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“I demand justice. I hold them all responsible”

Advancing the Enforcement of Anti-slavery Legislation in Mauritania

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“I demand justice. I hold them all responsible”:¹ Advancing the Enforcement of Anti-slavery Legislation in Mauritania

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1. Introduction

Mauritania was the last state in the world to formally abolish “chattel slavery” in 1980.² It has since committed to work towards the elimination of slavery by 2030 under the Sustainable Development Goals (SDGs) Agenda³ and has progressively adopted domestic legislation complying with international law,⁴ such as the 2007 Anti-Slavery Act and the 2015 Anti-Slavery Act.⁵ Such legislation strengthened the domestic framework with the creation of special anti-slavery tribunals, an increase in penalties and the acknowledgement of victims’ rights and of the role of civil society organizations in protecting them. Yet, Mauritania faces

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¹ Testimony of Moulkheir Mint Yarba, victim of slavery, CNN Documentary, ‘Slavery’s last stronghold’ 2012:<http://edition.cnn.com/interactive/2012/03/world/mauritania.slaverys.last.stronghold/index.html>

² Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Gulnara Shahinian. Mission to Mauritania, A/HRC/15/20/Add.2, 16 August 2010.

³ UN General Assembly Resolution A/RES/70/1, Transforming our world: the 2030 Agenda for Sustainable Development, Resolution adopted by the General Assembly on 25 September 2015, 21 October 2015.

⁴ Mauritania is party to the 1926 Slavery Convention and the 1956 Supplementary Convention on the Abolition of Slavery, the ILO 1930 Forced Labour Convention (No. 29), the ILO 1957 Abolition of Forced Labour Convention (No. 105) and the 2000 UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. It is also party to the following international human rights instruments, to name just a few: the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All forms of Discrimination against Women, the Convention Against Torture, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights. At the regional level, it has also ratified the African Charter on Human and Peoples’ Rights, its protocol on the rights of women in Africa, and the African Charter on the Rights and Welfare of the Child. Based on this international framework, the Mauritanian State is obliged to respect the prohibition of slavery and to act with due diligence in preventing, protecting and punishing slavery. Mauritania is also, since February 2020, a member of the UN Human Rights Council.

⁵ The 2015 Anti-slavery Act criminalized hereditary slavery and prescribed stringent penalties of five to 20 years’ imprisonment and a fine of 250,000 to five million MRU (\$6,940-\$138,890) (US TIP Report, 2019). However, its enforcement remains a challenge.

significant challenges in the *enforcement* of its anti-slavery legislation and the government's response remains insufficient.⁶

Slavery remains deeply ingrained in the Mauritanian hierarchical social structure.⁷ In fact, although formally “abolished” in the legal framework, “chattel slavery” continues to be the most prevalent form of slavery today. Adults and children of slave descent, many of them from the Black Moor (or Haratine)⁸ and Afro-Mauritanian communities, are subjected to discrimination and slavery as slave-descendants, with various generations being subjected to forced labour without pay as cattle herders or domestic servants.⁹ The prevalence of slavery is higher among women of these social groups.¹⁰ Due to the patriarchal order of Mauritanian society and the biological reproductive and nursing capacities of women, as well as their close ties to their children, it is particularly difficult for women to escape the legacies of slavery and transcend their enslaved status and identity.¹¹ Victims of slavery and their descendants suffer discrimination and inequality, and remain locked into relationships of dependency on their former slaveholders, due to cultural traditions, a lack of skills and the dearth of alternative economic opportunities.¹²

Reports from diverse sources indicate that the existing legal framework is not fully enforced and that the government's efforts to tackle this situation are neither effective nor sufficient. In 2017, the African Union's Committee of Experts on the Rights and Welfare of the Child urged Mauritania to make a greater effort to eliminate slavery, to better protect victims and prosecute offenders.¹³ The US government decided in November 2018 to suspend the eligibility of Mauritania for trade preference benefits due to forced labour practices and insufficient progress

⁶ Walk Free Foundation, Global Slavery Index 2018, <https://www.globallslaveryindex.org/2018/data/country-data/mauritania/>; According to the 2019 US TIP Report, the Government of Mauritania does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so, remaining on Tier 3 of the report, the lowest possible category. See also John D. Sutter, “Slavery's last stronghold”, CNN, 2012.

⁷ A/HRC/15/20/Add.2, *supra* note 2. For the purposes of this project, “slavery” refers to the situations defined as slavery (including descent-based slavery) and institutions and practices similar to slavery by the 1926 Slavery Convention and the 1956 Supplementary Convention.

⁸ Although it is common to define the Haratine as an ethnic group, the ethnic mixing in Mauritania would make it more appropriate to define them as a social group that comes linked to the slave-descent social status (Sarah Mathewson, consultation).

⁹ US 2013 TIP Report, p. 258.

¹⁰ Walk Free Foundation, Global Slavery Index 2013.

¹¹ Lotte Pelckmans, consultation.

¹² US 2019 TIP Report, *supra* note 5.

¹³ Decision 3/2017 of the African Committee of Experts on the Rights and Welfare of the Child, 15 December 2017, <https://acerwc.africa/wp-content/uploads/2018/13/ACERWC%20Decision%20Final%20ON%20Mauritania.pdf>

made “towards combating forced labour, in particular the scourge of hereditary slavery”.¹⁴

One of the possible causes of the limited enforcement of anti-slavery legislation is the country’s history of slavery and its influence on the social perception of the phenomenon, particularly in the work of law enforcement authorities. Organizations working in Mauritania, such as SOS Esclaves or Minority Rights Group International (MRGI), have reported that neither the administrative authorities nor the police routinely follow up reported cases of slavery.¹⁵ Evidence suggests that some of the negligent patterns in the actions of government authorities, police officers, prosecutors or judges could be connected with that deeply rooted social perception of slavery.¹⁶

This article explores the hypothesis that certain biases and obstructive behaviours in law enforcement could be overcome through strategies that engage directly with that history.¹⁷ The article arises from a research project that aims to shed light on whether and how confronting that past could help the Mauritanian government, institutions and society tackle slavery more effectively today and in the future, particularly given the government’s international commitments in this area (Alliance 8.7 Pathfinder State). The methodology used includes analysis of Mauritanian case law, existing policy initiatives, and reports of the UN Special Rapporteur on Contemporary Forms of Slavery and of civil society organisations as well as consultation with leading experts on the topic from a variety of disciplines (law, history, African studies, international relations).¹⁸ It proceeds in two parts: the first part identifies the common negative patterns (biases) in Mauritanian anti-slavery law enforcement practice. The second part explores some of the explanatory factors for those biases, such as the legacies of the post-abolition period, the role of women in society and the divisions between social groups.

¹⁴ Office of the US Trade Representative, President Trump Terminates Trade Preference Program Eligibility for Mauritania, 11 February 2018.

¹⁵ Anti-Slavery International, MRGI, SOS-Esclaves, Joint submission for the Universal Periodic Review of Mauritania, 23rd Session, October – November 2015, 23 March 2015.

¹⁶ The connection with poverty is also interesting to explore, as defending the rights of the poorest of the poor may not attract the interest of those with the skills to defend them.

¹⁷ The Mauritanian society cannot be seen as a post-slavery society and the history of slavery is an ongoing history, where slavery has evolved and taken different forms over time. See Benedetta Rossi, ‘African post-slavery: a history of the future’, in Eric Komlavi Hahonou, Baz Lecocq, ‘Exploring Post-Slavery in Contemporary Africa’, *International Journal of African Historical Studies*, vol 48, n. 2 (2015), 303-324.

¹⁸ The consultation was undertaken as a combination of individual interviews and a workshop with experts from diverse disciplines hosted by the authors at King’s College London. The study is ethically cleared. Upcoming phases of this project will incorporate resources for a broader analysis of original evidence, such as transcripts of court hearings, police reports and reports of government agencies. It will also incorporate fieldwork, including interviews with victims, law enforcement authorities and government officials.

2. Common negative patterns (biases) in Mauritanian anti-slavery law enforcement authorities (government officials, police officers, prosecutors and judges)

The study of all those sources indicates various negative patterns or biases in Mauritanian anti-slavery law enforcement practice. This section presents those patterns, clustered into four groups according to the principal actor: i) government authorities, ii) police and administrative authorities, iii) prosecutors; and iv) judges.

2.1 Government authorities: institutional inertia

Pattern 1. Denial of the existence of slavery in Mauritania

The Mauritanian government has maintained a position towards slavery that sends mixed messages. On the one hand, under the presidency of Mohamed Ould Abdelaziz, the country volunteered to become a Pathfinder State of the Delta 8.7 Alliance against slavery, that is, a leading example to other States in the world in order “to drive change by showing progress and successful interventions”.¹⁹ On the other hand, the government speaks of ‘vestiges’ of slavery, while local anti-slavery activists such as Boubacar Messaoud and Biram Dah Abeid insist that slavery remains a major contemporary problem.²⁰

There are different positions in the country on whether slavery continues to exist, with some talking about traces of slavery, others denying its existence in their own community but identifying it in other groups,²¹ and others, including within the academic community, criticizing the allegations made by anti-slavery organizations and talking about exaggeration, lack of statistical sources and factual errors.²² Some government officials do not fully acknowledge the continued existence of exploitation and instead discuss the “remnants of slavery”, which

¹⁹ Pathfinder countries go further and faster to achieve Target 8.7. They accelerate efforts, try new approaches and collaborate with others. Pathfinder countries turn their commitments into action. They can pick up the pace in their own country and/or support other countries to accelerate action. They can themselves serve as an example to drive change by showing progress and successful interventions (Alliance 8.7 - Pathfinder Country Guidance Note, https://www.alliance87.org/wp-content/uploads/2019/05/Pathfinder-Countries_Final_English-1.pdf)

²⁰ Ann McDougall, ‘The Politics of Slavery, Racism and Democracy in Mauritania’, *Open Democracy: beyond traffic and slavery*, 26 June 2015.

²¹ A/HRC/15/20/Add.2, supra note 2, para 8.

²² Ahmed Meiloud, Mohamed El Mokhtar Sidi Haiba, ‘Slavery in Mauritania: Differentiating between facts and fiction’, 21 April 2015: <https://www.middleeasteye.net/big-story/slavery-mauritania-differentiating-between-facts-and-fiction>.

results in “uncertainty about the numbers of people still affected by slavery and slavery-like practices”.²³

Key individuals’ public position on the slavery question appears to have a significant role to play in setting the tone from the top of government. The current president, Mohamed Ould Ghazouani, took office in August 2019 and has initially shown greater acknowledgement of slavery’s legacy, leading to hope of prospects for reform. However, his discourse still focused mainly on ‘social cohesion’, rather than ending slavery (and this term can suggest an unwillingness to take targeted action to address the inequalities between social groups).²⁴ Recently, Biram Dah Abeid, a leading figure in the anti-slavery movement who had been detained in 2018 by the previous government, has held bilateral talks with the president, where Abeid raised concerns about the application of the current legislation and the functioning of the courts in slavery-related cases.²⁵ The issue appears to be on the president’s political agenda, but this could also be a public relations strategy intended to achieve other political purposes. Former President Abdelaziz has declared an intention to remain “active in politics” and eventually stand for election.²⁶ He may therefore “remain a powerful influence behind the formal authority of”²⁷ Ghazouani. Both being representatives of the Union Pour la République (UPR), this influence could mean that the situation will remain static under the new president. Some leadership on this issue is apparent at the ministerial level, with the new minister of justice, Haimoud Ould Ramdane—a Haratine and a technical adviser and lawyer—. In a meeting with Anti-Slavery International, he seemed genuinely interested in legal reform and in making justice more accessible to all population and having anti-slavery laws enforced. However, the limited resources at his disposal and the lack of support from his government make his mission challenging.²⁸

²³ UN Special Rapporteur, consultation.

²⁴ Sarah Mathewson, *supra* note 8.

²⁵ Moustapha Sidiya, ‘Mauritanie : Détails de la rencontre entre Ghazouani et Biram’, *Senalioune*, 1 October 2019, <https://senalioune.com/mauritanie-details-de-la-rencontre-entre-ghazouani-et-biram/>.

²⁶ Paul Melly, ‘Mauritania’s Unfolding Landscape: Elections, Hydrocarbons and Socio-Economic Change’, Chatham House Research Paper, April 2019, p. 3.

²⁷ *Ibid.*

²⁸ Sarah Mathewson, *supra* note 8.

Pattern 2. Insufficient action to enact the institutional agenda against slavery

In 2018, the government created *Tadamoun*, its anti-slavery agency, and adopted an Anti-Slavery National Roadmap. While these two initiatives were seen as positive signs, their implementation has been limited and does not seem to provide solutions to improve the situation of slavery on the ground.²⁹ *Tadamoun* reportedly continued operating schools in communities of former slaves and providing support to communities of slave descendants and groups vulnerable to exploitation³⁰ but its impact remains limited. The government has also increased the funding allocated to special anti-slavery courts, but it remains insufficient, as do the resources and personnel allocated to prosecuting slavery.³¹ While the appointed judges received specialized training on the 2015 anti-slavery law, they have not been trained in its enforcement and the unique challenges of investigating slavery cases, including how to prevent slaveholders from intimidating victims to withdraw their cases.³²

One of the areas in which the government could do more is the adoption of effective State-led and State funded programmes and policies to provide sustainable socio-economic support to people emerging from slavery. Such support needs to be long term and sustainable, to avoid revictimization and relapsing into dependency relations with possible exploitation and even punishment for having been ‘out’.³³ People freed from slavery, normally as the result of action by civil society organisations, do not currently have access to adequate rehabilitation and reintegration measures as required under Article 3 of ILO Protocol 29.

The Mauritanian state could also do more to invest in the infrastructure required to enact its own legislation in a sustained and sustainable fashion. In 2017, the UN Special Rapporteur recommended that Mauritania ensure particular resources are invested in the training of police and prosecutorial authorities to ensure that they understand the provisions of the 2015 Act and their responsibilities to follow up on and investigate all cases of slavery, and to collect statistics on the prosecution of slavery to monitor and evaluate the implementation of the roadmap.³⁴ In May 2018, the UN Committee on the Elimination of Racial Discrimination (CERD) recommended that Mauritania “provide the three special

²⁹ Ibid.

³⁰ US 2019 TIP Report, supra note 5.

³¹ Ibid.

³² Ibid; MRGI, consultation.

³³ Lotte Pelckmans, supra note 11.

³⁴ UN Special Rapporteur, supra note 23.

courts of Nouakchott, Nouadhibou and Nema with adequate financial means and staffing for their proper functioning.”³⁵

Pattern 3. Shrinking space for civil society

One of the most controversial patterns is the pressure placed on anti-slavery civil society organizations. The government has allegedly been harassing and preventing anti-slavery activists from operating in Mauritania.

Members of the Initiative for the Resurgence of the Abolitionist Movement (IRA), an anti-slavery organization with the goal of ending slavery, gender oppression and racism in the country, has been subjected to high levels of pressure, including the detention in 2018 of its vice-president Biram Dah Abeid, himself of slave-descent.³⁶ According to reports received by the UN Special Rapporteur, as of October 2019 there were a total of 19 judicial processes against anti-slavery activists pending in Mauritania.³⁷ In addition, anti-slavery organizations have reported to the UN Special Rapporteur that, when they organize protests to demand a stronger implementation of anti-slavery legislation, some of their representatives have reportedly been arrested for organizing illegal protests.³⁸ Reportedly, prosecutions of anti-slavery activists outnumbers prosecutions of proven perpetrators of slavery.³⁹ This pattern has been a concern for some years, as illustrated by a 2016 report of the UN Working Group on Arbitrary Detention.⁴⁰ Another important related constraint on the freedom of action of anti-slavery movements in Mauritania is built into the terms of the 2015 Anti-Slavery Act. The Act gave civil society organizations the right to lodge complaints in courts on behalf of the victims as civil parties. However, as some anti-slavery organizations operate unregistered due to government pressure, the requirements set in the law impede the lodging of complaints.⁴¹

³⁵ Ibid.

³⁶ Kate Hodal, ‘Mauritanian presidential hopeful arrested amid fears of political foul play’, *The Guardian*, 9 August 2018, <https://www.theguardian.com/global-development/2018/aug/09/biram-dah-abeid-mauritanian-presidential-hopeful-arrested-fears-political-foul-play>

³⁷ UN Special Rapporteur, *supra* note 23.

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ UN Working Group on Arbitrary Detention, *Avis adoptés par le Groupe de travail sur la détention arbitraire à sa 76ième session, 22-26 août 2016 Avis no 36/2016 concernant Biram Dah Abeid, Brahim Bilal Ramdane et Djibril Sow (Mauritanie)*, A/HRC/WGAD/2016, 21 October 2016.

⁴¹ UN Special Rapporteur on Contemporary Forms of Slavery, ‘Mauritanian new anti-slavery law: Effective enforcement is the key – UN rights expert’, 21 August 2015, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16338&LangID=E>

2.2 The police and administrative authorities: failing to investigate and protect victims

Pattern 4. Police officers turning a blind eye and routinely not following up reported cases of slavery

It has been reported as typical that slavery cases are first identified not by police but by human rights defenders, often only being taken on by officials after sustained pressure on them to respond.⁴² Ignoring cases of slavery brought to their attention is a common practice among police and administrative authorities, as well as not progressing reported cases through further investigations or notify prosecutors.⁴³ In addition, intimidating victims into silence seems also common practice,⁴⁴ contributing to a distortion in the number of slavery cases reported and perpetuating impunity for the crime of slavery.

The CERD Committee has expressed its concerns “about the difficulties that victims of slavery encounter in filing complaints with the police (and judicial authorities) in order to enforce their rights”.⁴⁵ Reports indicate “a systematic reluctance among police and administrative authorities to identify, recognize or respond to instances of slavery” and in many cases intimidation by police officials to withdraw slavery accusations.⁴⁶ A case illustrating this pattern is that of Mohamed Lemine, aged 15 when he reported the case of his family, still subjected to slavery, once he managed to escape. The police rejected his claims, which did not progress, and members of IRA supporting the victims were reportedly arrested and tortured.⁴⁷

The US 2019 TIP report recommended Mauritania to develop standard procedures to identify and refer slavery victims to care, including training of authorities on the procedures’ implementation.⁴⁸

⁴² ‘Enforcing Mauritania’s Anti-Slavery Legislation: The Continued Failure of the Justice System to Prevent, Protect and Punish’, Gesellschaft für bedrohtevölker, MRGI, Anti-Slavery International, Unrepresented Nations and Peoples Organizations, 2015, p. 9.

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ UN Special Rapporteur, supra note 23.

⁴⁶ Ibid.

⁴⁷ Enforcing Mauritania’s Anti-Slavery Legislation, supra note 42, p. 10.

⁴⁸ US 2019 TIP Report, supra note 5, p. 319.

Pattern 5. Weak enforcement of the very few convictions on slavery

The 2015 Anti-slavery Act doubled the maximum prison sentence for the crime of slavery from 10 to 20 years and created special tribunals for prosecution of slavery and slavery-like practices.⁴⁹ However, very few convictions can be reported, and their enforcement remains weak. In July 2020, two slave masters received prison sentences of 10 and 15 years respectively, but that remains an exception.⁵⁰ The African Union's Committee of Experts on the Rights and Welfare of the Child has requested Mauritania to ensure the effective implementation of the 2015 Anti-slavery Act.⁵¹

The UN Special Rapporteur was informed that “in many cases the perpetrator gets a fine and is released on bail pending which they disappear and are never brought to justice. Hence victims never receive the compensation or other redress ordered by the courts”.⁵² This may aggravate the situation for the victims who risk some form of retaliation by the perpetrator and may discourage them from making a complaint. In the case of *Rabi'a and her six siblings* (August 2011), who were enslaved to two different families, although the victims were originally informed that one of their mistresses was arrested and placed in jail while the outcome of the court case was determined, subsequent investigations revealed that the mistress had in fact been released on bail.⁵³

According to information provided recently to the UN Special Rapporteur by the OHCHR Mauritania office, the only known case of a slave owner who has been sentenced to prison for slavery practices is Mrs. Riva Mint Mohamed, under the provision of Law 2007/048. Her trial took place on 28 March 2018 in Nouadhibou, she was sentenced to 10 years imprisonment, but she never served her sentence for reasons that remain unclear.⁵⁴ In addition, three cases of prison sentences for slavery practices handed down by the Special Criminal Court of Nema (in eastern Mauritania) in November 2019 were handed down *in absentia*, as the convicted perpetrators were no longer on Mauritanian territory.

⁴⁹ 2015 Anti-Slavery Act, see supra note 5.

Anti-slavery International, Mauritania legal win: three new slavery convictions, 9 July 2020, <https://www.antislavery.org/mauritania-legal-win/>

⁵¹ Decision 3/2017 of the African Committee of Experts on the Rights and Welfare of the Child, 15 December 2017, supra note 13.

⁵² Ibid.

⁵³ F. Vettraino, S. Mathewson, 'Mauritania's Culture of Impunity for Slavery: Failures of the Administrative, Police and Justice Systems', ASI, UNPO and STPI, September 2013.

⁵⁴ UN Special Rapporteur, supra note 23.

2.3 Prosecutors: failing to prosecute slavery offences and weak enforcement

The role of prosecutors in enforcing the 2015 Anti-slavery Act remains a worrying component of its implementation. In May 2018, the CERD Committee expressed its concerns “about the persistent challenges that hinder efforts to investigate such cases, gather evidence, prosecute the perpetrators effectively and expeditiously and impose appropriate penalties.”⁵⁵

Pattern 6. Unwillingness to prosecute alleged slaveholders

Prosecutors reportedly often reject the claim or close the file without reasonable grounds, based only on an interview with the alleged victims and masters, usually conducted in the same room, placing enormous pressure on victims to change their testimonies.⁵⁶

Some prosecutors refuse to investigate and try cases of hereditary slavery, or to acknowledge that it continues to occur.⁵⁷ Since many aspects of hereditary slavery concern personal and family law, which are the aspects that tend to be solved under sharia provisions, courts tend to relegate the responsibility for such issues to local religious leaders.⁵⁸ Although prosecutors have a legal obligation to transfer slavery cases to the anti-slavery courts, “some prosecutors encouraged victims to withdraw their complaints in exchange for a small amount of financial compensation”.⁵⁹

Pattern 7. Cases settled informally or reclassified

Reclassification of slavery cases under other charges (work-related conflict or exploitation of minors) is another pattern. Reports indicate that prosecutors often prosecute alleged slave owners for lesser offences, including re-designation of slavery cases as inheritance cases, closed slavery cases, or transferred cases for mediation to avoid bringing a slavery case to trial.⁶⁰

⁵⁵ UN Special Rapporteur, supra note 23.

⁵⁶ Enforcing Mauritania’s Anti-Slavery Legislation, supra note 42, p. 10.

⁵⁷ US 2019 TIP Report, supra note 5.

⁵⁸ Lotte Pelckmans, supra note 11. See also Ould Ahmed Salem, 'Droit du statut personnel et équivalence citoyenne en République Islamique de Mauritanie. Le cas du mariage', 2003, La Pensée, 336; Diamantides and Gearey, *Islam, Law and Identity*, Routledge, 2012.

⁵⁹ US 2019 TIP Report, supra note 5.

⁶⁰ Ibid.

For example, in the case of Salma and Oum El Issa, two girls aged 9 and 15 who had allegedly been enslaved by a female government employee. The defendant was arrested and prosecuted on lesser charges of child exploitation, not slavery. She was convicted in January 2011, but then acquitted by the Court of Appeal of Nouakchott two months later.⁶¹

Pattern 8. Procedures and deadlines are not respected

Article 38 of the 2015 Law, which provides that the prosecutor must decide whether or not to prosecute within eight days, is routinely ignored. Many cases are dismissed by the prosecution without sufficient investigation or reasonable grounds. In addition, there is no victim or witness protection measures in place, which deters victims and witnesses from coming forward.⁶²

In the prosecution phase, it is common to bring the victims and the enslavers together in the same room for interrogation, putting the victims under pressure which could influence their statements.⁶³ It has also been reported as common practice not seeking to identify witnesses or corroborating evidence, which facilitates manipulation of legal proceedings.⁶⁴

Pattern 9. Racial and gender bias (re-victimization) in the way justice is administered

Human rights defenders and their legal representatives often report that the word of prosecutors (who tend to be White Moors) is afforded greater credibility than those of people living in slavery.⁶⁵

In addition, there is evidence of gender bias in the way justice is administered in slavery cases. Particularly grave is the risk of re-victimization of female victims who may be accused of disobedience or fornication, as in the case of Mbarka L. Aged 20 when her case was filed, she was enslaved to a family in the Touabir tribe. Having escaped, she filed a claim against her former masters. She was sexually assaulted for refusing to withdraw her allegations and then denounced to the authorities for fornication and filial disobedience: crimes punishable by flagellation, stoning or imprisonment under *sharia* law.⁶⁶ She was later arrested

⁶¹ Enforcing Mauritania's Anti-Slavery Legislation, supra note 42, p. 10.

⁶² UN Special Rapporteur, supra note 23.

⁶³ Enforcing Mauritania's Anti-Slavery Legislation, supra note 42, p. 10.

⁶⁴ Ibid.

⁶⁵ Ibid, p. 10.

⁶⁶ Enforcing Mauritania's Anti-Slavery Legislation, supra note 42, p. 10.

and both charges were filed against her by officials. Although Mbarka was eventually released, her slavery claim never proceeded.⁶⁷

According to information received by the UN Special Rapporteur, victims of slavery who managed to escape fear retaliation and re-victimization and therefore, they often do not report their cases.⁶⁸

Pattern 10. No conviction for failing to prosecute under the 2015 Anti-Slavery Act

The 2015 Anti-Slavery Act stipulates that officials who do not investigate cases of slavery shall be liable.⁶⁹ It provides for prison sentences and fines for law enforcement officials or the office of the prosecution when they fail to follow up on serious allegations of slavery. The UN Special Rapporteur recommended in 2017 that the Mauritanian government take steps to have accountability mechanisms in place to sanction any members of the police and prosecutorial authorities who fail to follow up and investigate complaints of slavery.⁷⁰ Yet, there have been no known investigations or prosecutions for breach of this obligation to investigate and to prosecute.⁷¹

2.4 The judiciary: failing to ensure redress to victims

Despite having anti-slavery legislation in force, Mauritania has been warned by regional human rights courts and international bodies that its judicial system is not protecting victims effectively. The African Union's Committee of Experts on the Rights and Welfare of the Child in 2017 urged Mauritania to make a greater effort to eliminate slavery and to better protect victims and prosecute offenders, and it requested the Mauritanian authorities to make the necessary changes to national practice and programmes in order effectively to eradicate slavery and related practices.⁷² The UN Special Rapporteur has also received reports regarding the stigmatization and discrimination that victims of slavery suffer as well as their difficulties in accessing justice.⁷³ The CERD Committee expressed concern at "the

⁶⁷ Ibid.

⁶⁸ UN Special Rapporteur, supra note 23.

⁶⁹ See art. 18 and 21 of the Law.

⁷⁰ UN Special Rapporteur, supra note 23.

⁷¹ Ibid.

⁷² Decision 3/2017 of the African Committee of Experts on the Rights and Welfare of the Child, 15 December 2017, supra note 13.

⁷³ A/HRC/15/20/Add.2, supra note 2.

fact that the sentences imposed thus far in cases involving slavery are not always commensurate with the gravity of the offence.”⁷⁴

Pattern 11. Procedures and deadlines are not respected

Under Article 21 of the 2015 Anti-slavery Act, judges are obliged to take appropriate actions against the infractions proscribed by the law “urgently and without prejudice” “as soon as information is brought to their attention and under penalty of being sanctioned”. However, extended delays are frequent. In Rabiaa, Aminetou and Nana, a case about three sisters who had been in slavery since childhood, the proceedings were initiated in 2011. It was only in 2017 that the case was referred to the Special Court against Slavery in Nouadhibou.⁷⁵

In some cases, the examining judges close cases alleging lack of evidence, although human rights defenders suggest the cases are closed “on account of the master’s family enjoying political connections or close ties with those occupying judicial office”.⁷⁶

Pattern 12. Racial and gender bias (re-victimization) in the way justice is administered

Racial and gender bias of judges have also been reported. The UN Special Rapporteur shared details of a case reported to her in September 2019: a 14-year-old girl escaped from slavery but was then allegedly returned to her slave masters by the tribunal judge.⁷⁷ Based on a local civil society organisation’s analysis, the bias of judges may have exposed the girl to further harm instead of protecting her; many of the judges “belong to the same ethnic minority as the slave masters and hence, they lack independence”.⁷⁸

⁷⁴ UN Special Rapporteur, supra note 23.

⁷⁵ *Rabi’a and her six siblings’* case, reported in August 2011 in the Nouhadibou Region.

⁷⁶ Enforcing Mauritania’s Anti-Slavery Legislation, supra note 42, p. 12.

⁷⁷ UN Special Rapporteur, supra note 23.

⁷⁸ Ibid.

Pattern 13. Judicial reluctance to convict for slavery offences

Although judges have been receiving training on the anti-slavery law of 2015 which may improve victims' access to justice and reduce impunity in the near future, according to information received by the UN Special Rapporteur, there is still reluctance among the judiciary to convict, arising in part from the insufficient training and lack of independence.⁷⁹

Following the pattern indicated for prosecutors, reports persist that judges often convict alleged slave owners for lesser offenses, including re-designation of slavery cases as inheritance cases, closed slavery cases, or transferred cases for mediation to avoid bringing a slavery case to trial.⁸⁰

Pattern 14. Lack of consistent and common criteria used by judges for determining and enforcing reparations following prosecutions of slavery

Reports indicate a lack of consistent and common criteria for determining and enforcing reparation payments following prosecutions of slavery. Orders for payment of compensation to victims are not always complied with and may “require victims to bring further legal proceedings to execute judgements and secure payment of compensation. Many stakeholders commented on the need for provision in the law for the forfeiture of assets where the perpetrator cannot pay compensation ordered by the courts”.⁸¹

3. Factors that could explain those biases

Slavery remains an accepted fact of life for some parts of contemporary Mauritanian society.⁸² Some judges are reluctant to condemn slave-owners and grant redress to slaves because they fear being ostracized within their own communities.⁸³ Many victims are not aware of their rights or possibilities for

⁷⁹ Ibid.

⁸⁰ US 2019 TIP Report, supra note 5.

⁸¹ Ibid.

⁸² See William John Sersen, “Stereotypes and Attitudes towards Slaves in Arabic Proverbs”, in John Ralf Willis, *Salves and Slavery in Muslim Africa, Vol. 2, The Servile State*, Routledge, 2013, pp. 92-105; Mervyn Hiskett, ‘The Image of Slaves in Hausa Literature’, in John Ralf Willis, *Salves and Slavery in Muslim Africa, Vol. 2, The Servile State*, Routledge, 2013, pp. 106-124.

⁸³ Anti-Slavery International, MRGI, SOS-Esclaves, Joint submission for the Universal Periodic Review of Mauritania, supra note 15, p. 5.

redress because they may not see their situation as illegal given the normalization of slavery within and for their social group.

In countries like Mauritania, where “social discrimination on the basis of slave descent remains a systemic problem”, many factors can contribute to explain “why certain categories of people continue to find themselves vulnerable to human bondage”.⁸⁴ The history of a society, together with the ways in which that society understands and makes use of the notions of gender or social status are essential for explaining the behaviours and patterns that still accept slavery as part of the dynamics of the communities in which those social groups live.

The institution of slavery in modern-day Mauritania contains elements and legacies of the pre-colonial period.⁸⁵ Colonial and post-colonial developments too have had some influence on present-day practices and perceptions of slavery. However, preliminary research indicates that the period of Mauritanian history with the strongest influence on present-day barriers to effective antislavery law enforcement runs from the formal abolition of slavery in the country (1980-present), which has shaped the legal and social frameworks in which the current anti-slavery legislation applies. This section explores some of the factors distilled from the analysis of the recent history of the country that could explain common negative patterns (biases) in Mauritanian anti-slavery law enforcement practice, while acknowledging the overlap or connection between them, and the fact that those are not the only possible explanatory factors.⁸⁶

Factor 1. Discrimination as a way of maintaining elites' social privileges

One of the main features associated with slavery is the stigma and discrimination suffered today by slaves and their descendants.⁸⁷ That stigma is often expressed in language, cultural practices, artistic work, collective memories and in the distribution of social roles.⁸⁸ Descendants of slaves can be relegated to

⁸⁴ Joel Quirk, Darshan Vigneswaran (Ed.), *Slavery, Migration and Contemporary Bondage in Africa*, Africa World Press, 2013, p. 15.

⁸⁵ Slavery has existed for centuries in all ethnic communities in Mauritania. It existed before the French colonisation and it then became associated to the colonial period. The institution of slavery, as we understand it in modern-day Mauritania, contains elements of the pre-colonial period but was shaped by colonial and post-colonial developments which have influenced the perception of slavery and of the anti-slavery movement in current times. This influence also shaped the tensions between the domestic and the international views of the reality of slavery in the country. The country gained independence in 1960, and abolition of slavery was not formally enacted until 1981.

⁸⁶ Lotte Pelckmans, ‘Questioning the concept of post-slavery. Alternative concepts to analyse legacies of slavery in Africa’, Dansk Institute for Internationale Studier, October 2015.

⁸⁷ Oliver Leservoisier, ‘Contemporary Trajectories of Slavery in Haalpulaar Society (Mauritania)’, in Benedetta Rossi (Ed.), *Reconfiguring Slavery. West African Trajectories*, Liverpool University Press, 2009, pp 140-151.

⁸⁸ Abderrahmane Ngaidé, ‘Stéréotypes et imaginaires sociaux en milieu haalpulaar’, *Cahiers d'études africaines*, 4/2003 (n° 172), pp. 707-738.

the margins of society and into specific social roles, as well as by cultural taboos and stigmatization.⁸⁹ The sociology and ontology of the slave are key elements, especially in terms of the slave's 'social death', the persistence of the *macula servitutis*, and the extreme social isolation of those descended from slavery.⁹⁰

In Mauritania, Haratine campaigners⁹¹ have called social and political attention to this discrimination, calling for a more equal distribution of power and land⁹² as a way to tackle slavery, and have mobilized people around political goals, using the language of slavery to highlight inequalities, unequal access to land, and discrimination. Mauritanian anti-slavery activism brought slavery back to the political debate, making it a public issue, and using the language of slavery to tackle structural inequalities and to raise awareness regarding the discrimination to which victims of slavery and persons of slave descent are subject.

Since the official abolition of slavery was achieved in the 1980s, the public discourse shifted away from slavery to the needs of a more broadly defined working class,⁹³ even while many of the inequalities in the Mauritanian caste system remained closely linked with slavery.⁹⁴ Today, slavery is an inherently political issue in Mauritania, even more so than in neighbouring countries like Mali and Niger,⁹⁵ because of the social hierarchies upon which slavery relies and the way in which such identity-based hierarchies determine who possesses economic and social-political power.⁹⁶

The government's denial of the existence of slavery has been interpreted by some as a sophisticated and deliberate strategy to maintain the social privileges that the White Moor elites enjoy in the current Mauritanian social order.⁹⁷ White Moors enjoy considerable social and economic privileges sustained on the

⁸⁹ Ibrahima Thioub, 'Stigmas and Memory of Slavery in West Africa: Skin Color and Blood as Social Fracture Lines', *New Global Studies*, Volume 6, Issue 3 (2012), p. 7.

⁹⁰ Orlando Patterson, 'Revisiting Slavery, Property, and Social Death', in J Bodell, W Scheidel, *On Human Bondage: After Slavery and Social Death*, Wiley Blackwell, 2017, pp. 265-296.

⁹¹ Ibid.

⁹² On the complex history of land dispossession in Mauritania, with former slaves and slave-descendants being most affected, see <https://www.verite.org/africa/explore-by-country/mauritania/>

⁹³ Ann McDougall, 'Living the Legacy of Slavery: Between Discourse and Reality', *Cahiers d'études africaines*, 2005, 957-986. See also Nehemia Levtzion, 'Slavery and Islamization in Africa', in John Ralf Willis, *Slaves and Slavery in Muslim Africa, Vol. 2, The Servile State*, Routledge, 2013, pp. 182-198.

⁹⁴ Upcoming phases of this study will look at the extent to which slavery-related discrimination may be differentiated from discrimination due to economic inequality.

⁹⁵ Benedetta Rossi, 'Periodizing the end of slavery: Colonial law, the League of Nations, and slave resistance in the Nigerien Sahel, 1920s-1930s', *Annales*, issue 4 (2017), pp. 983-1021.

⁹⁶ Sarah Mathewson, *supra* note 8.

⁹⁷ Ibid.

existence of a largely Haratine working class which remains routinely degraded. This, together with the fact that the majority of people living in slavery belong to White Moor families has led to this justification for the weak enforcement of anti-slavery legislation: beyond a failure of the justice system, such weak enforcement has been seen as a reluctance of people from the ruling classes to punish their own, a way to maintain the *status quo* and avoid social upheaval, by rewarding those who maintain it and penalizing those who speak up against it.⁹⁸

Factor 2: The role of women in the Mauritanian society

Gender equality is protected by the Mauritanian Constitution, and gender discrimination is prohibited by domestic law. Yet, many forms of discrimination against women remain in practice, making women vulnerable to slavery.⁹⁹ As the UN Special Rapporteur noted in her 2010 report on Mauritania, “female slaves who live in their masters’ homes are rarely allowed out of the master’s camp and generally work from before sunrise to after sunset” and are frequently beaten or raped by their masters who consider them and their children as their property.¹⁰⁰ A common practice is to give away the children of female slaves, as a form to threaten the slave mother. One of the forms of perpetuating the institution of slavery is by allowing the marriage of a slave woman but refusing to free her, ensuring that her husband and future children will be forced to work for her master.¹⁰¹

Mauritania has ratified the UN Convention on the Elimination of Discrimination against Women (CEDAW) with reservations based on *sharia* law. The CEDAW Committee has called on Mauritania to develop a strategy to combat stereotypes through education and campaigns and legislation prohibiting such practices.¹⁰² Property ownership is one of the forms in which this discrimination materializes, particularly with respect to inheriting property under *sharia* law,

⁹⁸ Ibid.

⁹⁹ UN Special Rapporteur, supra note 23. See also Urs Peter Ruf, *Ending Slavery Hierarchy, Dependency and Gender in Central Mauritania*; Kevin Bales, Jody Sarich, ‘Afterword: The Paradox of Women, Children, and Slavery’, in Benjamin N. Lawrance, Richard L. Roberts, *Trafficking in Slavery’s Wake. Law and the Experience of Women and Children in Africa*, Ohio University Press, 2012, pp. 241-254. The link between slavery and gender inequality has been so strong historically as to connect the definition of slavery to gender, as Davis has pointed out (David Brion Davis, “Declaring Equality: Sisterhood and Slavery,” in *Women’s Rights*, 4-5).

¹⁰⁰ UN Special Rapporteur, supra note 2.

¹⁰¹ Ibid. See also Anti-Slavery International, MRGI, SOS-Esclaves, Joint submission for the Universal Periodic Review of Mauritania, supra note 15.

¹⁰² CEDAW/C/MRT/CO/2-3, *Concluding observations on the combined second and third periodic reports of Mauritania*, 24 July 2014.

which entitles women to only half of the property that men can inherit.¹⁰³ Female access to land ownership is also limited, particularly in the rural regions where land is a key source of income.¹⁰⁴

Access to justice remains an important form of discrimination against women in Mauritania. The OECD 2019 report on the Social Institutions and Gender Index for Mauritania observed “inadequate legal aid and counselling available to women, and a lack of training among legal and judicial officers on women’s rights and gender sensitivity”.¹⁰⁵ In addition, as explained above, the justice system contains courts that apply the principles of both civil and *sharia law*, and under *sharia* law a woman’s testimony holds half of the evidentiary weight of that of a man.¹⁰⁶ When the UN Special Rapporteur visited Mauritania in 2017, it was not clear that provisions on gender-based violence, or gender and child protection were effectively in place. She therefore encouraged the Government of Mauritania to ensure that such provisions are fully in place and effectively implemented to avoid protection gaps and tackle the intersecting forms of discrimination faced by women and children.¹⁰⁷

Factor 3. The instrumentalization of sharia law

Another factor that could explain some of the biases presented in section 2 is the instrumentalization of *sharia* law as a means of maintaining slavery by those who hold power in Mauritania.¹⁰⁸ Abolition of “chattel slavery” in the 1980s coincided with the imposition of *sharia* law, which has since then allegedly been used to perpetuate the dominance of the ruling class.¹⁰⁹ Indeed, in a dual system in which *sharia* law co-exists with national and international law, but with international human rights law weakly applied in practice, female victims of slavery often fear accusations of extra-marital sex and their testimony may be less valued than that of a man.¹¹⁰

¹⁰³ UN Special Rapporteur, supra note 23; Personal Status Code, Art. 253-259.

¹⁰⁴ UN Human Rights Council, 2015; GI-ESCR, 2014.

¹⁰⁵ Ibid.

¹⁰⁶ OECD, Social Institutions and Gender Index, Country Profile, Mauritania, 2019.

¹⁰⁷ Ibid.

¹⁰⁸ Jonathan Brown, *Slavery and Islam*, 2019; Bernard Freemon, *Possessed by the Right Hand: The Problem of Slavery in Islamic Law and Muslim Cultures*, Brill, 2019; Kecia Ali, *Marriage and Slavery in Early Islam*, Harvard UP, 2010. See also Ali Mazrui, ‘Afrabia: Africa and the Arabs in the New World Order’, *Ufahamu: A Journal of African Studies*, Volume 20, Issue 3 (1992), pp. 51-62 and Wole Soyinka’s critique thereof (2000:12).

¹⁰⁹ Sarah Mathewson, supra note 8.

¹¹⁰ Ibid.

According to Professor Mohamed Mattar, who has studied the interaction between *sharia* law and international law, Islam is explicit on the prohibition of slavery. He clarifies that the institution of domestic service is not prohibited in *sharia* law *per se*. However, it “may constitute a form of trafficking for the purpose of labour if it entails exploitation under the sponsorship rule. This is because Islam is deeply respectful of the rights of the worker, and emphasizes the centrality of honouring contracts, the breach of which is considered a grave offense”.¹¹¹ Looking back in history, *sharia* law accepted slavery as did other legal systems of ancient times such as Roman law.¹¹² While modern *sharia* law still contains elements that could be understood as legitimizing or allowing slavery,¹¹³ slavery is effectively illegal in modern Islamic countries, through secular law and international commitments.

One of the problems that experts highlight is that such prohibitions may not always be followed in practice.¹¹⁴ For example, although migrant workers are entitled under Islamic tradition to the same rights as nationals, this principle is not always applied, the question arising as to whether these practices are customs and cultural practices or whether they are part of Islamic law.¹¹⁵ This is a key element to understand the modern dynamics in countries like Mauritania, where *sharia* law is mingled with customary local norms, and where possibilities beyond legal remedies need to also be considered, including ways in which stigma can be reduced.¹¹⁶

¹¹¹ Mohamed Mattar, ‘Trafficking in Persons, Especially Women and Children, in Countries of the Middle East: The Scope of the Problem and the Appropriate Legislative Responses’, 26 *Fordham International Law Journal* 729 (2003).

¹¹² Peter Van Den Berg, ‘Slaves: persons or property? The Roman law on slavery and its reception in Western Europe and its overseas territories’ (2016) 63 *Osaka University Law Review* 171.

¹¹³ Abdullahi Ahmed An-Na'im, *Shari'a and Basic Human Rights Concerns, in Liberal Islam*, Charles Kurzman, 1998.

¹¹⁴ Bernard K. Freamon, *Possessed by the Right Hand. The Problem of Slavery in Islamic Law and Muslim Cultures*, Series: Studies in Global Slavery, Volume: 8, Brill, 2019, see pp. 439-519 on the illusion of abolition and the re-emergence of slavery in the Muslim world.

¹¹⁵ UNODC, Naif Arab University for Security Sciences, John Hopkins University, *Combating Trafficking in Persons in Accordance with the Principles of Islamic Law*, p. 6.

¹¹⁶ Lotte Pelkmans, *supra* note 11.

Factor 4. Resistance to the international human rights approach

Another relevant factor apparent in the post-abolition period is the resistance amongst certain legal professionals to the international human rights discourse. In Mauritania, similarly to other Sahelian countries, knowledge of and access to international law in legal professions remains lower than in other areas of the world.

Minority Rights Group International, Anti-Slavery International and other organizations conduct training programmes, having identified a need for training in international human rights law in Mauritanian lawyers and judges.¹¹⁷ In addition to the limited training and capacity building, the weaker application of international human rights law in Mauritania could also be partly due to a resistance to a western human rights approach, which may be seen as in some ways incompatible with the Islamic understanding of rights.¹¹⁸

During the formative stages of *sharia* law back in the times of Prophet Mohammed, there was no conception of universal human rights anywhere in the world.¹¹⁹ Although most Islamic states have ultimately moved towards the acceptance of some key international human rights paradigms—not only ratifying international conventions but also applying them—in countries like Mauritania the knowledge and enforcement of certain international legal instruments remains an issue, with conventions like the CEDAW ratified with reservations.¹²⁰

In February 2020, Mauritania joined the UN Human Rights Council for the first time, a decision that has generated strong critiques from civil society organizations, particularly given the worrying reports about slavery and other breaches of human rights being persistent in the country.¹²¹ It remains to be seen if Mauritania's controversial membership to the UN Human Rights Council will represent a new era in the country's commitment with human rights. In the meantime, a key influence on the human rights discourse in Mauritania is that of foreign investors and businesses, with Canada, the UK or China as important

¹¹⁷ See MRGI website and ASI website. The need for training has also been highlighted by the US 2019 TIP Report, supra note 5.

¹¹⁸ Related to this, the training of lawyers at university level has been reported as more focused on *sharia* law aspects than on international human rights ratifications (Lotte Pelckmans, supra note 11). Minority Rights Group International has also identified a need for training in international human rights law in Mauritanian lawyers.

¹¹⁹ Abdullahi Ahmed An-Na'im, *Shari'a and Basic Human Rights Concerns in Liberal Islam*, Charles Kurzman (ed.), 1998.

¹²⁰ See reference to CEDAW ratification under factor 2 above.

¹²¹ Euractiv, 'Activists warn over slavery as Mauritania joins UN human rights council', 27 February 2020, <https://www.euractiv.com/section/global-europe/news/activists-warn-over-slavery-as-mauritania-joins-un-human-rights-council/>

investment partners.¹²² At the diplomatic level, Mauritania is rebalancing its international relations, most notably through the central role it played in forming the G5 Sahel group of countries, as well as by reinforcing its connections with both sub-Saharan and Gulf Arab countries.¹²³ President Abdelaziz had positioned himself as a supportive partner of the Saudi Arabian leadership and the United Arab Emirates (UAE).¹²⁴ The human rights vision of Mauritania's investment partners and diplomatic partners could influence the way in which Mauritania addresses slavery.¹²⁵ On the one hand, western investors could use their leverage to encourage a more systematic enforcement of international human rights standards. On the other hand, the influence of countries like Saudi Arabia and the UAE, whose vision of human rights differs from that of western actors in many aspects, could have the opposite effect.

4. Conclusions

Despite Mauritania's visible role as a Pathfinder state and a vocal proponent of its 'success' in removing the last vestiges of slavery from its society, there are indications of challenges in enforcing its anti-slavery legislation. We have argued that these challenges are connected to certain negative common patterns (biases) in law enforcement practice. These patterns may partly be explained by factors such as race and gender discrimination and the instrumentalization of *sharia* law and of the legal system to maintain the privileges of certain elites.

This research has identified common negative patterns or biases in government authorities, which not only deny the existence of slavery but provide limited resources for the investigation and prosecution of slavery in the country. It also stresses the weak enforcement of anti-slavery legislation by police officers, administrative authorities, prosecutors and the judiciary. Particularly worrying are the racial and gender biases in prosecutors and judges which can result in re-victimization.

Having identified some of the factors that could explain those biases, the research highlights the continuum of exploitation to which victims of slavery are subjected, and the deep interconnections between slavery and other fundamental

¹²² Investable sectors in Mauritania include tourism, transport infrastructure, livestock, fisheries and agriculture, mining, oil and retail (UNCTAD, 'Mauritania rolls out the welcome mat to investors with new iGuide', 2018). Another key economic opportunity comes from hydrocarbons developments, which have attracted Canadian, British and Chinese partners. The country's rich fisheries have drawn operators from China, Russia and the EU (Paul Melly, 'Mauritania's Unfolding Landscape: Elections, Hydrocarbons and Socio-Economic Change', supra note 26, p. 2).

¹²³ Ibid.

¹²⁴ Ibid.

¹²⁵ Kevin Bales, Paul Melly, consultation.

social issues, such as discrimination, structural inequalities, and difficulties in accessing positions of power or influence. This has consequences for actionable policy purposes. Tackling barriers to effective law enforcement can only happen in a multi-tiered way—that is, taking a short, medium, and long-term joined-up strategic approach from the individual behavioral level to the normative societal level.

Our preliminary research has demonstrated the deep-rooted social issues underlying the biases. In the medium and long term, the Mauritanian government can of course seek to address these issues if it is serious about anti-slavery enforcement. International actors with leverage on the Mauritanian government can also frame their pressure more effectively in these terms. But in order to tackle the identified barriers and biases, it would be very important to ensure that pro-slavery forces within the Mauritanian government and society cannot delay antislavery action with the excuse of waiting for other social issues (in particular, race and gender) to be solved incrementally. The next phase of our research will explore how the Mauritanian government—supported and encouraged by international partners where possible, and taking inspiration from countries who have tackled similar (or at least somehow comparative) challenges—could take more immediate action to change law enforcement behaviours before changing the deep-seated racial, gender, and cultural values that drive and sustain the biases we have identified. It will also explore the impact of other systemic problems—corruption, political or economic instability—in the described biases.