**

21. Please indicate whether the State party envisages withdrawing its general reservation to the Convention and, if so, provide a time frame for doing so. Please also indicate any progress made with regard to ratification of the Optional Protocol to the Convention and acceptance of the amendment to article 20 (1) of the Convention.

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