

UN CRC	Ratification Date	Care-Related Concluding Observations
	16 May 1991	CRC/C/MRT/CO/3-5
		11 October 2018
		https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fMRT%
		2fCO%2f3-5⟪=en
		III. Main areas of concern and recommendations
		A. General measures of implementation (arts. 4, 42 and 44 (6))
		Data collection
		10. The Committee recommends that the State party: (a) Strengthen its database for data collection and ensure that it covers all areas of the Convention, including children in disadvantaged or vulnerable situations and especially in the areas of violence against children, children with disabilities, children in street situations and migrant children;
		F. Family environment and alternative care (arts. 5, 9-11, 18 (1) and (2), 20-21, 25 and 27 (4))
		Parental responsibilities



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29. The Committee, recalling its previous recommendations (see CRC/C/MRT/CO/2, para. 45), urges the State party to repeal all provisions that discriminate against women and have a negative impact on their children, such as polygamy and repudiation by applying legal and administrative measures and conducting awareness-raising campaigns on its adverse effects on children.

Children deprived of a family environment

- 30. Drawing the State party's attention to the Guidelines for the Alternative Care of Children (see General Assembly resolution 64/142, annex), the Committee emphasizes that financial and material poverty or conditions directly and uniquely attributable to such poverty should never be the sole justification for removing a child from parental care, for receiving a child into alternative care or for preventing a child's social reintegration. In this regard, the Committee recalls its previous recommendations (CRC/C/MRT/CO/2, para. 47) and recommends that the State party:
 - (a) Ensure adequate safeguards and clear criteria, based on the needs as well as best interests of the child, for determining whether a child should be placed in alternative care;
 - (b) Establish a system of foster care, with appropriate mechanisms for monitoring the quality of care therein, for children who cannot stay with their families, with a view to supporting and facilitating family-based care for children wherever possible;
 - (c) Ensure that adequate human, technical and financial resources are allocated to child protection services, including the Center for Child Integration and Social Protection, to facilitate the rehabilitation and social reintegration of children deprived of a family environment;
 - (d) While noting that the General Child Protection Code provides conditions for applying the Kafalah, adopt the draft legislation on kafalah, ensure that the law protects children's right to have their views heard and given due consideration in kafalah proceedings, and provide standard guidelines for the screening of potential guardians.
- I. Special protection measures (arts. 22, 30, 32-33, 35-36, 37 (b)-(d), 38, 39 and 40)

Asylum-seeking, refugee and migrant children



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- 38. While welcoming the ongoing cooperation with the Office of the United Nations High Commissioner for Human Rights and other United Nations agencies to provide assistance to refugee and migrant children residing in the Mbera camp, the Committee notes with concern that refugee and migrant children living outside of the Mbera camp are not receiving the necessary protection and services and are being subject to various forms of exploitation, the detention of asylum-seeking, refugee and migrant children for immigration-related purposes, and reports of Malian refugee children being allegedly recruited by non-State armed groups to participate in the armed conflict in Mali. The Committee recommends, in line with its joint general comments No. 3 and No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families / No. 22 and No. 23 (2017) of the Committee on the Rights of the Child on the human rights of children in the context of international migration, that the State party:
 - (a) Expedite the adoption of the draft National Asylum Law that is pending since 2014 and ensure that it is fully in line with the Convention to facilitate access of asylum-seeking children to fair, efficient and child-sensitive asylum procedures and to local integration, including for children in need of international protection;
 - (b) Ensure that all asylum-seeking, refugee and migrant children, regardless of their status, can obtain individual identity documentation and have access to formal education and medical care;
 - (c) Prohibit the detention of asylum-seeking, refugee and migrant children and provide alternatives that allow children to remain with their family members and/or guardians in non-custodial, community-based contexts;
 - (d) Take all necessary measures to prevent the recruitment of Malian refugee children by non-State armed groups.

Economic exploitation, including child labour

40. While welcoming the adoption of the National Action Plan for the Elimination of Child Labour 2015-2020, the Committee remains seriously concerned about the high prevalence of child labour in the informal, agricultural, fishery and mining sectors, including unregulated and forced work, and about the lack of resources allocated for the implementation of the National Action Plan. It also notes with concern that more than half of domestic workers in the State party are children, with the majority of them being girls, that such



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Mauritania children are not only separated from their families but are also exposed to economic exploitation, violence, discrimination and abuse, including sexual abuse, and that boys in Koranic schools are forced to beg on the street for the economic gain of their teachers (marabouts). 41. The Committee reiterates its previous recommendations (CRC/C/MRT/CO/2, para. 76) and urges the State party to: (a) Expeditiously adopt the draft legislation aimed at prohibiting the worst forms of child labour, ensuring that it is in line with the Convention, and allocate sufficient human, technical and financial resources for the implementation of laws and policies on child labour, including the National Action Plan for the Elimination of Child Labour: (b) Intensify its efforts to eliminate child labour, in particular in domestic work and agricultural and mining activities, and enforce the prohibition of employment of children under the age of 16 years in both the formal and informal sectors by expanding and strengthening labour inspection services and prosecuting perpetrators of violations related to child labour; (c) Establish protective mechanisms and services to safeguard children at risk of being subject to child labour, including children who are sent abroad for domestic work and girls subjected to the practice of confiage, and ensure that child victims of exploitation have access to social, medical, psychological and rehabilitative services and legal remedies;

- (d) Take all measures necessary to remove talibé children from the control of marabouts who
- exploit and mistreat them, and fully implement legislation prohibiting the exploitation of children for begging, including by promptly investigating, prosecuting and punishing perpetrators accordingly;
- (e) Consider ratifying ILO Convention No. 189 concerning Decent Work for Domestic Workers (2011).

Children in street situations

42. With reference to its general comment No. 21 (2017) on children in street situations, the Committee expresses its concern about the high number of children in street situations andrecommends that the State party adopt a child rights approach for addressing their rights and needs and:



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		 (a) Develop and implement, with the active involvement of the children themselves, a comprehensive policy that identifies the number of children living in street situations and identifies and the root causes, in order to prevent and reduce this phenomenon; (b) Provide adequate care, food, clothing, health care and educational opportunities to children in street situations, including those coming from neighbouring countries; (c) Ensure that children in street situations are not subjected to discrimination, abuse or harassment by the public and by law enforcement officials or to arbitrary arrest or illegal detention.
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		17 November 2017
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Acronyms and Abbreviations:

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child/Committee on the Rights of the Child

CRPD Convention on the Rights of Persons with Disabilities ICCRP International Covenant on Civil and Political Rights

ICESCR International Covenant on Economic, Social and Cultural Rights

OPAC to CRC Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict

OPSC to CRC Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography

UN United Nations

Better Care Network www.bettercarenetwork.org



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