



AMNESTY INTERNATIONAL

COUNTRY: MAURITANIA  
SUBJECT TITLE: 1986-1989:  
BACKGROUND TO A CRISIS  
THREE YEARS OF POLITICAL IMPRISONMENT, TORTURE AND UNFAIR TRIALS;

NOVEMBER 1989

SUMMARY

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In April 1989 in both Mauritania and the neighbouring Republic of Senegal hundreds of people were deliberately killed in mob violence. The victims were singled out not simply because of their nationality but because of their racial origins.

In the Republic of Senegal the violence aimed at Mauritians ended by late April 1989, with many of those involved being arrested on criminal charges. In Mauritania, however, the violence has continued, with operations against black Mauritians being carried out by the government's own security forces and the scale of human rights violations reaching a level unprecedented in recent years. Thousands of black Mauritians have been summarily expelled from the country. Farmers and cattle herders who resisted expulsion or expropriation are reported to have been arrested. Black civil servants have also been detained, sometimes for many months. Some of those arrested have been killed by security personnel while others have been tortured in custody prior to expulsion.

Although the scale of human rights abuses reported since April 1989 is unprecedented, cases of torture have been reported regularly over the past three years since arrests began in 1986 of opponents of the current government (which came to power in December 1984). Amnesty International has received testimonies from former torture victims belonging to various different communities in Mauritania; torture techniques have included burning prisoners with hot coals and subjecting them to a torture known as the "jaguar", which consists of suspending victims upside down from a metal bar and beating the soles of their feet. As the systematic use of torture has become well-established over the past three years it has been possible to conclude that those using it are effectively benefiting from a form of official protection.

In July 1989 Amnesty International published details about some of the cases of extrajudicial execution, torture and arbitrary arrest. The response of the government which followed failed to address the substance of the organization's concerns.

Amnesty International is now calling on the government to adopt a series of specific measures designed to end torture and remedy other human rights abuses: unfair trials, the conviction of prisoners of conscience and possible prisoners of conscience, deaths in detention and the use of the death penalty.

This summarises a 31-page document Mauritania 1986 - 1989: Background to a crisis - Three years of political imprisonment, torture and unfair trials which provides details about those abuses and shows that many of the incidents reported in May and June 1989 are part of a pattern of human rights violations which goes back several years. Anyone wanting further details should consult the full document, which was

issued by Amnesty International on 30 November 1989 (AI Index: AFR 38/13/89).  
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1. This external document is embargoed for 30 November 1989 and is being translated into French and Arabic.
2. This external document is the subject of a Group-Level Action and groups with a Mauritania case may seek your assistance with target sector work, approaches to the media, and dividing up the list of people who are to receive copies of the external document. Please refer to circular entitled: MAURITANIA: GROUP-LEVEL ACTION: 30 NOVEMBER 1989 - MID MARCH 1990, Actions for groups working on Mauritania prisoner dossiers, Mauritania coordinators and WARAN coordinators (AI Index: 38/14/89).
3. In Sections where there is no coordinator for Mauritania, please arrange for the document to be sent the media, particularly radio stations which transmit to Africa and journalists with a special interest in Africa and/or the Middle East.
4. An order form for the photographs in the report is attached for your use.

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## MAURITANIA 1986-1989: BACKGROUND TO A CRISIS

### THREE YEARS OF POLITICAL IMPRISONMENT, TORTURE AND UNFAIR TRIALS

#### 1. Introduction

In April 1989 both Mauritania and the neighbouring Republic of Senegal experienced crises in which hundreds of people were deliberately killed in the course of mob violence. The victims were chosen because they belonged to particular communities or racial groups. In Senegal, Mauritians were attacked and killed by ordinary Senegalese. In Mauritania both Senegalese citizens and other black Africans were the targets for similar attacks and killings. In the ensuing weeks, two vast programs of repatriation got underway: Senegalese citizens living in Mauritania returned to Senegal and Mauritians in Senegal returned to their country.

At first the violence and killing were attributed to xenophobia. But it soon became clear that the targets in the intercommunal violence in both countries had not been selected simply because of their nationality, but rather on account of their racial features and origins. The black African victims of the violence in Mauritania included black Mauritians and the background to the entire crisis in both countries is one of steadily deteriorating relations between different communities or racial groups in Mauritania, particularly in southwest Mauritania, where there has been an increasing level of conflict in recent years between different communities in the valley of the Senegal River.

In the Republic of Senegal, the violence aimed at Mauritians came to an end by late April 1989 and many of those involved in intercommunal disturbances were arrested. In Mauritania, by contrast, few people involved in the killings were arrested and the violence against black Mauritians has continued. Furthermore, in contrast to the outbreak of intercommunal violence in Mauritania during April 1989, operations against black Mauritians since the beginning of May 1989 have been carried out by the Mauritanian government's own security forces. Thousands of black Mauritians have been summarily expelled to Senegal. Many have been detained for weeks or months in Mauritania and some have been tortured while in custody prior to expulsion. Yet others have been killed by security personnel - victims of apparent extrajudicial executions.

In July 1989 Amnesty International appealed to members of the Mauritanian government on repeated occasions to take action to end the abuses which were occurring. After receiving no response, on 25 July the organization published details about some of the cases of extrajudicial execution, torture and arbitrary arrest which had been reported to it. In response, the Minister of Information made a number of public statements denying the reports of abuses publicized by Amnesty International and accused Amnesty International of taking Senegal's side

in the conflict which developed between the two countries from April 1989 onwards.

On 26 July, the Mauritanian Bar Association criticized Amnesty International in a public statement which also accused the organization of bias in favour of Senegal. The Mouvement des femmes de Mauritanie, Mauritanian Women's Movement, an association promoted by the government, is reported to have called upon women members of Amnesty International throughout the world to leave the organization, which it accused of being "perfidious" and of ignoring abuses committed against Mauritians in Senegal.

None of these reactions addressed the substance of Amnesty International's concern about abuses committed by the security forces in Mauritania. In line with its normal practices, Amnesty International has, of course, collected information about human rights abuses reported in the Republic of Senegal and has both brought these to the attention of the Senegalese government and reported on them publicly. However, since April 1989 Amnesty International has not received evidence that Mauritanian citizens in Senegal have been the target for human rights abuses by Senegalese security personnel.

The scale of human rights abuses reported in Mauritania since May 1989 has been on a level unprecedented in recent years. However, a pattern of human rights abuse was already well established before the April 1989 crisis and from mid-1986 onwards there were significant numbers of political arrests in the country, accompanied by allegations of torture and unfair trial. This report provides details about those abuses and shows that many of the incidents reported in May and June 1989 are part of a pattern of human rights violations which goes back several years.

It is nearly five years since the government of President Maaouya Ould Sid'Ahmed Taya came to power in a bloodless coup in December 1984. Initially it appeared that the new government was determined to promote respect for human rights and not to allow the use of torture, the imprisonment of peaceful critics or opponents or other abuses which had marred the reputation of previous administrations. New political arrests began, however, in September 1986. More recently, during the second half of 1988 there were a spate of deaths of political prisoners serving prison sentences, which appear to have been provoked by deliberately harsh conditions and which the government did little to prevent.

Amnesty International's concerns about violations of human rights in Mauritania may be summarised as follows:

- i) the imprisonment of critics of the government for the non-violent exercise of their rights to freedom of expression and freedom of association;
- ii) the secret detention, without charge or trial and apparently outside the framework of the law, of black Mauritians arrested on account of their ethnic origin;

- iii) the use of torture, in particular while suspects are held incommunicado, apparently to coerce them into making statements or confessions which may be used subsequently as trial evidence;
- iv) unfair trials which have not conformed with internationally recognized standards, particularly concerning rights of defence, the admissibility of evidence and, in some cases, rights of appeal to a higher court;
- v) deliberately harsh conditions of imprisonment for convicted political prisoners which caused the death of four prisoners in 1988;
- vi) extrajudicial executions of black Mauritians who have opposed their expulsion or expropriation of their cattle or land;
- vii) the use of the death penalty.

The following seven chapters explain the context in which human rights abuses have occurred in Mauritania and include details about individual cases. Chapter 2 includes basic information about the country and Chapter 3 provides details of political developments and of the various forms of opposition faced by the current government. The following three chapters concentrate on cases of human rights abuse reported between 1986 and March 1989, the use of torture (Chapter 4), unfair trials (Chapter 5) and deaths of prisoners (Chapter 6). Chapter 7 brings the report up to date by providing details of major abuses reported between April and September 1989: extrajudicial executions, torture and arbitrary detention. Finally, the final section, Chapter 8, describes some of the measures which Amnesty International is urging the Mauritanian government to take to end violations of human rights.

## 2. Background

The Islamic Republic of Mauritania is situated in northwest Africa on the Atlantic Coast. Most of the country is covered by the Sahara. It shares common borders with Senegal to the south, Mali to the south and east, Algeria in the northeast and Western Sahara (controlled by Morocco) in the northwest. It covers an area of just over a million square kilometres and the population is estimated to be almost two million.

The main communities in Mauritania are: the Moors, known also as Beidanes (a name derived from the Arabic word meaning "white", a group of Arab and Berber origin) who speak Hassaniya, a dialect of Arabic; and the black population from the south, consisting of several separate ethnic groups, such as the Soninké, Wolof and Halpulaar (speakers of the Pulaar or Fulfulde language, some of whom are also known as Toucouleur) who each speak different languages. Closely associated with the Moorish population in terms of both language and culture are the Haratines, former slaves, who nevertheless in physical appearance bear a close resemblance to the rest of the black population.

The droughts of the 1970s and 1980s have encouraged migration to towns by the previously nomadic population and also led to increased pressure on agricultural land in the Senegal river valley, traditionally worked by black ethnic groups - the Toucouleur, Soninké and Wolof. Along with Senegal and Mali, Mauritania has undertaken the construction of two dams on the Senegal river which are intended to provide electricity and ensure the irrigation of 400,000 hectares of land in the river's valley. In June 1983, the military government issued a decree about the reorganization of land ownership (réorganisation foncière et domaniale) which

was seen by both the traditional landowners and black intellectuals as an attempt by the government and the Beidane community to take control of land in the south. The new law has enabled businessmen and civil servants from the north to obtain land and concessions in the Senegal river valley. As a result of their greater wealth and ability to obtain capital from government development funds, the new landowners have started to improve productivity and moved some of the area's traditional inhabitants off their lands. The new law has consequently had the effect of increasing tensions between communities.

The capital of Mauritania is Nouakchott; other major cities are Rosso, Nouadhibou, and Zouérate. The official languages are Arabic and French. Virtually all Mauritians are Muslims and Islam is the state religion. The shari'a (Islamic law) is in force and for some years in the early 1980s punishments such as the amputation of hands were carried out, often after unfair trials. Since he has taken power, President Taya has put an end to these practices. In its current application the shari'a covers only areas of civil law, such as wedding and inheritance disputes, rather than criminal law.

A former French colony, Mauritania became independent on 28 November 1960 under a government formed by the Parti du peuple mauritanien, Mauritanian People's Party, led by Moctar Ould Dadah. From 1960 to 1973, the country maintained strong links with the former colonial power. In 1973 Mauritania veered away from French influence and created its own currency, the ouguiya. That same year the government nationalised the country's biggest company, the MIFERMA (Mines de Fer de Mauritanie) which became the SNIM (Société nationale industrielle et minière). Iron ore and fishing have continued to be Mauritania's main sources of foreign exchange earnings.

In 1975, an agreement was signed with Morocco and Spain concerning the partition of the former Spanish colony, known as the Spanish Sahara, situated north of Mauritania. Since 1973 the Frente Popular para la liberacion de Saguia el Hamra y Rio de Oro (POLISARIO), People's Front for the Liberation of Saguia el Hamra and Rio de Oro, had been fighting for the colony's independence. However, when Spain withdrew, it preferred to partition the colony between Mauritania and Morocco. This agreement led to Mauritania's involvement in an armed conflict, on the same side as Morocco, fighting against the POLISARIO Front. Mauritania was exhausted both economically and politically by the time the army took power in a coup on 10 July 1978. The new military government, the Comité militaire de salut national, Military Committee for National Salvation, withdrew Mauritania's territorial claims on parts of the former Spanish Sahara and ended the army's involvement in the war. Subsequent military governments opted either for neutrality in the continuing conflict between Moroccan forces and POLISARIO fighters, or gave political support to the POLISARIO cause.

The current head of state, Colonel Maaouya Ould Sid'Ahmed Taya, is the fourth military officer to lead the country. He came to power on 12 December 1984 when, in a bloodless coup, he overthrew the government of President Mohamed Khouna Ould Haidalla who was absent from the country at the time, attending a summit conference of the heads of state of France and Francophone Africa (known as the Franco-African summit) in Burundi.

After the coup President Ould Sid'Ahmed Taya ordered the release of many political prisoners, including some who had been adopted as prisoners of conscience by Amnesty International.

The Islamic Republic of Mauritania has ratified Africa's principal human rights agreement, the Organization of African Unity's African Charter of Human and Peoples' Rights. However it has not ratified the main international treaties adopted by the United Nations' General Assembly to protect human rights throughout the world,



such as the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (both adopted by the General Assembly in 1966) and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (adopted by the General Assembly in 1984).

### 3. Political Context

The government came to power in December 1984 vowing that it would respect human rights. Political prisoners were freed and the use of cruel, inhuman and degrading punishments imposed by the courts, such as amputation of hands, was ended and a local human rights organization, the Ligue mauritanienne des droits de l'homme, Mauritanian League of Human Rights, was set up in the country. However, a number of officials of the deposed government, including the deposed head of state when he returned home, were imprisoned and were kept in custody without charge or trial until December 1988. <1> Furthermore, the government, although it contained members of communities and ethnic groups from all over Mauritania, has been criticized by black opponents for having kept power primarily in the hands of the Arabic-speaking Beidane community.

The military government which took power in December 1984 has not issued a new constitution, nor indicated whether it plans to return power to civilian rule.

Despite the fact that municipal elections have been taking place since 1986 and are continuing until 1989 (although the 1989 municipal elections have been postponed because of the current crisis), the existence and activities of political parties remain illegal and the country's strict rules on associations, requiring all groups or associations to obtain official registration, have severely curtailed freedom of association.

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<1> In December 1988 the government announced the release of former President Mohamed Khouna Ould Haidalla and five other former officials, including Captain Moulaye Hachem ould Moulaye Ahmed, who escaped from custody and sought asylum in Senegal in December 1986. The Senegalese authorities extradited him on 20 May 1987. They had been kept under house arrest without trial since December 1984 when President Haidalla's government was overthrown by President Maaouya Ould Sid'Ahmed Taya. Amnesty International had urged the government on several occasions to release these detainees if no criminal charges were to be brought against them and welcomed their release. According to unofficial sources, former President Mohamed Khouna Ould Haidalla and the five others are still not entirely free. They are believed to be restricted to certain areas and are specifically prohibited from going to Nouakchott, the capital: although some of them have been allowed to receive medical treatment abroad this year.

The government has faced criticism and political opposition from two main sources. Firstly from members of black ethnic groups, who have claimed that black Mauritians have become increasingly marginalised and have demanded political reforms to move the focus of power away from the Beidanes. Secondly, from a quite different group among the Beidanes who support the pan-Arab objectives of the Ba'ath party and advocate closer links with the Arab world, particularly with the ruling Ba'ath party in Iraq. This opposition has led to a series of arrests between mid-1986 and mid-1988. The arrests were followed in most cases by trials and a pattern emerged of the torture of suspected government opponents, of unfair trials and of cruel, inhuman and degrading treatment of some convicted political prisoners, some of whom have died in custody.

In early September 1986 more than 30 people were arrested in connection with the distribution earlier in the year, both within Mauritania and outside the country,

of a document entitled Le Manifeste du négro-mauritanien opprimé (The Manifesto of the Oppressed Black Mauritanian). This 37-page document criticized the government for alleged discrimination against the black population and provided statistics on certain government appointments to support its arguments. In its conclusions, it called for all Mauritians to unite against what it termed the "Beidane (white) system", which it described as racist, oppressive and "as pernicious as apartheid", and for a dialogue between races and cultures. Most of those arrested were middle-aged black professionals, several of them involved in the study and teaching of Mauritania's African languages.

The tension between the black and Beidane communities has existed since independence. In 1966 the civilian government of Moctar Ould Dadah issued a law making Arabic an obligatory language in primary and secondary schools. Black pupils and students went on strike to protest against this policy of Arabization. They were later backed by 19 black civil servants and academics who signed a manifesto known since as Manifeste des 19, Manifesto of the 19, which criticized discrimination against the black population.

In 1979 further strikes occurred when a government directive raised the qualifications required in Arabic for high school students. This gave Beidane Arabic-speaking students an advantage over black students. Intercommunal clashes reportedly provoked two deaths. In October 1980, the government officially recognized the languages spoken by black Africans from the south and set up the Institute of National Languages (Institut des Langues Nationales) which was to prepare the introduction of these languages, as well as Arabic, into the education system.

The 1986 Manifesto appears to be the main document of an unofficial political movement known as Forces de libération africaine de Mauritanie (FLAM), African Liberation Forces of Mauritania. The FLAM is a front for four political groups set up in March 1983 and its aims are to end discrimination against the black community and to destroy the political system which, it claims, perpetuates Arab-Berber domination. The groups which constitute the FLAM are:

- 1) The MPAM (Mouvement populaire africain de Mauritanie, African Popular Movement of Mauritania)

- 2) The ODINAM (Organisation pour la défense des Intérêts de Négro-africains de Mauritanie, Organization for the Defence of Mauritania's Black Africans)
- 3) The UDM (Union pour la Démocratie en Mauritanie, Union for Democracy in Mauritania)
- 4) MEEN (Mouvement de Elèves et Etudiants Noirs, Black Schoolchildren and Students' Movement)

At least 100 people, and possibly many more, were arrested throughout Mauritania during September and October 1986. Following the arrest and conviction of 21 people in September 1986 in connection with the publication of the Manifeste du négro-mauritanien opprimé, there were protests and demonstrations in the capital, Nouakchott, in Nouadhibou, on the coast, and in the south. The authorities reported that vehicles and buildings had been attacked and set on fire during these disturbances. Amnesty International received reports that a second wave of arrests of suspected FLAM supporters took place in late September and October 1986. Many of those arrested were students, teachers and technicians; 22 of them were brought to trial and convicted in March and April 1987.

A year later, in October 1987, the government announced the discovery of a conspiracy reportedly aimed at overthrowing the government. Dozens of black members of the armed forces were arrested and tried. Sources close to the government claimed that these soldiers formed part of the military wing of FLAM. However, both the soldiers concerned and FLAM sources denied these allegations.

On the other side, within the Beidane community, a number of political groups have emerged. The main ones are:

- the Nasserists, supporters of the late Egyptian President, Gamal Abdel Nasser, who share his Arab nationalist views. They also appear to share the radical nationalist views of Libyan leader, Colonel Mu'ammur Gaddafi and are sometimes referred to as 'Gaddafists'.
- the Mauritanian branch of the Ba'ath Arab Socialist Party (affiliated to the Ba'ath Party based in Iraq) which advocates freedom, socialism, renaissance and unity of the Arab world. In August 1981 and March 1982, as many as 150 people were taken into custody on suspicion of being members of a pro-Iraqi Ba'athist party in Mauritania. Many were tortured at the time of their arrest by being beaten severely and hung up by their feet. Some of the detainees were released within a few days of their arrest, but approximately 90 remained in detention without trial until late July 1983 when further releases took place. However, in late September 1983, 26 of those released and 29 of those who had remained in detention were tried by the Special Court of Justice, a court composed entirely of military officers at J'reida military barracks, near Nouakchott. They all faced charges of "complicity with a foreign power" and membership of a banned organisation. The defendants were represented by legal counsel but their trial suffered serious shortcomings. The defendants were not permitted access to lawyers prior to their trial and did not have adequate time to prepare their defence. The trial ended on 1 October 1983. Five were acquitted, 38 received suspended five year prison sentences and 11 were sentenced to either 10 or 12 years' imprisonment with hard labour. Those convicted had no right of

appeal. Amnesty International considered those convicted to be prisoners of conscience.

- the Alliance pour une Mauritanie démocratique, Alliance for a Democratic Mauritania, which includes a number of supporters of former President Moctar Ould Dadah and some former members of more radical political groups, who joined President Ould Dadah's party after the creation of a national currency and the nationalization of the MIFERMA company.

All these movements advocate close links between Mauritania and the Arab world. Some of their leaders have criticized in recent years the slow pace of the country's "Arabization" and expressed strong views about what they called the "excessive immigration" of black Africans who tend to speak French rather than Arabic.

Other groups like the Mouvement national démocratique, National Democratic Movement, and Courant des démocrates indépendants, Independent Democrats Tendency, advocate the unity of all Mauritians. A member of the latter group was arrested on 29 May 1989 after a leaflet was distributed in Nouakchott criticizing the expulsion of black Mauritians by their own government.

#### 4. The Use of Torture

From 1979 to 1984, under the government of former President Haïdalla, many serious cases of torture were reported to Amnesty International; they concerned, in particular, political detainees held at the Génie militaire, military engineering barracks, near Nouakchott. For example, a political prisoner held in 1983 described witnessing the use of torture as follows:

"I was waiting my turn to be interrogated by (...) at the Génie militaire. He tried to get another prisoner, "Y", to sign a declaration... It was a very cold day and an open fire was burning. Four policemen held "Y" down while he was forced down onto the shovel. The security policeman in charge himself picked out a burning coal and placed it on Y's chest. "Y" was left for five days without treatment. But his condition later worsened as the burns got infected and he was transferred to the military clinic at the army headquarters."

After almost two years in which no cases of torture were reported to Amnesty International, torture of political suspects in Mauritania seems to have become common practice once again since September 1986, with each group of political prisoners being subjected to different forms of torture. Most detainees arrested in Nouakchott have been subjected to torture soon after their arrest. There are various centres of political detention where torture is reported to have taken place, in particular Nouakchott's main Commissariat, police station, the 6th Region military barracks near to Nouakchott, and several houses in and around the capital which are not formally recognized places of detention. Invariably, torture has been inflicted while detainees have been held incommunicado, when neither relatives, lawyers, nor independent medical personnel have access to them. The purpose of torture appears in most cases to have been to coerce the suspects to give evidence against themselves and others which could later be used in court. In some cases it seems to have been inflicted as a form of punishment in its own right particularly in order to degrade the victims.

Information about the use of torture has reached Amnesty International from a variety of sources and includes testimonies from former political prisoners and testimonies given in court by defendants. It has been possible for Amnesty International to conclude that torture has been used systematically over the past

three years. Methods of torture have included deprivation of food and drink, deprivation of sleep, the infliction of severe burns with coals or fire, and a form of torture known as "jaguar". In some of the following testimonies certain identifying details, such as the name of the victim, have been omitted for fear of possible reprisals against those concerned.

The first cases of torture reported to Amnesty International after President Maaouya Ould Sid'Ahmed Taya came to power in December 1984, concerned individuals arrested in 1986 in connection with the distribution of the Manifeste du négro-mauritanien opprimé. Some of those arrested subsequently, in September, October and November 1986, in Nouakchott, Nouadhibou and several other places in the country, were also subjected to similar forms of ill-treatment and torture.

One victim has described, for example, how he and others were suspended by their feet with their heads hanging over a fire lit in a ditch below them. They incurred burns as a result.

Others arrested at the same time were subjected to a form of torture known as the "jaguar" which is described below, by a torture victim arrested in October 1986:

"Both the suspect's wrists are attached to his feet and the police put a metal bar under his knees, between the legs and arms. The bar is then raised and suspended in such a way that the victim is upside down, his head hanging down and his feet in the air. They then beat the soles of his feet. After several hours of this treatment, he is faint with exhaustion. The feet of some detainees were still bleeding on the day of their trial, five months after the torture. The "jaguar" was used on several occasions to induce people to sign statements prepared by the police."

These and other forms of torture were used in 1986 at the 6th military region barracks near Nouakchott where detainees were also forced to spend the night in ditches filled with human excrement, to carry heavy bricks and to remain upright during the night until they collapsed. It was reported to Amnesty International that Mamadou Bâ, Fara Bâ, Abdoul Aziz Kane and Oumar Moussa Bâ, all of whom were arrested in October 1986 and tried and sentenced to terms of imprisonment in March 1987, were subjected to these forms of torture. Many of those arrested in October 1986 were hosed with cold water at night at a time when it is the dry season in Mauritania and when temperatures in desert areas are at their lowest.

Another victim, Amadou Moctar Sow, an engineer trained in Morocco, who was arrested and convicted in September 1986 is said to have received injuries to his eye as a result of a torture session, which was reportedly supervised by a senior police official. Some other prisoners from this

group were returned to the Commissariat to be subjected to further torture by police officers, even after their transfer to Nouakchott central prison, and despite the fact that they were under judicial authority.

In Nouadhibou, following arrests in October 1986, a team of police came from Nouakchott to interrogate suspects in a private house. They were interrogated under bright lights. Gorgui Sarr, a technician, Alassane Diallo, a clerk, and others were tied up and suspended upside down. They were pricked with needles, subjected to beatings and given electric shocks. The interrogators reportedly burned the victims by holding hot coals close to their genitals.

Amnesty International has been informed that the torture of these prisoners was supervised by commissaires de police, police commissioners, who are under the jurisdiction of the Minister of the Interior and Telecommunications. Moreover, the same police were present when the suspects appeared before the juge d'instruction, the examining magistrate who conducts a pre-trial investigation of their cases, effectively intimidating the suspects and preventing them from retracting the confessions they had made in police custody.

A 22-year old woman, sentenced to six months' imprisonment in the September 1986 "Manifesto" trial, told the court that she had been raped by a police commissioner. A complaint was drawn up by her parents and submitted to the authorities. Her lawyer asked that the police officer accused of rape be questioned. However, no investigation was carried out. The girl received a medical examination one week after the alleged rape and government officials later stated that the medical report was inconclusive.

An official from the Ministry of Justice told an Amnesty International representative in early 1987 that in cases where a police officer was alleged to have been responsible for the rape, a lengthy investigation procedure would be involved. According to the procedure, the Procureur de la République (local procurator or prosecutor) must first transmit the case to the Procureur général (Procurator or Attorney General) who may then refer it to the Supreme Court. If the Supreme Court considers that there is sufficient evidence that the allegations are well founded, it may authorise a further investigation and an examining magistrate may then be appointed to carry out a full pre-trial investigation.

Amnesty International is concerned that in this case the authorities did not take adequate steps to investigate the report of rape and that this might be interpreted by the police to mean that further rapes in police custody would go unpunished.

The army officers arrested a year later on suspicion of involvement in the October 1987 conspiracy to overthrow the government were subjected to a different form of duress before their trial. They were reportedly kept naked, at times in chains, and deprived of sleep for long periods to force them to make confessions. Both the threat of humiliation and the humiliation itself of appearing naked before others have great significance in Mauritanian society and this appears to have been exploited by the interrogators to extract confessions.

In December 1987, following protests against the execution of three black officers, several members of the black community, including trade unionists, academics and civil servants, were arrested. Amnesty International has received reports of torture inflicted on these people. One of them described the torture which took place in a police station located in front of the Mauritania Red Crescent offices in Nouakchott:

"For three days, I was regularly subjected to "jaguar". After the "jaguar", I received electric shocks on the wrists and buttocks. They

tried to make a hole in the tendon at the back of my knee with a piece of iron, in order to insert an electrode. When they didn't succeed, they tried with a piece of bone. A few days later, they tied a weight to my scrotum with string and my testicles swelled. Then they put hot pepper in my eyes and broke five of my teeth. When my mouth became infected I was brought to the hospital. The Algerian doctor there refused to give me medical attention, saying that I was dying. I could not either stand up or walk and was kept for 31 days before being transferred to a civil prison... For 26 days I urinated only blood. Almost all the detainees suffered the same fate. Some had no food for a week... There are still scars on my knees, buttocks and wrists."

Some of these people were released after three months of detention without charge or trial. One of them, Sow Mohamed El Habib, was released pending trial on 27 April 1988. He was charged with inciting others to demonstrate. After his release he left the country.

More recently, allegations of torture were made by defendants at the September 1988 trial of people suspected of membership of the Ba'ath party. Once again, torture was said to have taken place during pre-trial incommunicado detention.

During the trial, which was observed by international delegates including a representative of Amnesty International, most of the defendants stated that they had been tortured on police premises. One of them, former Lieutenant Mohamed Hafedh Ould Mohamed Lemine, pointed out some cigarette burns on his right leg to the court.

It was said in court that a former government minister, Mohamed Yehdih Ould Breidelleil, had been subjected to torture. Former Lieutenant Moktar Ould Saleck told the court that he had been subjected to the "jaguar" torture. Another defendant, trade unionist Mohamed Ould Ahmed, known as Memed, stated before the court:

"For a month we were kept in isolation lying on the ground. During a whole week, we were made to stand all night and day. I was subjected to physical torture for two nights. I lost consciousness and was strapped to a bench. I was subjected to psychological torture. Two of my friends were brought before me in an indescribable physical condition. The police said they had written orders authorising them to kill. The head of State Security was present at the torture sessions. In my case, I was taken to hospital and that can be proved."

This statement was made in court in public, but the presiding judge, a Lieutenant-Colonel of the Gendarmerie, did not order an investigation to establish its validity. He recognized the fact that some of the defendants had scars but dismissed the suggestion by the President of the Bar Association (who was acting on behalf of one of the defendants) that the police officers concerned be summoned to the court to answer the allegations of torture.

A number of students, arrested in December 1988 following a strike at Nouakchott university, including Abdallahi Ould Bah Nagi Ould Kebd and Béchir El Hassen, were subjected to various forms of torture and ill-treatment, especially the "jaguar" torture. They were badly beaten and ill-treated so that most of them were apparently urinating blood several days after their release in January 1989. In a testimony which they wrote and distributed in Mauritania and abroad some time later, they described the circumstances of their arrest and the torture inflicted on them in a house used by the state security service as an interrogation centre. One of them said:

"The head of State Security...told me: 'Apparently you do not want to make confessions!' And then he called a junior police officer... and told him: 'Take him and kill him.' When we were leaving the room, 10 policemen came and took me into a courtyard close to the room. They

ordered me to take off my clothes. When I was naked they hosed me with water, the wind was blowing, and I was shivering... One of the policemen gave me many blows of the truncheon on the buttocks, on my kidneys and the legs. Another one slapped my face and then the others started to beat me. When I was about to lose consciousness, one policeman took me by the feet and immersed my head several times in dirty water containing rubbish. I confess that I believed I was not going to survive this hardship. Then they laid me out on the ground, which was inlaid with sharp shells and walked on me. Later a policeman came and said: 'The jaguar has arrived!' I was secretly happy, ignorant of what was awaiting me..."

Since April 1989 there have been numerous reports of the torture of black Mauritians, sometimes resulting in death, both in the capital and in the south of the country. Once again, reports of the "jaguar" torture and of prisoners being burned have been most frequent. Details are cited in chapter 7 below.

Amnesty International is seriously concerned at the frequency and seriousness of reports about the use of torture in Mauritania. On several occasions the organization has urged the authorities to take urgent steps to end the frequent use of torture by security forces. In view of the significant number of torture cases which have been reported, many in public, either in court or in testimonies distributed publicly, and the failure of the authorities to prosecute or take disciplinary action against any members of the security forces, it appears that those using torture are effectively benefitting from a form of official protection and a policy which amounts to condoning the use of torture.

Under the terms of Mauritania's laws, particularly the Code of Penal Procedure, suspects arrested by the security forces have to be referred to the parquet (Procuracy) within 48 hours of their arrest, to be remanded in custody formally and to have their cases investigated by a judicial official. This period of detention (garde à vue) can be renewed once only by written authorization from a Procurator or the presiding judge of a regional court. (Throughout this period, detainees may be held incommunicado and seen by no one except the police responsible for their interrogation.) It may be extended up to an absolute maximum of 30 days in cases involving the security of the state. This period is already extremely long by international standards. Furthermore, some detainees have been held in garde à vue detention unlawfully, for much longer.

It is vital that the authorities take steps:

- to make security forces respect the limits on garde à vue detention stipulated in law;
- and to protect detainees from torture and ill-treatment during this time.

As the period of garde à vue allowed by law in cases involving suspected offences against security of the state appears to be much too long, Amnesty International is urging the government to shorten this period. As torture takes place while detainees are held incommunicado, a direct way of preventing torture would be to ensure that they are not held incommunicado. At the very least, this means ensuring that detainees are seen every day by an official who is not involved in their interrogation, preferably a representative of the procuracy, for under the terms of the law the procuracy is responsible for upholding legality in all circumstances and therefore has special responsibility for ensuring that prisoners are not subjected to any form of unlawful treatment such as torture.

In suggesting measures to prevent torture, Amnesty International is calling



on the Mauritanian government to respect Article 5 of the Universal Declaration Of Human Rights, which says:

"No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

The United Nations' Declaration on the Protection of all Persons from being subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by its General Assembly on 9 December 1975, states in its Article 9:

"Wherever there is reasonable ground to believe that an act of torture has been committed, the competent authorities of the state concerned shall promptly proceed to an impartial investigation even if there has been no formal complaint."

Amnesty International is calling on the Mauritanian government to observe this procedure recommended by the United Nations and to set up a full inquiry to investigate torture allegations and to publish the results of such an inquiry.

According to the Code of Penal Procedure, a Procurator can initiate court action against anyone who violates the law. It is clear that those involved in torture have committed a criminal offence as defined by Article 285 of the country's Penal Code, concerning the deliberate infliction of injuries ("coups et blessures volontaires"). However it is not known whether any member of the security forces has been prosecuted for using torture. Since 1984 the procuracy is not known to have investigated a single complaint of torture by political detainees. In one case, a complaint lodged by an alleged rape victim has been virtually ignored.

To mark clearly its opposition to torture, Amnesty International is urging the government to make a strong and clear statement condemning torture and to state that those responsible for torture will be prosecuted and punished.

Amnesty International is also calling on the Mauritanian government to ratify international standards such as the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Covenant on Political and Civil Rights.

##### 5. Political Imprisonment and Unfair Trials

Although the detentions and expulsions which have occurred since April 1989 have taken place outside the framework of the law and without reference to the courts, during the previous three years many political prisoners were referred to the courts and sentenced to terms of imprisonment after trials which were unfair in a number of ways. From September 1986 to September 1988, more than 10 political trials took place before a number of different courts. The courts concerned were:

- the State Security Section of the Special Court of Justice, whose hearings are held at J'reida army barracks near Nouakchott;
  - ordinary criminal courts in Nouakchott and Nouadhibou;
  - local courts in various towns.

The State Security Section of the Special Court of Justice is headed by a presiding judge who is a senior member of the security forces or of the army and is not required to have received legal training. The judge is assisted by two assessors, both of whom are military officers. The State Security Section has jurisdiction over all offences against the security of the state, whether committed by members of the armed forces or by civilians. It also has jurisdiction over serious economic offences, such as embezzlement of state funds. It is a special court which allows for no right of appeal against conviction or sentence and therefore

denies to defendants who appear before it an important right guaranteed by international human rights instruments such as the International Covenant on Civil and Political Rights.

Details of the various trials are given below, but it is possible to make a number of general observations about the ways in which all the trials before the various courts fell short of international standards.

- Mauritanian law does not allow for legal counsel to be present or consulted by detainees during pre-trial inquiries before an examining magistrate (juge d'instruction). For example, in a trial in November 1987 of soldiers accused of conspiring to overthrow the government, the defendants were only allowed to meet their lawyers on the first day of the trial. This late access to legal counsel prevents defence lawyers from preparing their case adequately. Furthermore, it means that detainees may be at a disadvantage when appearing before an examining magistrate, particularly in contesting the admissibility as trial evidence of statements they have made while in police custody.
  - At a number of trials, the defendants did not have any legal counsel. This was the case at trials before local courts in Kaédi, Sélibaby and Rosso in early 1987. During the September 1986 trial of 21 people accused of distributing the Manifeste du négro-mauritanien opprimé,

lawyers left the court to protest against not having sufficient time to prepare the defence of their clients and as a result the trial took place entirely in their absence.

- In one case, serious charges were added at the last moment. In Nouadhibou in April 1987, the serious charge of arson was added by the prosecution the day before the trial was to begin, thereby allowing defence counsel no time to prepare a response to these new charges (which were quite different to those on the initial indictment). The lawyers had been informed that the defendants were charged with distributing tracts and had prepared a defence to this charge.

- Statements made under torture were frequently used as prosecution evidence and appear to have been regarded as admissible evidence by the courts, which failed to clarify the circumstances in which confessions were made and, in the one case in September 1988 when it was accepted that torture had been used, failed to order an investigation into the circumstances.

- In trials in 1987 and 1988 before the State Security Section of the Special Court of Justice, the inappropriate use of the procedure of flagrant délit (being caught in the act) had the consequence that defendants received an unfair trial. This procedure means that defendants come to trial without their cases being the subject of a pre-trial investigation by an examining magistrate. It curtails the rights of defence, restricts access to legal counsel and allows the court to reach a verdict without the judges having to indicate the evidence on which they arrived at their conclusions. This summary trial procedure has been used in capital cases, such as those allegedly involved in the October 1987 conspiracy to overthrow the government.

Each of the main political trials between September 1986 and September 1988 is described below. The trials in late 1986 and early 1987 concerned black Mauritians originating from the south of the country who opposed or criticized what they regarded as the domination of the government by the Arab-Berber community.

Some of those convicted at these trials were prisoners of conscience. The trial in November and December 1987 concerned soldiers accused of conspiring to overthrow the government. The two trials in September 1987 and September 1988 concerned people regarded as supporters of the Ba'ath Arab Socialist Party.

(i) The September 1986 trial relating to the "Manifesto", before the lower criminal court, Nouakchott

Twenty-one people arrested in early September 1986, who had been detained incommunicado since their arrest some weeks before, were brought to court before Nouakchott's Chambre mixte du tribunal correctionnel (lower criminal court) on 24 September 1986, the day after their trial began. They were accused of being the authors of the Manifeste du négro-mauritanien opprimé and were charged under Law 73.008 of 23 January 1973 with holding unauthorized meetings, under Law 63.109 of 27 June 1963 with the display and distribution of publications harmful to the national interest, and under Law 66.138 of 13 July 1966 with making propaganda "of a racial or ethnic character". The charges against them, and the laws under

which the charges were made, permit people to be imprisoned for organizing peaceful meetings and for propagating political views without having either used or advocated violence.

The defendants pleaded not guilty but were convicted on all charges. After a trial lasting only a day, the court announced its verdict on 25 September 1986. Four were sentenced to six-month prison sentences and 17 received four and five-year prison terms, with fines, to be followed by five or 10 years' internal exile and loss of civil rights.

Among those given the longest sentences were Ibrahima Sarr, a journalist, Seydou Kane, a lecturer and historian, Amadou Mokhtar Sow, an engineer, Abdoulaye Barry, a senior official in the Ministry of Foreign Affairs, and Tène Youssouf Guèye, a retired diplomat and poet who was reported to have intended standing as a candidate in municipal elections in Kaédi, who was sentenced to four years' imprisonment. He was among the prisoners who died in September 1988. Sentences imposed on 17 of those convicted also prohibit them from living in various parts of the country after their release: five or 10 years' prohibition of residence in Nouakchott, the capital, and the regions of Tiris-Zemmour, Dakhlet-Nouadhibou, Trarza, Gorgol and Guidimakha. These regions include the main industrial and agricultural areas where most black Mauritians live and work.

The defendants at the September 1986 "Manifesto" trial, as at subsequent trials in March and April 1987, appear to have been convicted largely on the basis of statements which they had made to the police in pre-trial custody, some of which were alleged to have been made under duress. The judgement concerning those tried in September 1986 states that the defendants refused to answer the court's questions.

The court appears to have interpreted this silence as an acknowledgement of the guilt of the accused - the presiding judge specifically ruled that the defendants' refusal to defend themselves was a tacit admission of guilt. This interpretation does not appear to be a standard one under Mauritania's legal system, nor does there appear to have been any other indication that the defendants were in effect admitting their guilt. Indeed, their refusal to answer questions appears primarily to have been a political protest against their trial, against the absence of their lawyers and against procedures followed both at the trial and in pre-trial custody.

The right to remain silent is one which is cherished in many legal systems throughout the world and should not, in itself, be interpreted to imply guilt without full consideration of the reasons for the silence.

### Defects in the pre-trial and trial procedures

#### a) Pre-trial detention procedures

Under Article 56 of Mauritania's Code of Penal Procedure, detention for the purposes of investigation by the police (garde à vue) may be extended from a normal maximum of 48 hours to 30 days in cases involving the security of the state. However, in an exceptional ruling, whose basis in law is unclear, the Procurator (prosecutor) gave permission in September 1986 for this procedure to be contravened by allowing for unlimited detention in police custody. In practice, the detainees were not held in police custody for longer than 30 days; those held were either released, placed under house arrest or indicted and brought to trial. However, although their detention in police custody had been justified on the basis that they were suspected of security offences, they were not charged with offences against the security of the state, nor tried by the Special Court of Justice's State Security Section.

#### b) Lack of legal assistance

The prisoners were denied access to their lawyers until the trial began, thereby denying them the possibility of preparing their defence and of legal assistance during pre-trial judicial enquiries. They appeared before an examining magistrate (juge d'instruction) without legal counsel and some were allegedly forced to stand for long periods throughout the magistrate's interrogation. Their lawyers were also given insufficient time to study the prosecution's case before the trial.

The trial itself lasted less than one day. The proceedings were conducted in Arabic, although only three out of the 21 defendants were fluent in the language. One of the defence lawyers left the court after the public prosecutor had reportedly threatened to arrest anyone, including any lawyer, who disrupted the proceedings. This apparently occurred after one of the defence lawyers complained that the room where the defendants were being held was excessively cramped and his complaint was followed by loud protests from the public benches. The presiding judge summarily denied a request by the lawyers that the trial should not proceed, despite the fact that they were already awaiting a court decision on an earlier request that they be allowed more time to prepare the defence case, and thereby appears to have failed to ensure that full rights of defence were enjoyed by the defendants. In protest at the judge's refusal to grant more time, the defence lawyers walked out of the court and took no further part in the proceedings. The defendants did not appoint new lawyers and were therefore unrepresented by defence counsel during the rest of the trial.

c) Appeals procedures

The appeal took place early in October. The points that were the subjects of an appeal were: (1) that the correct procedure had not been followed; (2) that the indictment and prosecution case had not been communicated at the correct time to the defendants and their counsel; (3) the defendants had no opportunity to speak in their defence. The lawyers were given the relevant documents beforehand and the correct procedure was followed. However, on 13 October 1986 the Court of Appeal confirmed the convictions and sentences decided by the trial court, despite the fact that the prosecution did not even contest the appeals lodged on behalf of four of the prisoners' cases, including that of Tène Youssouf Guèye. The Court of Appeal did not appear to have taken into account any of the procedural defects of the first trial. Some of the defendants are reported to have made a further appeal to the Supreme Court, which concluded that the previous trials had not been marked by defects and confirmed their verdicts. The four people sentenced to six months' prison terms were released after serving their sentences. Two, Tène Youssouf Guèye and Djigo Tafsirou, died in prison. Others are serving their sentences. Since 1986 Amnesty International has been investigating the cases of these prisoners to assess whether they are prisoners of conscience. Although none of those convicted had resorted to violence, the Manifesto contains some references to measures against the Beidane community which could be interpreted to mean that the

authors were advocating violence. It is not clear, therefore, that someone imprisoned for writing or distributing the Manifesto is a prisoner of conscience.

(ii) Trial in September 1986 before a military court, the Special Court of Justice

Also in September 1986, a related trial of a military officer was held separately before a military court. It appeared to suffer from some of the same shortcomings as the trial of the 21 civilians which occurred at the same time. Captain Abdoulaye Kébé, an army officer arrested in early September 1986, was reportedly accused of breaking military regulations by providing statistics on the racial composition of the army command which were cited in the Manifesto. He too was detained incommunicado and denied access to defence counsel before his trial and sufficient time to prepare a defence. The exact date of the trial is not known to Amnesty International, although it is believed to have occurred in late September 1986.

It was held in camera before the Special Court of Justice, a court presided over by a military official which allows no appeal to a higher tribunal. The court is reported to have sentenced him to two years' imprisonment, to be followed by 12 years' internal exile and loss of civil rights. When he had served his sentence, he was sent to his village of Maghama in the Senegal valley in southern Mauritania, where he was believed to be still under restriction early in 1989.

(iii) The trial of October 1986

A third trial concerning people associated with the Manifesto took place on 2 and 3 October 1986. The defendants were accused of "belonging to an underground movement, holding an unauthorised meeting and distributing tracts". Fifteen people were tried including some arrested while protesting on the day of the first trial in September. Some women were among them. Three of the 15, including Amadou Dem, a 60 year-old man, and a trade-unionist, Sao Amadou, were convicted and each sentenced to one year of imprisonment. Four were given suspended prison terms and the others were acquitted, including the women.

(iv) Trials in Nouakchott and Nouadhibou during 1987

Two further trials occurred in early 1987 of people arrested following protests in September and October 1986 against the conviction of the 21 people accused of signing or organizing the distribution of the Manifesto.

(a) The March 1987 trial in Nouakchott

The first of these trials occurred in Nouakchott in March 1987, when 18 people were brought to trial before the tribunal correctionnel (Criminal Court) on charges of arson. The charges are believed to have related to the burning of vehicles and factories during the unrest of September and October 1986. The 18 had apparently been denied any family visits since their arrest five months earlier. Many of them were allegedly members of a comité de soutien (support committee) set up after the Manifesto trial in September 1986 to provide moral and material support for the families of the prisoners convicted in that trial. They were initially held for some three months in police custody and, after being formally charged, were transferred to prison to await trial. Amnesty International received reports indicating that many of the detainees were badly beaten while in police custody and that some required hospital treatment.

The trial started on 4 March 1987, and sentences were reported in the press on 15 March. Nine of the 18 defendants were convicted of arson and five were acquitted: three of the nine, including Amadou Tidjane Dia, a student, were

sentenced to five years' imprisonment, and six to four years' imprisonment. The evidence on which they were convicted is said to have been based almost entirely on statements they made while in police custody. Some of the defendants are reported to have retracted these statements in court on the grounds that they were made under duress, but the court appears not to have investigated their allegations of ill-treatment in order to establish whether their statements could be admitted as evidence.

The nine who were convicted lodged an appeal (pourvoi en cassation) against procedural irregularities with the Supreme Court; this court examines questions of law and procedure but does not re-examine evidence which led to conviction.

#### (b) The April 1987 trials in Nouadhibou

In late April 1987, six people were brought to trial in Nouadhibou on charges of distributing tracts and of arson. They included Abdoulaye Malikel Sy, a teacher and official of Mauritania's Red Crescent Society in Nouadhibou, and Moussa Ly, a businessman. They too, had been held for a long period in police custody before they were charged, and had been denied access to visitors. They are reported to have been charged with "distributing tracts", an offence under Law 63.109 of 27 June 1963 which is punishable by a sentence of up to five years' imprisonment and up to 10 years' loss of civil rights. But just before the trial, charges of incendie volontaire (arson) were added to the charge-sheet. Virtually no time was therefore available to the defence lawyers to prepare an effective defence. All six defendants were convicted and sentenced to four years' imprisonment. An appeal against procedural irregularities was made to the Supreme Court which later confirmed their sentences.

According to information received by Amnesty International, they were arrested because of their support for the people sentenced in the Manifesto trial - some were relatives or professional associates of these prisoners -and had not been involved at all in the acts of violence committed in October 1986.

#### Defects in pre-trial and trial procedures

##### a) The courts' acceptance of statements made under duress

Although acts of violence towards property, including arson, were committed in late 1986, there appears to have been no substantial evidence produced in court of the defendants' involvement in these acts, apart from their own statements made in police custody. In view of the long periods which these prisoners spent in incommunicado police detention and the general reports that people detained in October 1986 were subjected to torture or ill-treatment, Amnesty International is concerned that these statements may have been made under duress. They were apparently accepted as evidence by the courts without any inquiry into their admissibility. It appears that no investigation was initiated into the circumstances in which the statements were made,

despite the fact that, at one of the trials at least and possibly at both, defendants retracted their statements in court.

b) Charges brought at the last moment

Amnesty International is concerned that the serious charge of arson was brought belatedly in the Nouadhibou trial and that the court did not provide time for the defendants to prepare their defence against this charge.

After investigating these cases, Amnesty International has concluded that no serious evidence has been brought to indicate their involvement in arson. Amnesty International believes they were arrested because of their peaceful expression of their beliefs and has adopted the six convicted in April 1987 in Nouadhibou as prisoners of conscience.

(v) Trials before local courts in late 1986

Four trials occurred in late 1986 before local courts in southwest Mauritania and elsewhere of black Mauritians suspected of being political activists. Relatively few details are available about them.

a) Kaédi

Several people had been arrested by the end of October 1986 in the small village of Djéol. Most of them were young pupils, members of the Association sportive et culturelle de Djéol (Djéol Sports and Culture Association). They had organized a conference about apartheid. At the time of their arrest, the police ill-treated other members of their family. For example, Amnesty International has learned that the father of one of those arrested, Alassane Ali Dia, was briefly detained.

At the time of his arrest, he was forced to kneel down and was humiliated in public. His arrest was evidently intended to induce his son, who was in hiding, to give himself up. The father was only released when Alassane Ali Dia presented himself for arrest; he too was beaten in the presence of his relatives.

The suspects were detained at the Brigade de Gendarmerie in Kaédi town where they were subjected to ill-treatment. They were brought to trial on 6 November 1986 and charged with "manifestation et participation à une réunion non autorisée" (demonstrating and attending an unauthorised meeting), a charge which makes attendance at peaceful meetings punishable by imprisonment.

They were denied defence counsel. It is reported that the Prosecutor recommended their release at the end of the trial, but the defendants were given sentences ranging from two to six months with heavy fines, apparently after an intervention by the Regional Governor. All have since been released after having served their sentences.

b) Zouérate

Five people, including Ball Mamoudou and Dieng Mamoudou Maina, were arrested and sentenced to eight and seven months' imprisonment in September and October 1986 in the mining town of Zouerate. They were accused of distributing leaflets and writing graffiti. They did not have legal counsel and the only evidence against them seems to have consisted of statements they had made under torture. They were transferred to the town of Atar where they served their sentences. They were dismissed from their jobs. Trials took place under similar conditions in Sélibaby and Rosso.



Amnesty International considers that these four trials (in Kaédi, Zouerate, Sélibaby and Rosso) were unfair as the defendants were denied defence counsel and that they were convicted on the basis of statements which seem to have been made under duress. In one case, there were reports of political interference in the sentencing procedure.

Amnesty International concluded that these people were probably arrested for the peaceful and non-violent expression of their political views.

(vi) The trial in late 1987 of more than 50 alleged conspirators

On 28 October 1987 the Minister of the Interior announced the discovery of a plot against the government. Virtually all those accused of involvement in the plot were members of the armed forces belonging to black ethnic groups from the south of the country. They had allegedly planned the assassination of the head of state and other officials and the overthrow of the government. They were said to have wanted to seize power on behalf of the black community.

More than 50 people were tried a month later. The trial opened on 18 November and ended on 3 December 1987. It took place before the Special Court of Justice in J'reida army barracks, near the capital. Members of the Mauritanian Bar Association and representatives of the local human rights group, the Mauritania League of Human Rights, were allowed to attend the trial. The defendants were all black senior, junior and non-commissioned officers who had been held incommunicado in army barracks and deprived of sleep for long periods while under interrogation. They were charged under Article 83 to 90 of the Penal Code with "atteinte à la sécurité de l'état en participant à un complot dont le but est de renverser le régime en place et de porter le massacre et la dévastation dans la population" (endangering the security of the state by participating in a conspiracy to overthrow the government and to provoke killing and devastation among the inhabitants of the country). They were tried under a special summary procedure (flagrant-délit) on the grounds that they had been caught in the act of committing an offence. It is not normal for this procedure to be applied in cases involving a conspiracy to commit a crime rather than a crime already committed. Their defence lawyers were denied access to them until the morning of the trial. Those convicted on 3 December 1987 had no right of appeal. Three army lieutenants, Sarr Amadou, Bâ Seydi and Sy Saïdou Daouda, were sentenced to death and executed three days later, on 6 December 1987. According to some reports the execution was not carried out swiftly and the victims died a slow and painful death, entreating their executioners to finish them off. Eighteen were sentenced to life imprisonment with hard labour. They included Lieutenant Abdoul Ghoudouss Bâ, extradited from Algeria, and Adjudant Chief Bâ Alassane Oumar, both of whom died in Oualata prison in late 1988. Nine were sentenced to 20 years imprisonment, five were given 10-year sentences and three were given five-year sentences. Six were given five-year suspended sentences with heavy fines and were restricted to their villages in the south.

It has been reported to Amnesty International that one of the defendants, Brigadier Djibril Aly Mayel Sy, known as "Samuel Doe", whose confessions formed the basis of much of the prosecution case, had previously suffered from a mental illness and had been seeing a psychiatrist in Nouakchott. This was mentioned in his statement made before the avocat général, the public prosecutor appearing in the special court. It is not known to Amnesty International whether the court requested a professional medical opinion about his capacity to give accurate evidence. Statements of this nature are considered inadmissible as evidence in many countries.

(vii) Trials of Ba'athists

Alleged members of the Ba'ath Arab Socialist party have often experienced political imprisonment and unfair trials in Mauritania in the past and some of those convicted in September 1987 and September 1988 had previously been arrested in this connection and had been considered prisoners of conscience by Amnesty International.

In September 1987, 17 alleged members of pro-Iraqi Ba'ath Arab Socialist Party were arrested. Eight of them were later charged with belonging to a criminal association and participating in unauthorized meetings as well as "sequestration d'enfants" (abducting children). Their trial took place on 22 September 1987 before Nouakchott's Criminal Court. Six defendants were convicted and given six months' suspended prison sentences while two were acquitted. It appeared to Amnesty International that they had been arrested and imprisoned on account of their non-violent political opinions and activities.

In July 1988 a new wave of arrests affected sympathisers and members of the Ba'ath Arab Socialist Party. Many members of the police force and the army, suspected of links with the Ba'athist Party, were sacked. Some commentators suggested that the Ba'ath Party had deliberately been infiltrating Mauritania's security forces in order to sow discord between members of the Beidane community and black Mauritians from the south. Sixteen were brought to trial before the Special Court of Justice's State Security Section on 10 September 1988, accused of "undermining the internal security of the state and contacts with a foreign power, and enlisting soldiers in times of peace". On 14 September 1988 13 people were convicted, including four tried in absentia. Two were given five years' suspended prisons sentences and seven received sentences of between two and five years' imprisonment and heavy fines. They included Mohamed Yehdihould Breidelleil, a former government minister, who was sentenced to two years' imprisonment, Memedould Ahmed, a trade unionist, sentenced to three years, and Mohamdyould Babah, a lawyer, who received four years. The four who were tried in absentia were sentenced to terms of imprisonment.

The September 1988 trial was open to international observers and a representative of Amnesty International attended the proceedings. As at previous political trials, the prosecution's case was based mainly on confessions made by the defendants which they retracted during the trial, claiming that they had been made under duress. After being shown scars allegedly caused by torture by one defendant, the presiding judge stated that in these circumstances the confessions would not be taken into account as evidence; however, it is not clear what evidence the court took into account in reaching its verdict.

The defendants had been held incommunicado in police custody. They were allowed defence counsel of their own choosing but were permitted to receive a visit from their lawyers only three or four days before the trial was due to begin.

Amnesty International is investigating the cases of some of those who are still held to assess whether they may be prisoners of conscience. Since their conviction all but one have been moved to Tichitt, but four of them have been transferred to Tidjikdja since mid-1989. The seventh, Mohamed Yehdihould Breidelleil, has been transferred to Kaédi in the south.

6. Deaths in custody and harsh conditions of imprisonment

In 1988 Amnesty International received alarming information from several sources

concerning prison conditions in the remote town of Oualata. Four political prisoners died there in the second half of 1988. These deaths appear to have been the result of a complete lack of medical care, malnutrition and lack of food, and the extremely poor conditions in which these prisoners were held following their transfer to Oualata in December 1987.

From December 1987 to September 1988 the detainees are said to have received only a small quantity of boiled rice to eat each day, without any meat or salt. They were so hungry that some of them reportedly resorted to eating leaves of trees or grasses collected while they were outside their detention centre doing hard labour.

Situated more than 1,200 kilometres away from the capital, Oualata was one of the great intellectual and trading centres of the empires of Ghana and Mali in the tenth to fourteenth centuries. Nowadays it is a small village in the southeast of Mauritania near the Malian border where political prisoners were held in complete isolation, some two kilometres from the centre of the village.

The first prisoner's death acknowledged by the government was that of 60-year-old Tène Youssouf Guèye, the well-known Mauritanian writer who was convicted in September 1986 on account of his role in preparing the Manifesto and sentenced to four years' imprisonment. Amnesty International learned that Tène Youssouf Guèye died in September 1988 of beriberi, a form of malnutrition, and severe diarrhoea.

However, in reality, Tène Youssouf Guèye was not the first prisoner to die. It seems that Warrant Officer Bâ Alassane Oumar, sentenced to life imprisonment in December 1987 for his alleged involvement in a conspiracy to overthrow the government, had died somewhat earlier, on 28 August 1988.

The third death reported to Amnesty International was that of Lieutenant Abdoul Ghoudouss Bâ who was also convicted in December 1987 for alleged involvement in a conspiracy to overthrow the government after being extradited from Algeria to face trial. He died on 13 September 1988 in Oualata. Government sources indicated that his death was due to a heart attack, but Amnesty International has learned that, like the others, he was suffering from malnutrition.

The fourth death occurred on 27 September 1988 and was that of the agricultural engineer and former health minister, Djigo Tafsirou, who was convicted at the same time as Tène Youssouf Guèye in September 1986.

On 31 October 1988, following the four deaths, the 31 civilians among more than 60 prisoners held at Oualata were transferred to Aioun-el-Atrouss, another desert town, but one equipped with some medical facilities. Early in 1989 the others were also transferred to Aioun El Atrouss. Prison conditions appear to be better there. After reports of the deaths at Oualata were publicized by Amnesty International and others, a number of journalists and a representative of the Mauritanian Human Rights League were allowed to visit the prisoners and to talk to some of them in the presence of Ministry of Interior officials.

The state of health of many of those convicted in September 1986 was known to be weak even before their arrest. Tène Youssouf Guèye, Ibrahima Sarr, Djibril Hameth Ly and El Hadj Dia were known to have suffered from ulcers and other gastric problems. Amadou Moctar Sow was also known to have suffered from ulcers, and it is also known that Mamadou Sidi Bâ suffered from asthma. Despite this information, which was also available to the government, the prisoners were held in very harsh conditions, first in Nouakchott's central prison, from September 1986 to December 1987, and then in Oualata.

In Nouakchott prison 19 were held in one cell and 18 in another. They slept on the ground without blankets even in cold weather. The cells were reportedly infested with fleas, lice and cockroaches. No attention seems to have been given by the prison authorities to maintaining hygiene or medical care.

In Oualata all 68 prisoners are reported to have been forced to do hard labour during the day-time and to have been chained up two by two at night in rooms in which the windows were blocked up. They were said to have had to wear the same clothes constantly and there also seems to have been an utter lack of hygiene. From February 1988 onwards the prisoners at Oualata are reported to have been beaten regularly by their guards, in many cases until they lost consciousness. Some were said to have received up to 100 blows with nylon ropes.

From the time of their arrival in Oualata onwards, the prisoners received no visits from relatives, humanitarian organisations or anyone else apart from their guards. No one, except the guards and prison officers, could approach the prisoners.

On 29 September 1988, two days after the fourth death, the Minister of Interior visited the prisoners and ordered improvements in prison conditions. However, 25 detainees are said to have remained handcuffed until the day before their transfer to Aïoun El Atrouss on 31 October. Most of the detainees were so exhausted by hard labour and severe prison conditions that they could apparently move only by crawling.

Amnesty International received reports that in September 1988 at least 20 of the prisoners were kept naked and were experiencing difficulty in breathing due to their weak state of health. On 13 September 1988, an Amnesty International delegate, who was in Nouakchott to observe the Ba'athists' trial, met President Taya and raised the organization's concerns about, among other things, poor prison conditions and the death of the writer Tène Youssouf Guèye in Oualata. President Taya told the delegate that steps had been taken to improve prison conditions. However, the deaths continued after mid-September.

Amnesty International considers that the conditions in which these political prisoners were detained were so harsh that they constituted a violation of human rights. In particular their basic human right not to be subjected to cruel, inhuman or degrading treatment was violated, as was their right to be treated with respect for the inherent dignity of the human person. In view of the lack of government action to remedy the situation once news of the deaths of prisoners at Oualata initially became known in September 1988, it appears that the cruel and inhuman treatment to which these prisoners were subjected was inflicted deliberately as an additional, extrajudicial form of punishment, rather than by accident or as a result of the inefficiency of the guards responsible for these prisoners.

The government is clearly responsible for the health and well-being of prisoners in its custody. Although it cannot be expected to allocate more resources to prisoners than to the rest of the population, it has a clear responsibility to take action to save lives when it is known that conditions of imprisonment are leading to deaths. The Mauritanian government seems to have failed to take appropriate action when it learned of prisoners' deaths.

The Minister of Interior visited Oualata prison late in September 1988 and government sources have indicated that the head of the prison guards was dismissed following an internal inquiry. It is, however, unclear whether this internal inquiry examined fully the circumstances surrounding the deaths and it seems that its main purpose may have been to find a scapegoat for the deaths. The deaths were able to occur because the prisoners concerned had been held incommunicado

throughout their time in Oualata, allowing no relative or visitor to raise alarm about their ill-health, and were caused not only by lack of food, but also by lack of medical attention.

Imprisoned members of Mauritania's black community from the south of the country have often complained that they have been discriminated against by guards and other members of the security forces who are mainly from the Beidane community. For example, black prisoners convicted in late 1986 and early 1987 were held later the same year at Nouakchott's central prison. For almost a year after their conviction they were not allowed contacts with their families, lawyers or others. However, when a number of suspected Ba'ath party supporters, all members of the Beidane community, were brought to the same prison in September 1987, they were promptly allowed to receive visits from relatives, lawyers and doctors. The black prisoners were afforded the same rights for as long as the alleged Ba'athists were held in the same prison, but as soon as these Beidane prisoners were released, at the end of September 1987, the black prisoners' right to receive visits was withdrawn without explanation. After protests, the black prisoners were again allowed visits from 8 November until 8 December 1987, when they were moved to the remote town of Oualata, where all contact with family, doctors and lawyers was denied. After their transfer to Aioun El Atrouss on 31 October 1988 the prisoners were allowed family visits for the first time in March 1989; these visits were suspended after the April 1989 disturbances and apparently resumed again in July 1989.

#### 7. The Human Rights Crisis from April 1989 onwards

Since the intercommunal disturbances which rocked Mauritania and neighbouring Senegal in April 1989 and the subsequent repatriation of Senegalese living in Mauritania came to an end, the Mauritanian authorities have expelled a further 50,000 people to neighbouring Senegal, all of them from black ethnic groups, mainly those speaking the Fulfuldé or Pulaar language. In the process of these expulsions many reports of human rights violations have reached Amnesty International. Although the police and the Gendarmerie are involved in human rights violations, the main branch of the security forces responsible for the abuses of human rights in the south appears to be the National Guard. The expulsions have been justified by Mauritanian officials on the grounds that those concerned are Senegalese rather than Mauritanian. While it is true that those expelled belong to black African ethnic groups, and not to the Beidane community, it seems that most were born in Mauritania and have hitherto been regarded as having Mauritanian nationality; indeed, most of them possessed Mauritanian identity cards which were torn up by officials at the time of their arrest or expulsion.

Some of the people expelled appear to have been targetted because of their relationship with political detainees or because of their political activities. Aissatou Ly, Habsa Banor Sall and Diénaba Kane, wives of political detainees held at Aioun el Atrouss, Ibrahima Diouf, a former prisoner of conscience, arrested on December 1987 and released on April 1988 without charge and a number of trade-unionists in Nouadhibou and Nouakchott are among those who have been expelled.

In the course of the expulsions of black Mauritians since May 1989 there have been numerous reports of extrajudicial executions, torture, imprisonment outside the framework of the law and deaths in custody. Details of some of these are provided below. Furthermore, by expelling an entire group of people, whether they are Senegalese or Mauritanian, Mauritania has clearly violated an important article of the Organization of African Unity's African Charter of Human and Peoples' Rights, which was ratified by Mauritania on 26 June 1986. Article 12 of the Charter, designed primarily to prevent the mass expulsion of foreigners living in African countries, appears also to forbid the expulsion of people who are citizens of the

country concerned. Two clauses of Article 12 state:

1. "Every individual shall have the right to freedom of movement and residence within the borders of a State provided he abides by the law."

5. "The mass expulsion of non-nationals shall be prohibited. Mass expulsion shall be that which is aimed at national, racial, ethnic or religious groups."

i) Extrajudicial executions in the valley of the Senegal river

Units of the security forces are said to have surrounded villages, expropriated land and cattle belonging to black Mauritians, and to have sent them forcibly by boats across the Senegal river to neighbouring Senegal. Farmers and cattle-herders who resisted expulsion or expropriation are reported to have been arrested, and in some cases tortured or executed. Early in June, an eyewitness reported:

" The peulhs (Halpulaar) who have not been expelled are trying to flee with their cattle, but they are being caught and sometimes executed. It was the case of a peulh at Oulali who received 17 bullets. The Gendarmerie...tried to hide the body. Several other people have also been killed, 12 in Maghama and 4 near Diowol."

Amnesty International has learned that a cattle-herder named Abdramane Lam, from the Mbout area, was shot down by the security forces and his body thrown into a creek in June 1989. His cattle were taken away by the security forces. His brother, Yoro Lam, was also subsequently arrested and reportedly tortured - his subsequent whereabouts are not known. Their wives and children and other relatives are reported to have been expelled to Senegal.

Other people, including Samba Kâ, 56, from Tétiane, are reported to have been killed by the security forces in June 1989. Other victims have been those who try to return in order to seek their relatives or to collect their goods. Two farmers from Matam-Réo are reported to have been killed by members of the National Guard. They had been expelled to Senegal but returned home to collect some of their belongings; they were caught and killed. In a similar case, Abou Kâ, 26, from Dindi who had been expelled, was shot dead by the security forces when he returned to look for his parents who were reported to be in custody, held in chains. Thiam Amadou, known as "Chérif", from the village of Dougueï Réwo, and Issa Soumaré from Djéol, both former members of the armed forces, were reportedly killed in July when they were fishing in the river.

At the end of June, a National Guard Patrol arrested two young boys who were leading their sheep and goats into the bush, and reportedly killed them by cutting their throats. The victims were Mamadou Bâ, aged 12, and Abdoulaye Bâ, aged 10, from Pattoucone village, in Djéol area. All the villagers were expelled from the country after protesting against these killings.

ii) Torture and cruel, inhuman and degrading treatment

Amnesty International has learned the names of 10 people who died as a result of torture in the southwest of the country between May and July 1989. The victims are drawn from two segments of the population:

- 1) educated black people, government employees, suspected of being members of the black opposition;

2) farmers and cattle-herders from the south.

Among members of the first group, an expelled government employee has provided Amnesty International with the following testimony:

"I am a nurse I was working at Jeder e'l Mohguène near Rosso-Mauritanie. I was arrested on 29 May 1989 and brought to the house of the district head where I saw five other black government employees handcuffed and chained. We were beaten by members of the National Guard, who are all Beidanes and Haratines, and accused of being members of FLAM. I had never heard of FLAM previously. A few days later, we were transferred to Rosso and interrogated by the regional head of police. We stayed there for three days without any food. We were held in chains, beaten and insulted. They wanted us to confess that we are FLAM members. I remained in detention until 30 June when I was expelled. Some of my colleagues from Jeder are still in detention; only one black employee remains in Jeder-E'l Mohguène, because he speaks Arabic."

Another example of torture is the case of Mohamed Yéro Bâ, a headmaster from Tétiane who died as a result of the 'jaguar' torture in June 1989. Bâ was a member of Kaédi Town Council when he was arrested, apparently because he was suspected of sending letters abroad about abuses committed by the security forces in the valley of the Senegal river. He died after being subjected to a version of the "jaguar" torture (see Chapter 4) and suspended over a fire. Eyewitnesses who saw his dead body reported that it was covered by burns. When a letter he had sent was intercepted, several arrests were reported including that of Abou Hamady Bâ, a 52-year old teacher in Kaédi. He was released after the death of Mohamed Yéro Bâ, but was himself reported to be seriously injured as a result of torture. He is believed to remain under restriction while his health requires medical treatment. Amnesty International has received numerous other reports of torture and cruel and degrading treatment, sometimes resulting in death, inflicted on farmers and cattle-herders by security forces.

Several people from the village of Toumbel in the Maghama area are reported to have been ill-treated by soldiers when their village was set on fire in June. It has also been reported that some young women there were raped by soldiers and then forced to cross the river into Senegal naked.

In a number of incidents, women awaiting expulsion were injured by members of the security forces confiscating their jewellery. In particular, the heavy gold earrings worn by Ffulde-speaking women were ripped off, leaving the women with scarred and bloody ears.

Cases of torture and ill-treatment have not been restricted to the southwest of the country but have also been reported elsewhere. For example, the following account comes from someone who visited a police station in the capital in early May 1989:

" On 3 May, at 8.30pm at Toujounine police Station, in the Nouakchott suburb, on the 'Hope's Road', I personally witnessed a torture session (the technique was to hold the victim's head under water until he almost suffocated). He was naked and had been hosed down, he was shivering with cold because of the cold wind that night. When I intervened, I was told: 'But he is a Senegalese'. The tone meant 'we have got the right to torture the Senegalese'. The policemen told me that they had received orders."

iii) Cases of long-term imprisonment outside the law

Hundreds of people are reported to have been arrested between May and September 1989 in various parts of Mauritania, including the towns of Nouakchott, Rosso, Boghé, Aleg, Kaédi, M'Bout and Maghama and also in rural areas in the southwest. Some of them were released after two or three months in custody whilst others were still held in detention in mid-September.

Those detained fall into the same two categories as the victims of torture.

Once again, the victims appear to have been virtually black people from Pulaar or Wolof speaking groups originating from the south, except in one case involving a political activist from the Beidane community.

All the victims appear to have been detained outside the framework of Mauritanian law; their long-term detention was unlawful as, according to Article 56 of the Code of Penal Procedure the detainees should have been released or formally remanded in custody within 48 hours.

A great number of arrests took place in the capital, Nouakchott, where more than 60 black civil servants are said to have been arrested. Amnesty International has established the identity of some of those detained, including Oumar Tall, a 25-year-old manager SOMAGAZ (the state gas company), Diop Mamoudou, a 40-year-old deputy governor of Aïoun El Atrouss region, Amadou Tidiane Ly, 39 year-old deputy governor of Nouakchott district, and Customs officers like Abdoulaye Wane.

Although most of the arrests in Nouakchott concerned prominent members of the black community, it appeared that a 22-year-old student belonging to the Arab-Berber community, Abdallahi Ould Bah Nagi Ould Kebd was arrested on 29 May 1989 after distributing a leaflet criticizing among other things the expulsion of black Mauritians. This leaflet was signed by of a political group known as "Courant des démocrates indépendants". Along with several others, Ould Kebd had previously arrested in december 1988 after a strike at Noukachott University and released without charge in January 1989.

The political detainees arrested in Nouakchott in the wake of the April 1989 events appear to have all been released without charge. For example, Oumar Tall was released on 7 August whilst Abdallahi Ould Bah Nagi Ould Kebd was released on 4 September 1989.

Those detained in Noukachott were held not in ordinary police detention centres but in houses in the city's Ilot K or Tevragh Zein districts used as places of detention. Some 60 people are said to have been detained in these areas. Several reports have reached Amnesty International in recent years about the use of ordinary houses as detention or interrogation centres both in Nouakchott and Nouadhibou.

There appears to be no provision in law for prisoners to be detained outside regular prisons and police stations and security forces seem to have resorted to holding prisoners in private houses in order to maintain their arrest, imprisonment and eventual torture secret.

Elsewhere in Mauritania, there have also been numerous cases of arbitrary imprisonment outside the framework of the law. Most cases seem to have occurred in the southwest. In Fondou, a village in M'Bagne district, (Aleg region), dozens of people are reported to have been arrested following a protest against the behaviour of a National Guard unit at the end of July 1989. Forty-four people, including Mamadou Yéro War, 60 year-old-deputy chairman of Bagodine rural area ( communauté rurale) were transferred following their arrest to Aleg prison where they were still detained in September 1989. It is not known whether they have been charged



with any offence. The arrests occurred on 20 July when a National Guard unit surrounded Fondou village, evidently to punish the villagers who protested at abuses committed by the unit. In addition to the arrests, other villagers were beaten and ill-treated and the National Guard unit then prohibited villagers from leaving the village for a period of some three weeks and obliged local people to provide them with food.

In the Kaédi area, several dozen people are reported to have been detained between May and September 1989. They include people arrested in the town of Kaédi and other districts in the Kaédi area. In Kaédi town many people, including Samba Diengui Barry, a 57-year-old cattle-herder and his 38-year-old son-in-law Mamadou Dia, a school administrator (surveillant général) at Kaédi college, were arrested early in May 1989. Some of the detainees were accused of being FLAM members and were said to have been subjected to "Jaguar" torture while in detention. Mamadou Dia, who suffers from asthma, was reportedly also subjected to severe beatings. He was released on 17 May while his father-in-law was not released until July. Other people in Kaédi town were arrested at the end of April and early in May after an argument with the authorities during a public meeting. They criticized the behaviour of members of security forces who had been tearing up the national identity cards of black Mauritians. Some of these prisoners were evidently still held in Kaédi prison in September 1989.

Other detainees in Kaédi prison are 27 people from Maghama district, near Kaédi. They have been held since May when about 30 people, including Youba Diadié Bâ, a former forest ranger (garde forestier), Hamady Ifra Aw, a butcher, and Samba Fall, a fisherman, were arrested following a protest against abuses committed by members of the Gendarmerie. Several members of the Maghama Town Council, including Isma Abdoul Kane, a retired personnel officer at the Ministry of Education, are also detained in Kaédi prison. The mayor of Maghama himself, Bâ Mamadou Alassane, a former government minister under President Ould Dadah, is reported to have spent one night in jail.

In Jeder El Mohguène, a village in the area of Rosso-Mauritanie, a number of government employees arrested in May were expelled after more than a month of detention and torture. They include Aw Amadou, a 29-year-old nurse.

Others from this village were apparently kept in custody. It is not clear if they had been freed by September. Among them are Lamine Kane, a 45-year-old postal worker (receveur des postes) and Guèye Mamadou Amadou, a 50-year-old teacher, who were both arrested on 29 May by members of the National Guard in Jeder El Mohguène.

In July they were apparently still in detention in Rosso along with others including Diallo Harouna, a black policeman. All these prisoners are reported to have been kept handcuffed and beaten while in Rosso security forces premises.

The exact number and cases of arrests and imprisonment outside the framework of the law which took place from May to September 1989 is impossible to establish.

Reports of arbitrary detention have reached Amnesty International from all parts of Mauritania, suggesting that the total number of people detained ran into several hundreds. By September 1989, although most had been freed, some were certainly still detained.

#### 8. Amnesty International's Appeals to the Mauritanian Government

In recent months Amnesty International has called on the Mauritanian government to take swift action to prevent extrajudicial executions and the torture of prisoners, and also to end the pattern of arbitrary detention of suspected government opponents which emerged from April 1989 onwards. As the use of torture has become

well-established over the past three years and is also known to have been used when previous governments were in power before 1984, Amnesty International is urging the government to adopt a series of specific measures designed to end torture.

Amnesty International is urging the government to adopt and implement a series of internationally recognized safeguards against torture (particularly by ratifying the UN Convention against Torture, and other Cruel, Inhuman or Degrading Treatment or Punishment) and to take action to prevent statements made under duress being used as court evidence in trials. Amnesty International has also called on the government, in line with its international obligations, to carry out a thorough investigation of reports of both torture and unlawful killings by the security forces.

In addition, Amnesty International has called on the government to take action to remedy other human rights abuses: unfair trials, the conviction of prisoners of conscience, deaths in detention and the use of the death penalty.

Amnesty International is urging the government to re-try, in accordance with international standards of fairness, all political prisoners remaining in prison whose trials were marred by irregularities or to release them. Several of these convicted political prisoners have been adopted by Amnesty International as prisoners of conscience and Amnesty International is investigating other cases to assess whether they are imprisoned for peacefully exercising their basic human rights to freedom of expression and freedom of association.

The organization has urged the authorities to set up an independent inquiry to investigate the circumstances and causes of the deaths in detention which occurred in 1988 and to make public the findings of any inquiry, as well as any recommendations to prevent further deaths, and has also urged the authorities to investigate cases of extrajudicial executions and torture reported in the course of the expulsion of black Mauritians. Amnesty International is also calling for an end to the use of the death penalty, which it considers to be a form of cruel, inhuman and degrading punishment, as well as a violation of the basic human right to life.