

MPC – MIGRATION POLICY CENTRE

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MPC - MIGRATION PROFILE

Mauritania

The Demographic-Economic Framework of Migration The Legal Framework of Migration The Socio-Political Framework of Migration

Report written by the

MPC Team

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The Demographic-Economic Framework of Migration

Since its independence in 1960 Mauritania has seen intense migratory movements.

Outward flows started in the 1970s due to an interplay of several factors, including the degradation of the agro-pastoral system caused by severe and frequent droughts, together with high levels of poverty and unemployment. Early flows were mainly directed towards African countries, such as Senegal, Mali, the Ivory Coast and Gambia. During the late 1980s and early 1990s, buoyed by the violent 1989 Mauritania-Senegal conflict, outward flows were directed towards the oil-producing Gulf countries as well as to other areas, such as Libya and the European countries, where jobs were available.

Inward flows have even more ancient roots. Coming mainly from neighbouring countries, immigrants' flows should be understood against the background of state-building efforts in Mauritania. The arrival of labor migrants was, in fact, motivated by the need to fill gaps in the labour market and to address construction and infrastructure challenges. Later, while the 1990s had been characterized by large inward flows of refugees and asylum seekers due to civil conflicts in African countries (i.e. Liberia, Sierra Leone and the Ivory Coast), during the 2000s, Mauritania evolved into a transit country, attracting irregular migrants attempting to cross to Europe via the Canary Islands.

Outward migration

Stock

Stock

According to the combination of destination countries' (c. 2012) and Mauritanian (2004) statistics¹, the number of Mauritanian emigrants stands at 198,307.

Mauritanian emigration stocks by country of residence, most recent data (c. 2012)					
Country of residence	Definition (a)	Reference date (Jan 1st)	Source	Number	%
African countries				145,500	73.4
of which Ivory Coast				50,000	25.2
M ali	(B)	(B) 2004 Mauritanian statist (see "sources")		40,000	20.2
G ambia			(see sources)	20,000	10.1
S enegal				10,000	5.0
Gulf countries			Manustanian atatiatian	24,000	12.1
of which Saudi Arabia	(B)	2004	Mauritanian statistics (see "sources")	20,000	10.1
UA E			(see sources)	4,000	2.0
Other countries (b)				28,807	14.5
of which France	(A)	2009	Population Census	13,699	6.9
S pain	(A)	2012	Population Register	10,821	5.5
Main total				198,307	100.0

(a): Mauritanian migrants are defined according to the country of birth (A) or country of nationality criterion according to countries of residence.

(b): "Other countries" include European countries, Canada and Japan.

Sources: national statistics of destination countries (Population Censuses, population registers, registers for foreigners, etc.). As with Mauritanian emigrants residing in African and Gulf countries, data are taken from Mauritanian statistics (i.e. the Mauritanian Ministry of Foreign Affairs and Cooperation).

Most (73.4%) live in other African countries and especially in the west, as in the Ivory Coast (25.2%), Mali (20.2%), and Gambia (10.1%). Important numbers are also found in Gulf States (12.1%) and in France (6.9%). It is worth mentioning that the numbers of Mauritanians residing abroad do not take into account the 25,000 or so refugees still living in Senegal.

In OECD countries, Mauritanian emigrants are more likely to be men (67.6%), with a low level of education (59.2%). They are, likewise, employed in low skilled occupations, including elementary jobs

At the time of writing, the results of the 2011 Mauritanian census are unfortunately not yet available.

Inward migration

According to the 2000 census, 43,519 migrants resided in Mauritania, or 1.7% of the total resident population. These originated in Mali (38.4%) and Senegal (33.7%). This number has to be used carefully since it is out of date and the census took place in November 2000 just after new political tensions flared up between Mauritania and Senegal and the subsequent programme of return migration on the part of Senegalese residents in Mauritania. In this regard, it is worth mentioning that in 1988 (one year before the Mauritania-Conflict), Senegalese Senegal immigrants accounted for 63.8% of the total migrant population, while after 1989 thousands of Senegalese residents in Mauritania had been repatriated, as well as their Mauritanian counterparts in Senegal.

> Born-abroad population residing in Mauritania by country of birth, 2000, 2010

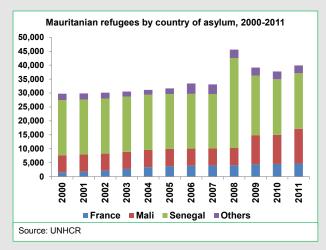
Country of birth	2000		2010	
Country of birtin	Number	%	Number	
Mali	16,712	38.4	n.a.	
Senegal	14,681	33.7	n.a.	
Guinea Conakry	1,651	3.8	n.a.	
Ivory Coast	1,462	3.4	n.a.	
Maghreb countries	1,721	4.0	n.a.	
Other countries	7,292	16.8	n.a.	
Total	43,519	100.0	99,229	
% of the total resident population	1.7		3.0	

Source: Mauritanian Census (2000), United Nations Population Division, UNDP (2010)

¹ Origin statistics (as derived from the Mauritanian Ministry of Foreign Affair and Cooperation) were used as they unable to capture the majority of Mauritanian migrants who live in both African and Gulf countries, where statistics on the population by country of nationality are well-known being scarcely available.

(29.0%), as service workers and shop and market sales workers (15.9%), as craft and related trades workers (10.9%) and a s plant and machine operators and assemblers (10.3%) (c. 2006, OECD.stat). As to their occupational profile in West Africa, they are, there, predominantly employed in the retail market, while in Gulf countries they have worked in well remunerated but temporary jobs, e.g. in the police and the security services.

Many Mauritanian emigrants are refugees. They are concentrated in Senegal and Mali as a result of 1989 S enegal-Mauritania conflict which ultimately led to the expulsion of around 53,000 Mauritanian nationals with black-African origins and the contemporaneous repatriation of thousands of Mauritanians expelled by the Senegalese authorities.



Flows

According to the Mauritanian Ministry of Interior, in 2007 the migratory balance for nationals was around (+) 1,700 (46,000 exits vs. 47,700 entries). An important characteristic of Mauritanian outward flows is the shift - during the 1990s - in the choice of destination from West Africa to the Gulf, to Libya as well as to Europe, a tendency which is likely to continue in the next years.

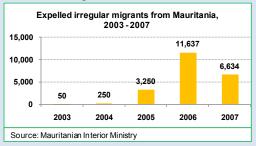
As to the refugee repatriation programme, 24,000 refugees returned home until March 2012 (United Nations High Commissioner for Refugees UNHCR).

For 2010, the UN Population Division provides an estimate of 99,229 migrants, representing 3.0% of the residing population.

Besides labor migrants, Mauritania hosts large numbers of refugees who arrived during the 1990s as a consequence of internal conflicts in the neighbouring countries including Liberia, Sierra Leone and the Ivory Coast. In 2011, 26,535 asylum seekers and refugees were registered with UNHCR there.

Flows

One of the most important feature characterizing Mauritanian inward flows is the complex phenomenon of irregular and transit immigration. For a long time, irregular migration was not considered a national issue but rather a structural phenomenon in Mauritanian society. legislation on immigration has not been much applied and as a matter of fact being an irregular worker was almost 'normal'. According to a survey carried out by the Ministry of Employment and Vocational Training in 2007, 80.0% of foreign workers do not have a work permit and 7.0% do not declare their legal status.



During the mid 2000s due to the strengthening of Southern Europe's border controls, together with the more severe migration norms put in place by Maghreb countries, Mauritania evolved into an important transit country towards the Canary Islands, which had become one of the major points of entry to Europe. However, its importance as a transit country considerably decreased starting from 2007. As to their profile, transit migrants come mainly from Senegal and Mali (72.8%) and tend to be men (88.0%). Finally, several surveys found that the main reason for taking this risky route to Europe was not the search for jobs, strictly speaking, but, rather, family pressure.

In addition, as a result of the conflict that started in Mali in January 2012, hundreds of thousands of Malians were displaced within the country and across its borders. Indeed, more than 100,000 Malians, mostly Tuaregs, had sought refuge in Mauritania by the end of August 2012 (UNHCR).

The Legal Framework of Migration

Mauritania has embarked on a global reform of its legal framework governing foreign nationals in the country. Legal updates have been related to: the repression of human trafficking (2003) and smuggling (2010); the status of the refugee (2005); and the employment conditions of foreign manpower (reforms in 2008 and 2009).

Foreign nationals' entry and stay conditions are currently defined by two decrees from 1964 and 1965, but a reform is being discussed. As happened in neighbouring Maghreb countries, this reform may strengthen sanctions against irregularity, but also give protection to some categories of foreign nationals, especially protection from expulsion. It might also govern emigration. Whereas exit visas were suppressed in 1985 as part of the country's democratisation, Mauritania has worked with Spain and FRONTEX since 2006 to combat irregular emigration by readmitting foreign nationals who transited through the country and who are placed in detention camps before repatriation.

The Nationality Code has not changed in thirty years.

Mauritania has concluded a large number of bilateral agreements in order to facilitate circulation and the stay of people, and to regulate the use of manpower. It is also party to several international conventions.

stay of people, and to regulate the use of manpower. It is also party to several international conventions.			
Legal Framework	Outward migration	Inward migration	
General Legal References	 2010 Law of 10 February 2010 related to combating the smuggling of migrants 2009 Decree n° 224 repealing and replacing Decree No. 92 of 19 April 1974 laying down the conditions employment of foreign labour and establishing a work permit for foreign workers 2005 Decree of 3 Mar ch 2005 related to the implementation in Mauritania of International Conventions on refugees 2003 Law 25-2003 of 17 July 2003 (human trafficking) 1991 Mauritania Constitution of 12 July 1991 1965 Law 65-046 (irregular entry) 1961 Law n°1961-112 of June 20, 1961 enabling the Mauritanian Nationality Code, modified in 1962 and 1976 		
Entry and Exit	Suppression of exit visa for nationals in 1985. There are still exit visas for foreign nationals. The legal conditions to enter the country of destination may be checked by national authorities before leaving.	No visa requirement for nationals of states linked to Mauritania by circulation or/and establishment conventions. Visa required for other foreign nationals. Distinction between non-immigrant and immigrant foreign nationals. The former have to present their passport and a return ticket. The latter have to present: passport/visa; vaccination certificate; medical certificate; police record; consignment receipt; labour contract or an aut horization necessary for their planned activity.	
Irregular Migration		Irregular entry or stay (Law 65-046) punishes foreign nationals who irregularly enter or stay in Mauritania with a two-month to a two-year prison sentence. Involvement in fraud is also penalized. Enabling a non-legal resident to remain in Mauritania punished 1-4 years imprisonment and fine (2010 Law combating the smuggling of migrants)	

Human trafficking punished by law 25-2003 with a five- to ten-year hard-labour confinement and a fine of between 500,000 and 1 million ouguiyas. 2010 Law on human trafficking aims at: preventing the smuggling of migrants; combating smuggling of migrants; protecting the rights of victims; and promoting cooperation. Punishments include: **migrant smuggling** (5-10 years imprisonment and fine); **making false documents** and (2-4 years imprisonment and fine); amongst others.

Agreements regarding irregular migration

- ➤ The Contonou Agreement (2000): the EU and Mauritania agree to readmit any of their nationals illegally present on the other's territory, and to conclude agreements on the readmission of third-country nationals if deemed necessary. The parties agree to strengthen cooperation on illegal migration, including smuggling and trafficking.
- Mauritania-Spain Agreement on the control of migratory flows and readmission in 2003 and 2006. Arrested transit migrants are detained and repatriated.
- Palermo Protocols: Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and C hildren and the Protocol against the Smuggling of Migrants by Land, Sea and Air (both accepted in 2005).

Rights and settlement

Mauritanian citizens have the **right to leave the country** (Article 10, 1991 Constitution).

Electoral representation of expatriates in the Senate and the Economic and Social Council.

Expatriates' right to parliamentary eligibility.

Stay and residence: distinction between privileged (on an establishment convention basis) and or dinary foreign nationals. The former have the right to stay (with a resident card) indefinitely. The latter have to apply for a foreign-national identity card, for an indeterminate period, but which needs a visa every year.

Family reunification: legal silence.

Access to employment: Decree n° 224 of 2009 lays out conditions for work permits for foreign nationals. Work Permit A (2-year work permit) is given to foreigners when no Mauritanian can fill the position; Work Permit B (4-year work permit) for any position, based on reciprocity or for foreigners living in Mauritania for 8 years without interruption.

Equal access to public services and access to estate ownership.

Labour

- > **Bilateral agreements** on circulation and establishment of people with Mali (1963) and Algeria (1996); on entry and stay with France (1992); on manpower with Senegal (1972), Algeria (2004), Spain (2007), and some Gulf countries.
- ➤ International agreements: 1990 Convention on the protection of all migrant workers and members of their family ratified; 42 ILO conventions ratified²

² Including convention C111 concerning Discrimination in Respect of Employment and Occupation, but excluding conventions C118 Equality of Treatment of Nationals and Non-Nationals in Social Security, C97 concerning Migration for Employment and C143 concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers.

MPC Migration Profile: MAURITANIA

Citizenship	Dual nationality prohibited.	Law n°1961-112 of June 20, 1961 enabling the Mauritanian Nationality Code, modified in 1962 and 1976: jus sanguinis by descent of father or mother, though persisting sex discrimination. Children born to a Mauritanian mother in the country are given citizenship, but have the right to repudiate citizenship when they come of age; yet born abroad, they can opt for their mother's nationality when they come of age. Jus soli: simple, with a declaration at age (birth + 5 years residency); and double right of soil. Automatic acquisition of nationality through marriage with a male Mauritanian (unless otherwise requested). No right to nationality through marriage with a female Mauritanian. Possibility of naturalization without past residency requirement. Dual nationality prohibited.
International Protection	Tripartite agreement with Senegal and UNHCR for the voluntary return of Mauritanian refugees from Senegal (2007).	Rights and obligations of refugees defined in 2005 Decree of 3 Mar ch 2005 related to the implementation in Mauritania of International Conventions on refugees. National Consultative Commission on Refugees to the Ministry of Interior, in charge of eligibility to refugee status, based on UNHCR refugee status determination. (Conditions of implementation in decree 2005 of 3 March 2005). International agreements regarding international protection: Mauritania has ratified the 1951 Convention relating to the status of refugees and the 1967 Protocol, and the 1969 OAU Convention governing specific aspects of refugees in Africa.

The Socio-Political Framework of Migration

Depicted as an intersectional and multifunctional junction³ connecting various migratory corridors across the Sahel and the Mediterranean, Mauritania has an overburdened migration agenda where emigration, immigration and transit-migration imperatives converge.

Notwithstanding the country's diversity, ethnic divisions and confrontations, particularly during the 1980s, have cast doubt on Mauritania's stability and human-rights record. Illustrative of the country's difficult migration legacy was the 1989 refugee crisis. Following Mauritania-Senegal border tensions, ethno-political upheavals culminated in the expulsion of Senegalese and Black Mauritanians from the country. In the wake of this crisis, Mauritanian-Senegalese relations degenerated and the balance of power in the country tipped.⁴.

In the last decade, with a view to dealing with pressing migration matters, Mauritania has invested considerable effort in institutionalising its migration apparatus. Mauritania has, moreover, consolidated cooperation in the fields of irregular and transit migration with international stakeholders. Further, in the wake of Mauritania's unconsolidated political opening,⁵ the government has, since 2008, coordinated the return and reintegration of Mauritanian refugees from Sub-Saharan Africa (Senegal and Mali). Specialised committees formed to study the governance of migration and to oversee the return of Mauritanian refugees expelled from the country in 1989⁶ have been set up. Mauritania is also a receiver of refugees, and the Government works with international organisations to address the inflows. Since 2012, the Malian refugee crisis has sent over 100,000 Malian refugees to Mauritania. The Mauritanian Government has been working with UNHCR to provide humanitarian assistance, and it has allowed the UNHCR to develop a refugee camp in Mbera⁷.

Mauritania has also assumed an increasingly important role on the Euro-Mediterranean migration scene in the last years. A participant in the 5+5 Dialogue (2005) and a founding member of the Union for the Mediterranean (2008), the country has taken on a more visible role in the governance of migration flows from Sub-Saharan Africa to Europe.

In an ef fort to boost the country's development and alleviate unemployment, the government has consolidated temporary economic migration frameworks with the EU and its member states (e.g. Spain) and with Arab and Gulf countries.

Despite these reforms, which should be read against the backdrop of Mauritania's fragile political liberalisation, the country's migration apparatus still lacks an integrative and strategic perspective to put emigration as well as immigration in the context of sustainable development. Emigration policies remain fragmented, and have so far not consolidated links with Mauritanian emigrants; nor have they developed adequate channels to ensure that remittances spur structural development. A case in point is the establishment of a transitory State Secretariat in charge of Mauritanians abroad in 2008, which was dissolved as a consequence of governmental change.

It is also noteworthy that the country relies on some immigrants' skills in certain sectors (education, services and the like). This need for professional immigrants can be partly explained by the lack of concentrated Diaspora groups of skilled Mauritanian professionals. The scarcity of Mauritanian skilled emigrants established abroad notwithstanding, the government has not devised action plans to incite these

See Ali Ben Saad "Mauritanie: la dimension politique et sociale des migrations", Rapport sur les Migrations Méditerranéennes 2008-2009, sous la direction de Philippe Fargues, CARIM, RSCAS, p. 195.

⁴ It was only in 1991 that an agreement was negotiated by the Senegalese President Abdou Diouf to reopen the borders between Senegal and Mauritania.

⁵ In 2007, the election of the new president Sidi Mohamed Ould Cheikh Abdallahi marked the beginning of a new phase of political liberalization as well as the beginning of the refugee repatriation process. The Abdallahi government initiated measures so as to repatriate thousands of Mauritanian refugees in Mali and Senegal under UNHCR assistance programme.

 $^{^{6}}$ For instance, the National Agency ANAIR that supervised the repatriation of Mauritanian refugees.

UNHCR. (2013). 2013 UNHCR country operations profile – Mauritania. Retrieved from http://www.unhcr.org/pages/49e486026.html

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professionals to return and take up positions in their homeland.⁸ In this context, it is also important to highlight the paucity of local knowledge regarding these professionals' trends.

Due to Mauritania's position as a juncture between Northern and Sub-Saharan Africa, its proximity with a peripheral part of EU territory (the Canary Islands) as well as its relatively lax border controls, 9 today's challenges include managing clandestine and transit migration, and sensitizing the local population and government officials to the human rights of asylum seekers and undocumented migrants. In spite of a flourishing civil society advocating democracy and a human-rightist approach towards migration governance, Mauritania has been severely criticized for its treatment of undocumented immigrants and refugees in the last years (Amnesty International Report 2008).

Socio-Political Framework	Outward migration	Inward migration
Governmental Institutions	 Ministry of Interior Ministry of Foreign Affairs and Cooperation Ministry of Employment Ministry of Economic Affairs and Development Specific governmental committees dealing with migration management: e.g. the inter-ministerial committee overseeing the return and repatriation of Mauritanian refugees from Mali and Senegal; the study group on the management of migratory flows (GEFM) etc. 	 Ministry of Interior Ministry of National Defense Ministry of Employment; Ministry of Justice Ministry of Economic Affairs and Development Specific governmental committees dealing with migration flows and migration management: e.g. the inter-ministerial committee, the study group on the management of migratory flows (GEFM), the Consultative Committee on Asylum.
Governmental Strategy	Development of policies regulating emigration and exit; Sustaining links with the Mauritanian Diaspora; encouraging remittances; spurring Mauritanians abroad to invest in the country; Monitoring bilateral agreements related to economic emigration; promoting temporary labour migration or circular migration schemes (mainly between Mauritania and Europe – e.g. Spain – as well as with the Gulf countries); Devising plans for the return and repatriation of Mauritanian refugees: e.g. the Mauritanian refugees in Sub-Saharan Africa (Senegal and Mali) whose return has been monitored since 2008);	Regulate immigration with regard to admission, residency and work permits of foreign nationals; Assess the labour market's need for foreign labour; develop action plans for attracting economic immigrants in certain job sectors (services, fishery, education) and for ensuring that employment contributes to local economic development; Reinforcing border management and developing policy frameworks so as to deal with the increasing trends of irregular and transit immigration; reducing the number of undocumented immigrants by apprehending, regularising or deportation procedures; Identifying asylum seekers on Mauritanian territory and defining their status and rights as well as conditions for their stay; allowing UNHCR to operate refugee camp for Malians;

⁸ It is noteworthy that the issue of highly-skilled emigration is not central in Mauritania. Still, the educated Mauritanian religious elites in several Muslim countries as well as the skilled Mauritanian Diaspora in high-tech sectors in northern countries are worth mentioning. Statistical information for these trends remains nevertheless scarce. See Zekeria Ahmed Salem. "La migration hautement qualifiée: aspects et questions sociopolitiques en Mauritanie ». CARIM analytical note 2010.

⁹ Lax border controls are a question of a historical tradition of free circularity, largely due to Mauritania's multi-ethnic and varied socio-economic structure.

Multiplying bilateral and multilateral cooperation frameworks (e.g. with the EU and IOM) in migration-related fields so as to ensure that Mauritanian outward migration (particularly temporary migration) contributes to local economic and h uman development; cooperating with international organisms such as the IOM so as to craft a sustainable labour migration policy; consolidating cooperative mechanisms with international organisations (e.g. IOM) with a view to mobilising Mauritanian expatriates' competencies abroad and facilitating return; defining cooperation frameworks with external stakeholders (IOM, UNHCR, EU, Spain) with a view to identifying the root causes of irregular emigration and reinforcing border (e.g. management Mauritania-FRONTEX cooperation); developing cooperative mechanisms with UNHCR and the UNDP so as to ensure the repatriation of Mauritanian refugees following the 1989 refugee crisis.

Developing cooperative mechanisms with international and external parties (e.g. UNHCR, IOM, EU, Spain) in order to mitigate the effects of irregular and transit immigration on Mauritanian territory and to reinforce sea and land control; consolidating national capacity-building in with collaboration international organisations (IOM) so as to craft labourmigration policies; developing collaborative mechanisms with UNHCR so as to sensitise the population as well as governmental authorities regarding the human and socio-economic rights of refugees on Mauritanian territory.

Civil Society **Action**

Initiatives of Mauritanian migrant associations as well as professional and student transnational networks aimed at:

- providing services for Mauritanians abroad and establishing links between them as well maintaining ties with Mauritania (e.g. L'Association Culturelle des Etudiants Mauritaniens (ACEM));
- carrying out research studies on the potential role of Mauritanian expatriates their country's in development and collecting data on the Mauritanian Diaspora;
- involving Mauritanian expatriates in local development or in homeland politics: e.g. the "For Mauritania initiative" created by Mauritanian expatriates in the US for endorsing democratic reform in the homeland; the Citizen Call for Recognising Mauritanians Abroad (L'Appel Citoyen pour la Reconnaissance des Mauritaniens de l'Etranger (ACREME))

Local Initiatives aimed at:

raising awareness against irregular emigration and dissuading potential irregular emigrants from moving (e.g. l'Association mauritanienne de lutte contre l'immigration illégale -AMLII);

Civil society initiatives aimed at:

- providing services and safeguarding interests of immigrants immigrant workers (La Confédération Travailleurs Générale des de Mauritanie);
- encouraging a nat ional debate on migration management (e.g. Association pour la Protection de l'Environnement et Action Humanitaire (APEAH), Le Centre Guide pour la Migration);
- providing services and assistance to vulnerable migrant categories such as irregular migrants, refugees asylum seekers (e.g. le Croissant rouge, le programme pour le développement durable et la réduction de la pauvreté de Dar Naim).

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	- sensitising the local population and governmental officials with the reinsertion of Mauritanian refugees into Mauritanian society.
International Cooperation	Mauritania is a member of several international organisations in which it actively works to address issues of migration, including: International Organization for Migration (IOM); International Labour Organization (ILO); UNHCR; Arab League; and Organization for African Union (OAU), among others. Mauritania receives funding through the EUs European Development Fund (EDF) where several migration-related projects are financed (e.g., national migration strategies, integration, judicial training, etc.). Mauritania is a member of the Union for the Mediterranean and is a member of the 5+5 Dialogue .