



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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REFERENCE: CAT/Follow-up

30 July 2020

Excellency,

In my capacity as Rapporteur a.i. for Follow-up to Concluding Observations of the Committee against Torture, I have the honour to refer to the follow-up to the examination of the second periodic report of Mauritania, in accordance with the Guidelines for follow-up to concluding observations (CAT/C/55/3).

At the end of the 64th session, the Committee transmitted its concluding observations to your Permanent Mission. The Committee's concluding observations (CAT/C/MRT/CO/2, para. 42) requested the State party to provide within one year further information on the specific areas of concern identified in paragraphs 15, 27 (b) and 31 of the concluding observations.

On behalf of the Committee, allow me to express appreciation for your letter of 2 January 2020 providing your Government's response on the above-mentioned paragraphs (CAT/C/MRT/FCO/2), and to make the following comments:

Impunity for acts of torture and ill-treatment and independence of investigations (para. 15 of the Committee's concluding observations)

The Committee takes note of the information included in the State party's follow-up replies that six investigations have been carried out into allegations of torture since the adoption of Act No. 2015-033 of 10 September 2015, on combating torture. However, it regrets not having received detailed information on the number of prosecutions, convictions and sentences handed down in cases of torture and ill-treatment since the adoption of the concluding observations. The Committee also regrets that the follow-up replies do not indicate whether the State party has taken new specific measures to ensure that all reported acts of torture or ill-treatment are promptly and impartially investigated by an independent body, and that perpetrators are duly prosecuted and, if found guilty, convicted with penalties that are commensurate with the gravity of their acts (2/D).

.../...

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Acts of intimidation, arbitrary detention and obstacles to human rights defenders' cooperation with the Committee (para. 27 (b) of the Committee's concluding observations)

The Committee notes with concern the information provided by the State party on the sentencing and imprisonment of human rights defender Mr. Mohamed Cheikh Ould Mkhaitir, and regrets not having received information regarding the measures taken to remedy the situation of other human rights defenders who were in arbitrary detention at the time of the adoption of the concluding observations, and to provide them with appropriate redress (1/C).

National mechanism for the prevention of torture (para. 31 of the Committee's concluding observations)

Notwithstanding the explanations provided by the State party in its follow-up replies, the Committee observes with concern that little or no action has been taken to address the issues raised by the Committee and the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment regarding the legislative gaps that may hamper the institutional and functional independence of the national mechanism for the prevention of torture in Mauritania (see CAT/OP/MRT/2, paras. 25-50) (2/B2).

Implementation plans (para. 42 of the Committee's concluding observations)

The Committee regrets that the State party has not provided information about its plans for implementing, within the coming reporting period, some or all of the remaining recommendations included in its concluding observations (C).

The Government of Mauritania is encouraged to provide additional information, if any, which may further contribute to the Committee's analysis of the progress made regarding the specific issues of concern. This additional information may be provided in any subsequent report by the State party pursuant to the Committee's request in its concluding observations on the second periodic report of Mauritania.

The Committee looks forward to a continued constructive dialogue with the authorities of Mauritania on the implementation of the Convention.

Accept, Excellency, the assurances of my highest consideration.

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Bakhtiyar Tuzmukhamedov
Rapporteur a.i. for follow-up to concluding observations
Committee against Torture