

## Summary

# ACCREDITATION OF THE NATIONAL HUMAN RIGHTS COMMISSION OF MAURITANIA TO THE INTERNATIONAL COORDINATING COMMITTEE OF NATIONAL HUMAN RIGHTS INSTITUTIONS - November 2009 -

## BACKGROUND

The National Human Rights Commission of Mauritania (hereafter referred as to "NHRC" or "Commission") submitted its first application for accreditation as a National Institution to the ICC in March 2009.

The following sections provide background information on the NHRC, based on the supporting documentation received from it by the National Institutions Unit of OHCHR, in its capacity as Secretariat of the ICC, in accordance with Article 10 of the ICC Statute and Rules 3.3 and 3.4 of the Rules of Procedures for the ICC Sub-Committee on Accreditation.

## DOCUMENTATION PROVIDED IN SUPPORT OF THE APPLICATION

To permit the ICC to make a determination as to the compliance of the (NHRI) with the Paris Principles, the following documentation was submitted by the (NHRC) in support of its application:

- Copy of the "Ordonnance"<sup>1</sup> (hereafter "the Statute") n°2006-015 of 12 July 2006 establishing the Commission (in hard and soft copy)
- Copy of the Commission Internal Regulations of 18 November 2007 (in hard and soft copy)
- Decree N° 035-2007 of 21 March 2007 appointing members of the Commission (in hard copy only)
- Staff Regulations (in hard copy only)
- Statement of Compliance (in soft copy only)
- Organizational Chart/organigramme (in hard and soft copy)
- Budget
- List of the Commission members (in hard copy only)
- List of staff annexed to the Statement of compliance (in hard copy only)
- 2007-2008 Annual Report (in hard and soft copy)

Additional documents:

- Staff wages and allowances scale (in hard copy only)
- Table of Staff Daily Subsistence Allowance (DSA) when in mission (in hard copy only)
- Template of contract on staff recruitment (in hard copy only)
- Settlement of "Humanitarian Liability" (in hard and soft copy)
- Report on Lemteyine, Rkiz Slavery case (in hard and soft copy)
- List of Mauritanian society entities entitled to nominate candidate for membership (in hard copy only)
- Two Press Releases regarding the end the crisis (in hard and soft copy)
- Declaration of the Commission following the 6 August 2008 coup (in hard and soft copy)
- Memo of the Contact Group on the Mediation to resolve the political crisis (in hard and soft copy)
- UDHR60 Commemoration Programme Booklet (in hard and soft copy)
- Plan of action for 2008.

---

<sup>1</sup> An "Ordonnance" is an Act enacted by the Executive in matters resorting from the competence of the Parliament. This is generally provided by the Constitution which indicates areas where the Executive might proceed by Ordonnance under the express authorisation of the Parliament. Once adopted, the "Ordonnance" should be endorsed by the Parliament within a timeframe to acquire the character of legislative Act.

## CHARACTER OF THE NHRI

### 1. Establishment

The NHRC is established by Statute n°2006-015 of 12 July 2006 which states in article 1 that “a National Consultative Institution is created for the Promotion and Protection of Human Rights”. As per article 29, the Commission shall adopt, by a 2/3 majority of members, its Internal Regulations which shall specify the Commission organisation and functioning modalities. These Regulations were adopted on 18 November 2007. Article 30 states that the “provisions of this Statute are specified as needed by decree”.

Under article 3 of the Statute, the Headquarters of the NHRC are in Nouakchott and “The Commission may, if necessary, establish regional branches”. But the NHRC did not provide any information on existing field offices.

The jurisdiction of the Commission is extended to, without prejudice to competences afforded to administrative and judicial authorities, matters relating to all human rights situations it may note or brought to its attention. When considering these issues, the Commission may take any suitable action in cooperation and coordination with relevant authorities (article 5 of the Statute). The same provision stipulates that the human rights situations referred to are those occurred after the present Statute entered into force.

### 2. Independence

Article 1(3) of the Statute stipulates that “the Commission is placed under the Prime Minister”. Under article 2 of the Statute, “the Commission is an independent public institution with administrative and financial autonomy”. The Statute requires the Commission to report annually, and occasionally, to the President of the Republic (hereafter “the President”) on human rights situation in the country. The report is also made public (article 6). The NHRC may also address the public opinion through media in order to release its opinions and recommendations.

In terms of incompatibilities, article 15 of the Statute provides that: “The functions of the Chairperson of the Commission are incompatible with any other elected mandate, private or public, civil or military position, professional activity or any position of national representation”. Furthermore article 16 of the Statute stipulates that “The functions of other members of the Commission are incompatible with the membership of political parties”, i.e. party’s leaders. Further provision to avoid conflict of interest is settled in article 18 of the Statute: “During the duration of their duties, and after they have ended, members of the Commission shall refrain from making on their own behalf any public statement on issues studied by the Commission”. Article 3 of the Internal Regulations states that within the framework of their activities, the members of the Commission do not act on behalf of institutions or associations they are appointed from, except for the representatives of the Administration.

Article 14 of the Statute provides for the immunities of the members: “No member of the Commission shall be sued, wanted, arrested, kept in detention or judged for opinions or votes expressed by him/her in the course of his/her duties, and even after the mandate has ended. In the performance of their functions, members of the Commission shall not be subjected to orders from any authority”. Article 5 of the internal regulations of the Commission further states that “members are protected against threats, insults, slandering or attacks of any kind they could suffer in the course of their duties”.

### 3. Composition, appointment process, tenure

#### 3.1 Composition

Article 12 of the Statute provides for the composition of the Commission: “The Chairperson and members of the Commission are appointed by decree of the President on proposal of relevant administrations, institutions, professional organizations and the civil society”. Article 10(2) stipulates that “The composition of the Commission and the appointment of its members are based on the principle of pluralism”.

Therefore, the Commission is composed of 26 members, including 5 women and 1 Oulémas representative, as per the list provided by the NHRC.

The diverse composition of the Commission is enshrined in article 12: "The Commission consist of a Chairperson and 25 members as following:

(a) Under institutions, professional organizations and the civil society, and with deliberative voice:

- 1 deputy;
- 1 senator;
- 1 judge;
- 6 representatives of human rights NGOs, including 1 representative of the Rights of the Child defence organizations, 1 representative of organizations of the promotion and defence of Women's rights, and 1 representative of NGOs defending the rights of people with disabilities;
- 1 representative of Oulémas Association;
- 2 representatives of trade-unions federations;
- 1 representative of the National Bar;
- 1 representative of Journalists Associations;
- 1 representative of the University (Professor of Law);
- 4 personalities nominated as regard to their competences in human rights.

(b) Regarding administrations, and with consultative voice:

- 1 Adviser of the President, one Adviser of the Prime Minister;
- 1 representative of the Ministry of Foreign Affairs and Cooperation;
- 1 representative of the Ministry of Justice;
- 1 representative of the Ministry of Interior, Posts and Telecommunications;
- 1 representative of the Secretariat of the State of Female Condition;
- 1 representative of the department in charge of Human Rights".

### 3.2 Selection and Appointment

The Statute provides a 2 steps appointment procedure for the NHRC's members (article 12). First, candidates are nominates by their organisations or institutions, and then the members are appointed by decree enacted by the President as stated in article 12 of the Statute: "The Chairperson and members of the Commission are appointed by decree of the President on proposal of relevant administrations, institutions, professional organizations and the civil society".

The Statement of compliance provides for details on the selection and appointment procedure. It's stated that the Technical Committee entitled to proceed with the establishment of the NHRC suggested the list of civil society organizations admissible to propose candidates<sup>2</sup>. Civil society organizations which thought were unduly omitted on this list might have complained before the Technical Committee by producing relevant documentation. The Technical Committee examined the complaints, and then fixed the list of admissible organizations and started the process of the composition of the Commission. This procedure was publicized and was subjected to no dispute and represented the legal basis for the nomination of candidates by the respective organizations in an independence way. The statement of compliance lastly indicated that each organization proceeded as of its own modalities by nominating double of the number of members under the law. The Decree appointing the members of the NHRC ratified these propositions.

Article 10 of the Statute establishes criteria for membership of the Commission, including: high morality, recognised competences and interest in defending and promoting human rights. According to article 13 of the Statute, the members of the Commission shall take oath before the Supreme Court prior to the commencement of their duties as following: "I swear by Allah the All Mighty to well and accurately fulfil and perform my functions impartially in respect of the Constitution and laws of the Islamic Republic of Mauritania and keep secret deliberations even after my functions have ended".

---

<sup>2</sup> The list is annexed to the Statement of compliance.

### **3.3 Tenure**

The terms of office of the members are specified in article 13 of the Statute: "The Chairperson and members are appointed for 3 years, renewable once". There is no specific provision on whether the members are full and/or part-time. But according to article 15 of the Statute on incompatibilities and as mentioned under section 2 above, the functions of Chairperson of the Commission are incompatible with any other position whilst the functions of other members of the Commission are only incompatible with the membership of political parties, i.e. party's leaders".

Under article 15(2) of the Statute, a decree shall determine emoluments to be allocated to the Chairperson of the Commission. Subsequently, article 16(2) indicates that a decree shall fix the allowance members may receive by session. Furthermore, article 43 of the Internal Regulations stipulates that "A decision of the Chairperson of the Commission shall specify the scale, conditions and procedures thereof".

Regarding the term of office, article 17 of the Statute indicates: "Except for resignation, a member of the Commission may be removed only for serious errors, failure or impediment noted by the Commission Bureau, as provided by the Internal Regulations". In this regard, article 7 of the Internal Regulations stipulates that "The membership of the Commission is ceased in case of death; resignation; expiry of the mandate; sentence with infamous punishment; failure to fulfil obligations under the enabling Law". There is no provision in the Law or elsewhere detailing the dismissal procedure.

In addition, article 8 indicates that "If a member loses his quality under article 7 above, he shall be replaced in respect of the same procedures as per his appointment".

## **4. Organizational infrastructure**

### **4.1 Infrastructure**

Under article 21 of the Statute, the Commission consist of the Plenary (26 members) including the Chairperson and all other members. The Plenary meets twice a year in regular session. Special sessions are conveyed by the Chairperson or a two third majority of voting members. The Chairperson is appointed by the President (article 12 of the Statute) while the 4 other members of the Commission Bureau are elected by the Plenary. No further information is provided on seats in the Bureau and appointment process of the Bureau members.

The organisational and functioning methods of the Commission bodies are settled in chapter 2 of the Internal Regulations, including the Plenary, the office of the Chairperson, the Bureau, the permanent Sub-commissions, the regional and local presences, as well as the Secretariat. Chapter 3 of the Regulations is about final provisions which are devoted to the revision procedure. Each Permanent Sub-commission is composed of 4 members, including a chairperson, rapporteur and two members.

Article 23 of the Statute stipulates that "The Commission Bureau, composed of five members including the Chairperson, meets in regular session, at least once a quarter, and as needed on convocation of the Chairperson".

The functions of the Bureau include drafting programs and coordinating activities as well as elaborating the agenda of the meetings of the Commission; providing technical assistance to the Commission, Sub-commissions and Working Groups; conducting studies and researches in the field of human rights, by inter alia preparing annual and ad hoc reports of the Commission (article 23 of the Statute). According to article 24 of the Statute, the Commission can establish Sub-commissions with the responsibility of examining specific issues, elaborating reports on issues under their responsibilities or proposing recommendations. Article 25 of the Internal Regulations indicates that there shall be 5 permanent Sub-commissions on:

- Legal Affairs;
- Promotion and Protection of Human Rights and Humanitarian Law;
- Communication;
- Mediation and Conciliation; and

- Specific Rights.

## **4.2 Staffing**

The Commission has 15 Staff, including the Secretary General.

Article 27 of the Statute indicates that “the Government provides the Commission with necessary administrative staff. However, the Commission may recruit staff with particular skills to supply its needs within the limit of the budgetary allocated”. The Statement of Compliance (page 5) indicates that except for the Secretary General who is appointed by the President and the Accountant nominated by the Minister of Finances, all the current staff is recruited by the Chairperson of the Commission. The Secretary General is responsible of the administration of the Commission and the overall tasks implementation (Statement of Compliance, page 4). According to the organizational chart provided by the NHRI, the daily work is headed by the Chairperson with the support of his Cabinet, composed of 3 advisors and the Secretariat.

There are 2 secondees (i.e. the Secretary General and the Accountant), which is on average 13.33% of the whole staff (15). As per the list provided by the NHRI, 3 of the 15 staff are women [No further details available or provided on the Staff pluralism].

## **4.3 Premises (accessibility)**

The Commission indicates in the statement of compliance that its premises are located in centre town (Nouakchott), visible and easy of access. The Commission does not have local offices; to fill this gap, the Commission carries out several investigative visits in all regions countywide<sup>3</sup>. Reports of these investigations, including recommendations are addressed to the authorities. In addition, article 23 of the Internal Regulations states that “In anticipation of the establishment of regional and local presences, the Chairperson of the Commission may appoint, in consultation of the Commission Bureau, regional and/or local Representatives of the Commission. These Representatives shall not be Members of the Commission and should be manifestly known people for their moral probity and their engagement in the field of human rights”. The NHRC did not provide any further information on whether there a website, telephone, etc.

## **4.4 Budget**

Under article 28, the Commission drafts its budget in consultation with relevant State services and manages it in line with public accounts rules. Credits for the functioning and activities of the Commission are autonomously enshrined in the State budget. Article 28 of the Statute stipulates that the Commission may receive means from other sources, including gifts, legacies, and subsidies. The Commission accountancy is ensure by a public accountant appointed by the Minister of Finance.

According to articles 22 and 40 of the Internal Regulations respectively, the Chairperson's responsibilities include ordering the expenditure and all management related acts as well, and the Secretary General's duties are inter alia managing human, material and financial resources of the Commission and providing all the services to enable it to adequately perform its functions.

As per decision 173/009/MEF/DGB of 22 March 2009 of the Office of the Prime Minister regarding the budget granted to the Commission, the budget of the Commission for 2009 amounts 118,924,307.46 ouguiya (US\$ 457,401.18), representing a cut off of 30,159,293 ouguiya (US\$ 115,997.28), or reduction of 20.23% the 2008 budget which amounted 149,083,600.46 ouguiya (US\$ 573,398.46).

In the 2007-2008 annual report, the Commission complained about its limited resources in the following terms: “Despite the sensitivity of its mission, crucial and essential for the safeguarding of the national harmony and civil peace, the NHRC suffers an acute lack of means”. The report further notes that the

---

<sup>3</sup> The Statement of Compliance, p. 5.

Commission has no field presence while its website is inconsistent<sup>4</sup>. There is no information on funding from donors.

## **5. Working methods**

In line with the enabling Statute, the Commission adopted its Internal Regulations on 18 November 2007 which specifies the Commission's management, working methods as well as allowances and salaries allocation for members and staff (article 1 of the Internal Regulations).

As mentioned above in paragraph 4.1, article 21 of the Statute states that the Commission consists of the Plenary including the Chairperson and all the members. The Plenary meets twice a year in regular session. Special sessions are conveyed by the Chairperson or a two third majority of voting members. Article 11 of the Internal Regulations further indicates that the Plenary meets once per 3 months in regular session. Chapter 1 of the Internal Regulations describes membership rights and duties and provides for the term of office.

The Internal Regulations (article 20) provide for the meetings of the Commission Bureau once a month pursuant to the agenda established in advance by the Chairperson. This article further states that "The Bureau may convene in special sessions either at the initiative of the President or on a proposal of the Chairperson of a permanent sub-commission".

In its statement of compliance, the Commission indicated that the Bureau meets once a week.

According to the Internal Regulations (article 35), each Permanent Sub-commission meets at least once a month pursuant to the agenda established in advance in collaboration with the Commission Bureau. The Commission declared in its statement of compliance that each Sub-commission convenes once in two weeks.

The Internal Regulations (article 31) indicate that each Permanent Sub-commission develops its agenda and proceed with its implementation and regular assessment thereof, and establishes as working groups as needed. Each Permanent Sub-commission could call upon any person to inform on a given issue. The Chairperson of the Commission shall propose the Chairperson for each Permanent Sub-commission for one year among those members appointed from institutions, professional organisations and the civil society (article 34 of the Internal Regulations). Article 37 of the Internal Regulations further provides that the outcome of the Permanent Sub-commissions work is submitted to the clearance of the Commission Bureau and then submitted to the Plenary for its consideration. Article 38 stipulates that there may be established a special coordinating body intended to harmonise the Permanent Sub-commissions' activities.

## **GENERAL MANDATE**

### **6. Mandate to protect human rights**

The Commission is vested with the mandate to protect human rights as well as dealing with humanitarian law (article 4 of the Statute). As per the Statute of the Commission (article 4), the mandate of the Commission to protect human rights and ensure respect of humanitarian law include:

- Providing opinions on general or specific issues related to the promotion and protection of human rights, respect of individual and collective freedoms,
- Elaborating and formulating opinions on national human rights legislation and draft laws,
- Monitoring conditions of detention of persons deprived of liberty.

#### **6.1 Advisory Functions**

The advisory functions of the Commission are entrenched in article 4 of the Statute which indicates "The Commission is an advisory, observatory, warning, mediation and assessment body as regard to the respect of human rights and humanitarian law".

---

<sup>4</sup> Annual Report 2007-2008 of the Commission, page 68.

Examples are to be found among documents provided by the NHRC:

- Development of a memorandum spelling out recommendations for the effective process of the “Humanitarian Liability settlement”.
- The Commission issued a memo (provided) in the context of the political crisis following the coup of 6 August 2008 and made recommendations on ways to address human rights issues.

The statement of compliance indicate that, the Commission intervenes on political, civil, economic, socio-cultural rights, both through written advice submitted to the Government and opinion provided to the Parliament, or through training and sensitizing workshops for a targeted public and investigation on human rights violations.

## **6.2 Functions regarding national legislation**

Article 4 of the Statute states that the Commission shall examine and formulate opinions on national human rights legislation. The 2007-2008 annual report<sup>5</sup> indicates that “The NHRC delivered its opinion on the preliminary draft law relating to the entry and stay of foreigners and the right to asylum in Mauritania”. This opinion “contributed to make it more realistic and even more respectful of human rights”. The report further recommends to effectively implementing the law on press assistance by, inter alia granting the press with an initial working capital and easing the conditions of press materials acquisition, in particular by the tax reduction on the current operation costs; adopting and making available new laws on code of conduct, Journalists status, and the law authorising professional media association to intervene before courts.

The Commission shall also “encourage and monitor the harmonisation of the national legislation with international human rights standards ratified by Mauritania and fight contrary practices; contribute as needed, to the preparation of State report to UN Treaty Bodies and regional mechanisms” (article 4 of the Statute).

## **6.3 Encouraging ratification and implementation of international standards**

Article 4 of the Statute expressly mandates the Commission “to encourage the ratification of human rights instruments”. In this regard, the Commission has requested authorities to publish conventions relating to slavery ratified by Mauritania in the Official Bulletin and inform magistrates thereof through a teaching programme for magistrates, police Academy and the Faculty of Law<sup>6</sup>. It has also recommended ratification of the Convention on the Rights of Persons with Disabilities<sup>7</sup> and the African Charter on the Rights and Welfare of the Child<sup>8</sup>.

## **6.4 Monitoring functions**

Article 5 of the Statute stipulates that the Commission shall examine all human rights situations it's informed of, or brought to its knowledge and undertake appropriate action in this regard in consultation and coordination with the relevant authorities. The NHRC may hear any person, obtain any information or any required document to deal with any issue under its responsibilities (article 7); and require the assistance of any public or private body in performing its functions (article 8). The Commission shall monitor detention conditions of persons deprived of liberty (article 4).

In the statement of compliance the Commission indicated that several members visited prisons as well as the Immigrants Detention Centre of Nouadhibou. This is illustrated in the 2007-2008 annual report<sup>9</sup> where it's stated that on 6 February 2008, the Commission conducted visits in 3 prisons in Nouakchott. The report also mentioned that the Chairperson of the Commission is a member of the Interdepartmental Commission dealing with deportees and humanitarian liability issues, and thus participated to several preliminary consultative sessions with other stakeholders.

---

<sup>5</sup> Idem, p. 69.

<sup>6</sup> Idem, p. 62.

<sup>7</sup> Idem, p. 63.

<sup>8</sup> Idem, p. 27.

<sup>9</sup> Idem, p. 84.

## **6.5 Investigation**

Article 5 of the Statute indicates: "Without prejudice to the attributions conferred to the administrative and judicial authorities, the Commission is committed to examine all human rights violations it is informed of, or that are brought to its knowledge. The Commission undertakes appropriate action in this regard, in consultation and coordination with the relevant authorities". The investigation powers are stipulated in articles 7 and 8 of the Statute. In performing its functions, the Commission may hear any person, receive information and documents, unless limitation imposed by the law.

In performing of its functions, the Commission may require the assistance of any public or private body; and thus all the public authorities, public and private services shall facilitate the mission of the Commission (article 8 of the Statute). Furthermore, the Chairperson of the Commission may require any relevant department to communicate any information regarding matters it is dealing with.

In its statement of compliance, the Commission mentioned that in the context of the August 2008 Coup in Mauritania it carried out visit to political prisoners jointly with civil society organisations. The prisoners were then released. In the 2007-2008 annual report<sup>10</sup> the Commission mentioned 7 examples of cases it investigated and issued recommendations.

## **6.6 Reporting**

"The Commission annually address to the Head of State a report on national human rights situation (article 6 of the Statute). This report is made public". It further stipulates that "The Commission may, if necessary and under the same conditions, issue reports on specific issues".

The Commission provided thematic reports which it said have been released, including on the "Settlement of the humanitarian Liability"; land conflicts; the reintegration of refugees; lack of implementation of the law criminalising slavery; situation in detention centres, including the illegal workers detention centre in Nouadhibou called "Guantanamo"; as well as reports on political crisis following the August 2008 coup d'Etat.

The latest report provided by the NHRC covered 2007-2008 and has 92 pages.

The Commission provided a table of activities it planned for 2008. These include assessing and analysing public policies and legislation on human rights; promoting the ratification of human rights instruments, examining reserves and drafting reports for Treaty Bodies; following up human rights and humanitarian law complaints handling; improving the administration of the Justice; strategies for promoting women access to decision-making sphere; following up of the implementation of the law criminalising slavery and refugees insertion; public servants training on human rights; establishing a specialised documentation centre for human rights and humanitarian law; sensitising and training security forces on and arbitrary detention torture prohibition, etc.

## **7. Mandate to promote human rights**

### **7.1 By raising awareness on human rights norms and issues**

The Commission is vested with the mandate "to raise awareness on human rights and the fight against all forms of discrimination and attempt to human dignity, including racial discrimination, slavery observances and discrimination against women, by sensitising the public through information, communication, training as well as all media organs" (article 4).

The 2007-2008 annual report of the Commission mentioned activities such as:

- the Conference on Reinforcing National Unity jointly organised in Nouakchott on 22-23 January 2008 with the National Democratic Institute (NDI);
- Workshop on sensitising decision-makers on the complexity of the "Settlement of Humanitarian Liability", held on 25-29 2008 May, in cooperation with UNDP – Mauritania and NDI<sup>11</sup>.

---

<sup>10</sup> Idem, p. 75-87.

<sup>11</sup> Idem, p. 51.

- Participation in the development of the terms of reference of a national study on the eradication of the practices and after-effects of slavery.

The Commission also indicated that it held several activities of promotion of human rights in the commemoration of the UDHR60 (statement of compliance, p.).

## **7.2 Through programmes for teaching and research**

According to article 4 of Statute, the Commission shall “promote human rights research, education and training within all cycles of education and socio-professional areas” and “award, under legal conditions, a prize on human rights in the Islamic Republic of Mauritania toward actions on the ground, studies and projects relating to the effective protection and promotion of human rights in the spirit of the UDHR”.

In the statement of compliance the Commission indicated that it organises sessions of human rights training in cooperation with the University and has established a documentation centre as well as a website: [www.cndh.mr](http://www.cndh.mr).

## **7.3 By addressing public opinion**

Under article 4 of the Statute, the Commission “shall contribute by all appropriate means to the dissemination and rooting of human rights culture”.

The Commission declared in the statement of compliance that it may address the public opinion through media in order to release its opinions and recommendations in French, Arab, and if necessary, in national languages (i.e. hassaniya, Peulh, Soninké and Ouolof).

## **8. Quasi-judisdictional functions (optional, only for those NHRIs having quasi-judicial powers)**

In the statement of compliance, the Commission indicated that it is not vested with quasi-judicial powers.

# **RELATIONSHIP WITH RELEVANT HUMAN RIGHTS STAKEHOLDERS AND OTHER BODIES**

## **9. Relationship with national stakeholders**

### **9.1 Relationships with Civil Society**

As per article 4 of the Statute, the Commission has mandate to promote, inter alia, cooperation with national and international NGOs.

The 2007-2008 annual report included activities the Commission jointly or in cooperation developed with civil society organisations:

- Conference on Reinforcing National Unity jointly organised in Nouakchott on 22-23 January 2008 with the National Democratic Institute (NDI);
- Workshop on sensitising decision makers on the complexity of the “Settlement of Humanitarian Liability”, held on 25-29 2008 May, in cooperation with UNDP-Mauritania and NDI;
- Visit of Migrants Reception Centre in Nouadhibou, jointly with FIDH; Dialogue Days of Mauritanian civil society from 25-27 December 2007<sup>12</sup>.

In the statement of compliance, the Commission indicated that its composition mainly include representatives of civil society, and thus civil society organisations are natural partners of the Commission, including in carrying out always joint activities on the promotion and protection of human rights.

### **9.2 Relationship with other bodies**

According to article 8, the Commission, in fulfilling its functions, is entitled to request cooperation from any public or private body. It further indicates that “The Commission shall establish, with the consent of

<sup>12</sup> Idem, p. 50 & 51.

the relevant authorities, mechanisms of dialogue, cooperation and coordination with the following services: - services in charge of the promotion and protection of human rights, services of Legal and Penitentiary Administration, and services in charge of public security and safety”.

Article 4 of the Statute mentions the cooperation of the Commission with other stakeholders including with NHRIs from other countries.

The Chairperson of the Commission is member of the Interdepartmental Commission dealing with deportees and Humanitarian Liability issues, and thus participated to several preliminary consultative sessions with governmental bodies, e.g. from June 2007 to June 2008. Moreover, the Commission annexed to its 2007-2008 annual report several recommendations addressed to governmental departments, e.g. Ministry of Internal Affairs, Ministry of Justice<sup>13</sup>.

## **10. Cooperation with the United Nations and other organizations**

The Commission is mandated to cooperate with UN human rights bodies and regional institutions (article 4 of the Statute).

Several examples of interaction are mentioned in the 2007-2008 annual report in terms of participation in sessions and conferences:

- 6<sup>th</sup> Conference of African NHRIs, in Kigali, Rwanda, from 8-10 October 2007;
- 3<sup>rd</sup> and 4<sup>th</sup> Conference of Arab NHRIs, respectively in Rabat, Morocco, from 12-14 November 2007 and in Alger, Algeria, from 18-21 March 2008;
- 6<sup>th</sup> Session of the Human Rights Council (HRC), in Geneva in September 2007;
- Parallel Events to the Special Session of the HRC in April 2008, including meeting of the Network of African NHRIs (NANRHI) on 14 April and with OHCHR.

In the statement of compliance, the Commission further indicated that it cooperates with international and regional HR mechanisms, including the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and the Working Group on Arbitrary Detention during their visit in Mauritania (i.e. see the March 2009 report of Mr Doudou Diène and that of Ms Leila Zérogui). The Commission also mentioned that it celebrated the UDHR60 in partnership with UNCT in Mauritania and several Diplomatic Missions present in Mauritania; and the Commission is member of Francophone Association of NHRIs and NHRIs Networks in Africa and Arab region.

---

<sup>13</sup> *Idem*, p. 86-87.