

AFRICAN UNION

**African Committee of Experts on the
Rights and Welfare of the Child**



UNION AFRICAINE

**Comité Africain d'Experts sur les Droits et
le Bien-être de l'Enfant**

الاتحاد الأفريقي

*"An Africa Fit for
Children"*

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**Concluding Observations and Recommendations by the African Committee of
Experts on the Rights and Welfare of The Child (ACERWC) on the Initial Report
of the Islamic Republic of Mauritania, on the Status of the Implementation of
the African Charter on the Rights and Welfare of the Child**

I. INTRODUCTION

1. The African Committee of Experts on the Rights and Welfare of the Child (hereafter 'the ACERWC/the Committee') extends its compliments to the government of the Islamic Republic of Mauritania (hereafter 'Mauritania') for ratifying the African Charter on the Rights and Welfare of the Child (hereafter 'African Children's Charter /Charter') in 2005.
2. The Committee appreciates the submission of the initial report on the status of the implementation of the Charter. The report was submitted by Mauritania pursuant to its obligations stipulated in Article 43 of the African Children's Charter. The report was considered during the Committee's 34th Ordinary Session held in Cairo, Egypt from 25 November to 5 December 2019. The Committee appreciates the constructive engagement with the delegation of Mauritania, headed by Commissioner from the Office of the Commission for Human Rights, His Excellency Mr. Mohammed El Boukhreiss.

II. PROGRESS IN THE IMPLEMENTATION OF THE CHARTER

3. The Committee acknowledges and appreciates the Government of Mauritania for enacting the following legislations and establishing institutions to give effect to the provisions of Charter:
 - i. Act No.200.054 on the Obligation of Basic Education;
 - ii. Decree No. 126.2009 on the establishment of a Children's Parliament;
 - iii. Decree No. 69.2009 on Alternative measures to detention for children in conflict with the law;
 - iv. Decree No.061.2012 establishing the Centre for the Care and Social Reintegration of Children in Conflict with the Law;
 - v. Establishment of the Special Courts on Slavery;
 - vi. Law No. 2003/025 on the Suppression of Trafficking in Persons;
 - vii. Law No. 7 2007-042 on the criminalization of slavery and slavery-like practices;
 - viii. Ordinance No. 2005.015 on the Criminal Protection of the Child;
 - ix. National Child Protection Strategy;
 - x. Draft bill on prohibition of violence against women
 - xi. Draft Children's Code which seeks to codify all the children's provisions that are found in the different sources of the Mauritanian law;
 - xii. Establishment of the Ministry for Social Affairs, Children and Family and the Directorate of Child Protection; and
 - xiii. The 2011 Repeal of Order No 10.289 determining the general conditions of domestic work.
4. The Committee commends Mauritania's ratification of the following human rights instruments:
 - i. UN Convention on the Rights of the Child and the accession of the Optional Protocols on the Sale of Children, Child Prostitution and

- Child Pornography and on the Involvement of Children in Armed Conflict;
- ii. UN Convention on the Rights of Person with Disabilities and its Optional Protocol;
 - iii. International Covenant on Economic, Social and Cultural Rights
 - iv. Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention against Transnational Organized Crime;
 - v. Convention on Enforced Disappearances;
 - vi. The Arab Charter on Human Rights;
 - vii. ILO Convention No.138 on Minimum Age for Admission to Employment; and
 - viii. ILO Convention No.182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

III. AREAS OF CONCERN AND RECOMMENDATIONS

A. GENERAL MEASURES AND IMPLEMENTATION

5. The Committee notes with great concern that the State Party failed to include the African Children's Charter in the special edition of the official journal of Mauritania. Whereas, other ratified human and children's rights instruments have been included in the journal. The Committee is concerned that failure to publish the Charter in the journal significantly hinders the application of the Charter. The Committee notes Article 80 of the Constitution of the Islamic Republic of Mauritania, which stipulates that international treaties that have been ratified or otherwise approved supersede national legislation. As such, the Committee recommends that the State Party include the Charter in the journal.
6. The Committee notes with concern, that Mauritania's Constitution makes no provision for socio-economic rights or children's rights. The Committee recommends that the State Party amend existing laws to include socio-economic and children's rights into the Constitution and to include socio-economic rights in the General Code on the Protection of the Child, as an integral part of the National Child Protection Strategy.
7. The Committee notes with appreciation the efforts towards ensuring that *Sharia* law is only applicable in absence of other law or treaty governing a certain matter and encourages the State Party to ensure that *Sharia* law does not violate the provisions of the African Children's Charter.
8. The Committee appreciates the work of the National Statistical Office in undertaking General populations surveys and specifically for undertaking a baseline survey on the situation of child victims of the worst forms of child labor. However, the Committee is concerned that there is insufficient disaggregated data on children within the country. The Committee recommends that the state party adopt measures and allocate resources to capture adequate disaggregated data

on children in Mauritania in order to ensure the effective protection, fulfillment and promotion of the rights of every child in Mauritania.

9. The Committee applauds the development of the National Child Protection Strategy. The Committee recommends that governmental departments, civil society organizations and the judiciary work closely with the National Human Right Commission to strengthen the protection and promotion of children's rights in Mauritania.
10. The Committee notes with concern, the lack of adequate legislation with clear provisions on the age of employment. The Committee recommends that the state party adopt legislation in conformity with article 15 of the African Children's Charter.
11. The Committee recommends the establishment of a child protection unit within Mauritania's National Human Rights Commission. The Human Rights Commission should further be strengthened technically and financially to monitor the protection, fulfillment and promotion of children's rights in the country.
12. The Committee appreciates the adoption of a social workers program to be implemented over a five-year period. The Committee recommends that the state party mobilize funding and human resources to implement the program.
13. The Committee recommends the State Party to increase the national budget allocated for the implementation of the African children's charter.

B. DEFINITION OF THE CHILD

14. The Committee appreciates that Article 2 of the General Code on the Protection of the Child defines the child as anyone under the age of eighteen inline with Article 2 of the African Children's Charter.
15. The Committee appreciates the enactment of Law No.2001-052, which sets the age of marriage at eighteen. However, the Committee observes with concern, the continued prevalence of child marriage in Mauritania and the recruitment of children for national army service. The Committee recommends that the recruitment age into the national army service be increased to 18, in conformity with Article 22(2) of the African Children's Charter. The Committee further recommends measures to be taken to enforce the minimum marriageable age and eliminate child marriage.

C. GENERAL PRINCIPLES

Non-discrimination

16. The Committee notes with concern the situation of the following categories of children: enslaved children, girls, children with disabilities, children born from parents in slavery, migrants or refugees.
17. The Committee further notes with concern, the repression of discourse around the pervasive issue of slavery and slave-like practices in Mauritania. The Committee recommends that the state party engage critically and earnestly to ensure the eradication of slavery and slave-like practices in Mauritania. Among other things, the Committee urges the Government to

- i. Undertake a national campaign to eradicate slavery and slave-like practices from the country;
 - ii. Adopt multidimensional measures to tackle existing slavery practices, the vestiges of slavery as well as the continued systemic disempowerment of enslaved children and descendants of persons in slavery in order to ensure the effective enjoyment of their rights on an equal basis with other children;
 - iii. Fully implement the recommendations of the Committee in Decision No: 003/2017 of Communication No: 007/Com/003/2015 by Minority Rights Group International and Sos-Esclaves on behalf of Said Ould Salem and Yarg Ould Salem against the Government of the Republic of Mauritania.
18. The Committee further notes that despite the establishment of the Special Courts on Slavery and the criminalization of slavery and slavery-like practices, there is lack of enforcement and accountability of perpetrators. The Committee urges the State Party to enforce the anti-slavery legislation and ensure accountability of all perpetrators.
19. The Committee recommends the State Party to assess the situation of girls, children with disabilities and children on the move, to ensure that they enjoy the rights enshrined in the Charter without any discrimination.

The best interests of the child

20. The Committee notes with appreciation the State Party's Report on the efforts taken by the government to include the best interest of the child principle in judicial proceedings, as seen in the adoption of the decree on alternatives to the detention of minors. However, the Committee is concerned that the child's best interest is used to justify ongoing harmful cultural and social practices perpetuated against children. The Committee also notes with concern the lack of standard for assessing the best interest of the child in different settings. The Committee recommends that the Government
- i. Conduct a survey on the application of the best interest principle in different sectors of society and ensure that the principle is not used to justify harmful practices; and
 - ii. Develop guidelines on the implementation of the principle.

The right to life, survival and development

21. The Committee commends the State Party's legal protections of children's lives and the development of the 2011 strategy on child survival, development and protection.
22. The Committee notes with concern that the State Party has a high infant and juvenile mortality rate, additionally a quarter of children are underweight, for their age and expected stage of physical development. The Committee recommends that the state party:
- i. Increase investment in child nutrition and health care;
 - ii. Ensure that the health care system has enough adequately trained personnel and the accompanying healthcare facilities;

- iii. Increase the scale of free healthcare and vaccinations for preventable diseases;
- iv. Increase investment to ensure food security to curb malnutrition among children;
- v. Increase efforts to secure water for all; and
- vi. Develop school feeding programs to curb malnutrition in children;

Respect for the views of the child and the promotion of child participation

23. The Committee notes with appreciation the participation of the child in judicial matters concerning children in conflict with the law. The Committee further commends that the establishment of the Municipal Council for the Child and the Mauritanian Parliamentary Group for Children.
24. The Committee notes that child participation and mobilization in Mauritania is in its embryotic stages. Resultantly, the Committee recommends that the State Party to undertake the following measures
- i. Provide a comprehensive legislative framework that promotes child participation in all aspects of society that concern children;
 - ii. Allocate sufficient human and financial resources to the Municipal Council for the Child and the Mauritanian Parliamentary Group for Children;
 - iii. Legally entrench the consideration of the children's input into decision making processes that relate to children; and
 - iv. Record the contributions of the children's councils and parliament, and the extent to which the Government makes use of these contributions in state policy, laws and other measures.
25. The Committee notes that the election of child parliamentarians is based solely on academic merit. The Committee notes with concern that this criterion excludes a large group of students. The Committee recommends that the selection criteria should be more inclusive to ensure that all children irrespective of academic merit or other exclusionary criterion exercise their right to participation.

D. CIVIL RIGHTS AND FREEDOMS

Name, nationality, identity and registration at birth

26. The Committee notes with appreciation, the legislative measures adopted to ensure the registration of children. The Committee further commends the establishment of the National Agency for the Registration of Populations and Secured Titles and the intensive measures adopted to issue birth certificates to thousands of children born to refugee parents, along with initiatives to ensure the registration of newborn children born in Mauritania.
27. Nonetheless, the Committee notes several obstacles, mainly: Lack of registration and documentation of large portion of enslaved children, descendants of persons in slavery, abandoned children, children in rural areas and children on the move; lack of information and knowledge on how to register a child, prevalent in rural

areas and poor communities; challenges regarding registering children without parental care and children born of out of wedlock; and geographic inaccessibility of registration centers. The Committee further notes, with great concern, the discrepancies relating to the recorded number of children and the number of children who have birth certificates. The Committee recommends the State Party to take the following measures:

- i. Undertake national birth registration campaigns highlighting the importance of registration for civil status and access to public and private services;
- ii. Train community-based health workers, health care staff and civil society organizations on the importance of registration, how to register and where to register;
- iii. Simplify the procedures and formalities for registration, as the procedures create an undesirable accessibility barrier;
- iv. Drive human and financial resources to establish satellite offices in each of its regions, and provide mobile registration to ensure access to all children irrespective of geographic location, financial or educational background;
- v. Investigate and address the discrepancy between the number of children registered and the number of children with birth certificates; and
- vi. Ensure registration and certification of vulnerable children including children without parental care, children born of unmarried parents, children in situations of slavery and children on the move.

The Committee recommends the State Party to make reference to General Comment on article 6 of the Charter on the right to birth registration, name and nationality.

Freedom of expression, association, conscience and religion

28. The Committee welcomes Article 10 of the Mauritanian Constitution, which guarantees every citizens freedom of expression, association, movement and opinion.
29. The Committee notes that there is no explicit legislative provision that promotes the free expression of children and notes with concern Mauritania's reservation on article 9 of the Charter relating to freedom of thought, conscience and religion. The Committee recommends the State Party to withdraw its reservation on article 9 of the Charter and explicitly guarantee Children's right to expression, freedom of thought, conscience and religion.
30. The Committee further recommends that the schooling curriculum provide the education necessary for children to meaningfully practice their freedom of expression.

E. FAMILY ENVIRONMENT & ALTERNATIVE CARE

Parental guidance and parental responsibilities

31. The Committee appreciates the protection of the family unit as contained in the preamble and Article 16 of the State Party's Constitution, along with the provisions

of the Personal Status Code relating to child maintenance, custody and care. The Committee recommends that the State Party adopts measures to support and strengthen vulnerable families by fostering the capacity of the parents to adequately perform their responsibilities in the relation to the child, through family support initiatives.

Separation of children and family reunification

32. The Committee notes with appreciation the compulsory mediation procedure between divorcing parents in order to reduce the adverse effects of the divorce on the child. The Committee also appreciates the measures undertaken to place children without parental care into various childcare facilities.
33. However, the Committee notes with concern, the separation of children from their families in instances of slavery or slave-like practices. The Committee recommends that the State Party conducts surveys and collects data on the prevalence of child separation, abduction and trafficking due to slavery. The Committee further implores the State Party to aggressively and intentionally pursue the elimination of slavery in Mauritania through judicial enforcement of the current legislative framework.
34. The Committee recommends that the State Party investigates the prevailing reasons for the separation of children from their families, and further encourages that the investigations must be conducted through synergized efforts between governmental and non-governmental organizations dealing with children's issues. The State Party must then adopt sustainable measures through legislation and policies to support families to reduce instances of family separation.

Alternative care and adoption

35. The Committee notes that the Mauritanian law makes no provision for adoption. However, the Committee welcomes the *Sharia* equivalent in the form of the *Kafalah* institution which bestows legal guardianship. The Committee recommends that the Government of Mauritania finalizes the draft legislation on adoption and *Kafalah* in order to regulate alternative care and adoption, to ensure that children are adequately protected and that alternative cares are properly monitored.
36. The Committee notes with appreciation, the measures adopted by the Ministry of Social Affairs, Children and Family in providing periodic evaluations on the situation of children adopted in accordance with the *Kafalah* institution. However, the Committee notes that there is no legal backing for such monitoring and hence recommends that this process should be outlined and stipulated in the draft law on *Kafalah*.
37. Moreover, the Committee recommends that the State Party establishes a data base to collect, record and monitor data on the number of children without parental care, children in alternative care facilities and child headed households. The Committee further recommends that the State Party develops and implements a strategy for foster care and alternative family environments which must also be

included in legislation on adoption, *Kafalah* institution and alternative family environments.

F. BASIC HEALTH & WELFARE

38. The Committee notes with appreciation the constitutional and legislative measures undertaken by the State Party to ensure equal enjoyment of the right to health for all. The Committee further commends measures adopted by the State Party including: the initiation of the 2030 National Health Development Plan, National Program for Reproductive Health, the extension of the application of the National Health Fund, and the establishment of more public health training institutions. The Committee further applauds the efforts exerted by the State Party to vaccinate children against various diseases and the reduction of mother-to-child HIV transmissions as well as the procurement of neonatal resuscitation units, the training of more than 100 Community Healthcare Workers in order to reduce infant and child mortality rate.
39. Despite the abovementioned efforts, the Committee remains concerned about the high infant and under-five child mortality rate and the prevalence of neonatal tetanus in medical centers; the lack of information and attitudes towards sexual reproductive health information to teenagers; lack of access to health care services for children in remote areas, children with disabilities, and children on the move; and lack of systems in place for the early detection of disabilities. The Committee also notes with concern that measles immunization coverage stands at 70% which is low compared to many other African Countries. The Committee, therefore, recommends that the State Party adopts the following measures:
- i. Provide technical and financial support to the public health care sector in order to increase accessibility of health care facilities as well as sustainably develop a broad and effective network to eradicate maternal, infant, child mortality and preventable diseases;
 - ii. Increase coverage of immunization to avoid preventable diseases and disabilities and conduct awareness raising campaigns in partnership with religious institutions to curb the prevailing negative attitudes on vaccinations in order to increase the impact of vaccinations;
 - iii. The Committee also recommends that the State Party undertakes awareness raising campaigns through medical staff and community-based health care workers to sensitize pregnant women and new mothers on how to adequately access prenatal and antenatal care, and also meet the needs of the child and effectively respond to the child's needs;
 - iv. Conduct surveys to obtain disaggregated data on the number of children with disabilities as well as their individualized needs based on their geographic location and to equip the servicing health facility with the necessary assistive devices;
 - v. Coordinate efforts with the National Multi-Sectorial Council for the Promotion and Protection of Persons with Disabilities and other stakeholders to ensure that public health centers provide adequate health

services to meet the needs of children with disabilities including early identification and intervention, as well as disability friendly medical services; and

- vi. Promote sexual and reproductive health information and services in order to change the negative mind set around sexual and reproductive health, to prevent teenage pregnancy as well as other health issues such as sexually transmitted diseases that can affect children. The Committee encourages the State Party to establish a sexual and reproductive health rights educational approach that is culturally acceptable while effectively equipping teenagers with information on the matter.

G. EDUCATION, LEISURE AND CULTURAL ACTIVITIES

The Committee commends the increased enrollment rate of children in primary schools, the significant increase of primary school completion rates and the narrowing gender disparity in access to education. The Committee commends the State Party's legislative measure to provide free and compulsory basic education within its territory and welcomes the National Program for the Development of the Education Sector which includes a component on special needs education. Moreover, the Committee acknowledges and appreciates the development of the first and second National Program for the Development of the Education Sector for the periods 2002-2011 and 2012-2020, respectively.

40. However, despite the State Party's efforts to ensure universal primary education for all, there are several challenges that arise, such as: the low rate of enrollment in early childhood development institutions; high drop-out rate for girls; low transition rate from primary to secondary school; lower access to secondary education which stands at 26.5%; lack of qualified teachers generally, and specifically in the field of integrated, inclusive and special needs education; lack of adequate facilities in schools to accommodate children with disabilities; lack of a clear system to identify and assist children without parental care; lack of facilities for leisure and cultural activities; and inaccessibility of education for children without parental care, refugee children and children on the move as a result of issues relating to the birth registration. The Committee notes with great concern that these issues may be attributed to the very low budget allocation to the education sector as the State Party allocates only 2.6% of its GDP to education.
41. In order to ensure universal access to free and compulsory education, the Committee recommends for the State Party to undertake the following measures:
 - i. Increase its budgetary allocation for the education so that the sector benefits from human and technical resources, infrastructure, and school facilities;
 - ii. Ensure widespread availability and awareness of early childhood development programs in all provinces that are accessible to all children including children outside the urban places and children from economically disadvantaged families;
 - iii. Implement the provisions of the 2005 Child Protection Ordinance which penalizes parents, guardians and school official who coerce pregnant girls to

- drop out of school through sensitizations as well as creating a conducive environment for such girls to be able to report forced expulsion from schools;
- iv. Ensure comprehensive primary health education, including sexual reproductive health to be included in the education curriculum;
 - v. Assess and address other factors that are greatly contributing to the high dropout of girls from schools including harmful practices such as child marriage and negative attitude towards educating girls;
 - vi. Improve the training curriculum for teachers, especially in special needs education and inclusive education;
 - vii. Increase the human and financial resources allocated to education to provide necessary facilities in schools including recreational facilities and to boost the quality of education through training and making learning materials available;
 - viii. Ensure that the Ministry of Education, the Ministry of Culture, Youth and Sports along with other agencies coordinate their activities to ensure that proper planning and implementation to ensure quality education, recreation and cultural activities for all children including children who are out of the regular school; and
 - ix. Provide additional support in the form of school feeding programs and provision of grants for children without parental care, children living in poverty and children with disabilities to ensure their integration and equal enjoyment of the right to education.

H. SPECIAL PROTECTION MEASURES

Children in emergency situations

42. The Committee commends the steps taken by the State Party, including building a community center, providing sensitization on gender-based violence in refugee camps, access to water and sanitation for refugees, food and health services. The Committee notes the vulnerable position of refugee children as they are at risk of sexual violence, exploitation, abuse, communicable diseases and discrimination in accessing health and education services and hence recommends that the State Party facilitates the registration of refugee children to provide them with adequate access to services. The Committee further recommends that the State Party adopts clear legal protections for refugee children which enables them to claim their rights and obtain remedies.

Children and armed conflict

43. The Committee notes that the minimum age of recruitment into the Mauritanian army under Act No.62.132 of 1962, as amended by Act No.77.015 of 1977, is 16 years old. The age prescribed in Mauritanian legislation deviates from the provisions of Mauritania's national labour laws and Article 22 (2) of the Charter.
44. The Committee recommends that the State Party urgently aligns its army recruitment legislation and policies with Mauritania's national labour laws and the

African Children's Charter thereby ensuring that no legislation makes it possible for a child to be recruited into the army.

Children in conflict with law

45. The Committee welcomes Ordinance No.2005-015 on the Code of Criminal Protection of the Child and the 2009 Decree on Alternative Measures to Minors' Detention. Furthermore, the Committee appreciates the availability of legal assistance services for children in conflict with the law. Nonetheless, the Committee notes that alternatives to detention are not adequately exhausted and that there is no separate cell for children in conflict with the law in prisons. The Committee recommends that the State Party allocates increased budget to the juvenile justice system with a view to train judges and police on child protection issues; and provide psychosocial support to children in conflict with the law. The Committee encourages the State Party to cooperate with other stakeholders to ensure that detention is used as a last resort and alternatives to custodial sentences are applied in cases where possible. The Committee also recommends that, in cases where custodial sentences are mandatory, the State Party ensures that children are not detained with adults and that there are separate facilities or cells for children in detention where rehabilitation and reintegration of the children is the main goal.

Children of incarcerated caregivers

46. The Committee notes from the State Party report that there is no legislative or administrative measures put in place to ensure non-custodial sentences to mothers and pregnant women. Moreover, the Committee observes that pregnant women give birth in prisons and keep their children in the prison up to the age of 5. The Committee would like to recall that the incarceration of children with their mothers is by no means the intention of article 31 of the Charter and urges the State Party to adopt legislative and policy measures to ensure that primary caregivers and pregnant girls are not subjected to custodial sentences as much as possible and in cases where detention is inevitable, to ensure that children are not detained with their caregivers. As there are already children in the prison as indicated in the State Party report, the Committee urges the State Party to provide separate facilities for children incarcerated with their mothers so that they get access to an environment where they can learn and play.

Children in situations of exploitation and abuse

47. The Committee commends the measures adopted by the Government of Mauritania to abolish slavery including the enactment of laws that formally abolish and penalize slavery and slave-like practices; and the establishment of the Special Courts on Slavery as well as access to legal assistance and the services of social workers.

48. However, the Committee notes with great concern that despite its prohibition and criminalization, slavery and slave-like practices continue to exist in Mauritania. The

Committee regrets that there is lack of investigation, prosecution, and conviction of perpetrators of slavery like practices and in cases where slave masters are convicted the sentences and penalties are lenient, compensation to victims is negligible and deviates from the mandatory sentences prescribed by legislation. The Committee also notes that the pervasive issue of slavery has given rise to other sinister human rights violations such as the abduction, sale and trafficking of children, which is a violation of Article 29 of the Charter. The Committee would also like to recall that it has rendered a decision on the issue of slavery on Minority Rights Group International (MRG) and Anti-Slavery International v Mauritania case where it requested the State Party to show due diligence in the prosecution and conviction of perpetrators.

49. The Committee, therefore, recommends that the State Party takes concrete measures to implement the recommendations of the Committee in the abovementioned communication; to ensure the effective implementation of anti-slavery laws and policies including setting appropriate sentences against perpetrators; providing sufficient redress for victims; and ensuring the rehabilitation and reintegration of victims. The Committee further recommends that the State Party adopts adequate legislative and other measures to protect child slaves from coercion, intimidation and abuse from perpetrators once a slavery allegation is brought forward.
50. The Committee also urges the State Party to address other forms of child abuse and exploitation in the State Party including child labour. The Committee is alarmed by the statistics that one in six child in Mauritian is subject to child labour and recommends that the State Party takes legislative and administrative measures including regulating and inspecting employees, sensitizing communities who subject their own children to child labour, and taking measures against those who exploit children by subjecting them to worst forms of child labour.

Harmful cultural practices

51. The Committee commends the legislative measures undertaken to set the minimum age of marriage at 18 and prohibit other harmful practices. However, the Committee notes the continued prevalence of female genital mutilation (FGM) and cutting and that girls from poor backgrounds and rural areas are disproportionately affected by this harmful cultural practice. Moreover, the Committee notes the worrying prevalence of the *leblouh* custom, which sees girls being fed high calorie diets and animal growth hormones to accelerate puberty and increase weight to increase the girl's prospects of marriage. The Committee also joins the UN Committee on the Rights of the Child and the Human Rights Committee who recently raised concerns on the high rate of child marriage in the State Party despite the legal provisions.
52. The Committee notes that the criminalization of certain harmful social and cultural practices has not been able to effectively eliminate the practice. As such, the Committee recommends that the State Party adopts multidisciplinary methods through national and regional coordination efforts including various stakeholders

(including, religious institutions; parents; teachers; civil society organizations; judicial officers; policy makers; government departments and agencies as well as national human rights institutions, among others) to successfully eliminate harmful social and cultural practices, pursuant to Article 21 of the Charter. In addition, the State Party is encouraged to undertake intensive sensitization campaigns on harmful practices and apply community led approach to ensure acceptance of the message transmitted through campaigns. The Committee further recommends that the Government of Mauritania renders it compulsory for organizations, agencies and government departments tasked with the protection of children's rights to be sensitized on existing human rights position relating to harmful cultural practices as well as the long-lasting physical and psychological effects of harmful cultural and social practices on children. Moreover, the Committee recommends that the State Party increases access to education in remote and poor communities, as children with low education levels are more vulnerable to child marriage. The Committee further encourages the State Party to consider revising the education curriculum to include the health effects of harmful practices, pursuant to Article 11(2) (h) of the Charter on the child's understanding of primary health care.

Children in the situation of streets

53. The Committee notes that there is a prevalence of homeless children in Mauritania, however, there is no data on these children. Street children are found mostly in urban areas and do not have the traditional educational, social and family networks that can cater for their needs. The Committee recommends that the Government of Mauritania undertakes survey to assess the prevalence of children on the street and identifies and addresses the causes of the situation of children on the street. Moreover, the Committee recommends that the State Party strengthens the capacity of the Ministry of Social Affairs, Children and the Family to ensure that children in the street situation are provided with shelter, food, education, care and protection from abuse. In this regard, the Committee encourages the State Party to cooperate with civil society organizations working on the area as well as the private sector. In addition, the Committee recommends that children who have been taken out from the street situations are provided with rehabilitation services as well as skills that can prevent them from going back to the street.

Children with disabilities

54. The Committee welcomes the ratification of the United Nations Convention on the Rights of Person with Disabilities in 2012; the establishment of the National Multi-sectorial Council for the Promotion and Protection of Persons with Disabilities and the National Centre for Training and Promotion of Children with Disabilities; the operationalization of a project where grants are given to the caregivers of children with multiple disabilities as well as the financial support mechanism for organizations that provide services to persons with disabilities.

55. The Committee, however, notes with concern the situation of children with disabilities in Mauritania as they are still very vulnerable to being denied access

and enjoyment of the right to health, primary education, family life and protection from various forms of violence as a result of the pervasive lack of access to information. The Committee further notes that there is no disaggregated data on children with disabilities and there are no mechanisms in place for early detection of disabilities that do not manifest physically.

56. The Committee recommends that the National Strategy for the Protection of Children to ensure protection of all children without discrimination on any basis. The Committee recommends for the State Party to adopt measures to maximize the impact of the legislation and policies relating to children with disabilities. The measures may include awareness campaigns to ensure understanding of disability and the services available to assist children with disabilities; compulsory training and information sessions for policy makers and organizations dealing with disability matters; collect reliable and comprehensive data on children with disabilities; ameliorating issues of accessibility in integrated schools; allocating financial, technical and human resources to existing schools and to build more inclusive and special needs schools; providing training of teachers on integrated, inclusive and special needs education; as well as providing the necessary support to capacitate health care centers with resources for maximum provision for persons with disabilities.

Children on the move

57. The Committee notes that there are many nomadic ethnic groups resident in Mauritania. The Committee is concerned with the situation of such children on the move because they are often not formally registered at birth and do not possess birth certificates, resultantly, they are unable to benefit from the existing national child protection systems. The Committee recommends that the State Party adopts measures to ensure the inclusion of children on the move by allocating financial and human resources to provide them with easier access to birth registration and the appropriate services such as mobile health care services and flexible school enrollment for children on the move. The Committee recommends that the State Party develops clear legislation and policies relating to children on the move to ensure that coordinated response is provided to their needs and they are not treated as illegal or subject to detention.

I. RESPONSIBILITIES OF THE CHILD

58. The Committee notes with appreciation that children undergo religious and cultural education that provide them insight about their responsibilities to their parents, community, and nation. However, the Committee recommends that the State Party ensures that such lessons do not impose traditional and customary values that can hinder their development such as child marriage and child labour. The Committee encourages the State Party to integrate lessons about responsibilities in the regular education curriculum to ensure that the content is in line with the spirit and aim of the Charter.

IV. . CONCLUSION

59. The African Committee of Experts on the Rights and Welfare of the Child appreciates the measures undertaken and efforts invested by the Government of the Islamic Republic of Mauritania towards the implementation of the African Children's Charter. The Committee aspires for the implementation of the current recommendations and would like to indicate that it will undertake a follow up mission to assess the implementation of these recommendations in the foreseeable future. The Committee would also like to invite the State Party to submit its first periodic report in December 2022 according to article 43 of the African Children's Charter.
60. The African Committee of Experts on the Rights and Welfare of the Child takes this opportunity to renew to the Government of the Islamic Republic of Mauritania the assurances of its highest consideration.