

**UPR-Info Pre-session briefing on Mauritania**  
**Geneva, 27 November 2025**

Dear permanent mission representatives,

Thank you, UPR-Info, for convening such an important meeting ahead of Mauritania's next Universal Periodic Review (UPR).

I speak today on behalf of the Orphans Alliance of Mauritania and MENA Rights Group, with whom we have worked on a detailed report on Mauritania's human rights record since the last UPR.

I will address three key issues: transitional justice, freedom of expression, and the protection of human rights in the context of counterterrorism.

I speak as an advocate, but also as a son as one of thousands of Mauritians who grew up without truth, without justice, and without even the right to mourn.

For more than thirty years, Mauritania has lived with the unhealed wounds of the *Passif humanitaire*. Between the late 1980s and the early 1990s, hundreds of Afro-Mauritanian soldiers and civilians were subjected to arbitrary arrests, torture, summary executions, forced displacement, and enforced disappearance. My father was one of them.

Today is no ordinary day for me, for my family, and for many in Mauritania. It marks the **35th anniversary** of my father's disappearance, Wélé Ousmane. He was a warrant officer, a husband, and a father of four. He left for work and never returned. To this day, we do not know where he was buried. I was eight years old.

Tomorrow, 28 November, is Mauritania's National Independence Day. It is also the day when **28 Black Mauritanian soldiers were hanged at the Inal military base**, deliberately chosen as a sinister symbol to "celebrate" Independence Day. This tragic event remains one of the darkest chapters in our country's history.

This suffering has been deliberately prolonged by the **Amnesty Law 93.23**, adopted in 1993, which continues to bar any investigation or prosecution of those responsible. Some individuals implicated in these violations still hold senior positions in the country today including **Mohamed Ould Meguett**, President of the National Assembly fostering a climate of total impunity.

If Mauritania is to move toward genuine reconciliation, this cycle of silence and impunity must end. Families need truth, recognition, and the dignity of justice. Repealing the 93.23 Amnesty Law and establishing an independent truth and reconciliation mechanism are essential steps to restoring trust and ensuring that these crimes can never be repeated.

This failure to address past violations continues to fuel abuses today. In **Kaédi**, in July 2024, four young Black men died in police custody and their cases were closed without any credible investigation. Even now, human rights defenders including **Hamed Lamine and his sister** remain

imprisoned simply for seeking truth and accountability. These practices show how the absence of transitional justice enables further violations and perpetuates a climate where state agents operate without fear of consequences.

The lack of transitional justice is also compounded by restrictions on freedom of opinion and expression. In 2022, authorities prevented the rap group **Diam Min Tekky** from organizing a concert that would have publicly denounced impunity for the *Passif humanitaire*, demonstrating that this issue remains taboo.

Mauritania's legal framework continues to contain vague and disproportionate provisions that criminalize peaceful expression. The Penal Code punishes apostasy, blasphemy, and defamation, and since 2018, it even mandates the death penalty for certain speech-related offenses.

The “**fake news**” law adopted in June 2020 includes vague definitions that enable arbitrary prosecution. Likewise, **Law No. 2021-021 on the Protection of National Symbols** imposes prison sentences for speech perceived as insulting to state symbols, national unity, or the president. Together, these laws restrict public debate and deter legitimate criticism.

We therefore call on you to recommend that Mauritania reform the Penal Code and all legislation containing broadly defined offenses, in line with **Article 19 of the ICCPR**.

Regarding counterterrorism, the country's current framework particularly **Law No. 2010-035 on Combating Terrorism** contains overly broad definitions and allows **up to 45 days of custody without judicial oversight or access to counsel**. Such provisions heighten the risk of torture and ill-treatment, despite legal safeguards included in the 2015 anti-torture law.

As part of transitional justice, Mauritania has an obligation to guarantee non-repetition. Counterterrorism policies must be aligned with international human rights standards to ensure that past violations are not repeated under the pretext of national security.

With regard to transitional justice, freedom of expression and respect for human rights in the context of the fight against terrorism, we would like you to issue the following recommendations:

- Repeal the 1993 amnesty law;
- Establish an independent Truth and Reconciliation Commission to investigate all human rights violations committed during the *Passif humanitaire*;
- Reform the Criminal Code and other legislation containing vaguely defined offenses in order to end the criminalisation of acts of peaceful expression in accordance with Article 19 of the ICCPR;
- Ensure that all procedural safeguards under the law prohibiting torture are applied without discrimination to every person deprived of liberty;
- Guarantee access to legal counsel immediately upon arrest;
- Amend the 2010 Anti-Terrorism Law to bring it fully into compliance with international human rights standards.