

Women in Prison: Mauritania

Analysis from the National Preventive
Mechanism

| October 2024



Mauritania



UNCAT Ratification 17 November 2006	OPCAT Ratification 3 October 2012
National Preventive Mechanism (NPM)	
National Mechanism for the Prevention of Torture	
NPM legal framework Law No. 034/2015 (10 September 2015)	NPM operationalisation Since April 2016
NPM structure Independent specialist body	NPM composition 25 people (8 women): <ul style="list-style-type: none">Chairman and 12 members (4 women)Secretariat and support staff: 12 (4 women)

I. Facts and Figures¹

Prison population	Women in prison: Characteristics	Prisons for women ²
Total prison population	Foreign women	Number of facilities for women
2,534	14	2
Women in prison	Women with children in prison	Number of facilities exclusively for women
50 (1.97%)	3	1
Women sentenced		Number of mixed facilities with special units for women
23		1
Women in pre-trial detention		
27		

¹ Source: National Torture Prevention Mechanism, August 2024

² Due to the small number of women detainees, Mauritania has only one women's prison in the capital Nouakchott, and a large women's wing in the prison of Nouadhibou. Apart from these two prisons, there are no other detention facilities for women in Mauritania.

II. Recommendations

Body searches

- + Respect the dignity of women detainees and their privacy as women during strip searches.
- + Ensure that staff are trained and professional in conducting strip searches, taking into account "women's specific needs" and their sexual and reproductive health, as stipulated in the Bangkok Rules for the Treatment of Women Detainees.

Access to healthcare

- + Ensure greater access to prenatal care
- + Ensure the provision of an ambulance to the women's prison in the capital

Mental health

- + Provide mental healthcare and monitoring for women detainees

Contact with the outside world

- + Set up a bridal room
- + Open women's prisons in every region so that women can stay close to their families.

Alternatives to detention

- + Include alternatives to detention in the law for women, especially for non-recidivists

Legal and judicial measures

- + Correct the professional administrative status of female employees who work in the prison and grant them all the rights provided for by law
- + Speed up trials to reduce the rate of pre-trial detention in women's prisons

III. Detention Issues

Women detainees in Mauritania are generally held in two places: the women's prison in the capital Nouakchott, which is the only prison exclusively for women in Mauritania; and the women's section of the central prison in the economic capital Nouadhibou. Apart from these two facilities, there are no other detention facilities for women in Mauritania.

The overall detention conditions in the women's prison are generally good and offer good living conditions, the same for the detainees of the women's section of the Nouadhibou prison.

Detainees in the women's prison are generally well treated and there is a good relationship, based on mutual respect between them and the prison administration. In this prison, they enjoy a certain degree of freedom of movement, which is rarely found in other prisons.

Given the conservative nature of Mauritanian society and the fact that the imprisonment of women in general, according to the Bangkok Rules, "may make their social reintegration more

difficult"³, the competent judicial authorities in Mauritania do not tend to imprison women except in cases of serious offences, in which case the perpetrators are transferred to the capital's central prison or to a wing of the women's prison in Nouadhibou.

Accommodation and food

a. Accommodation

The overall environment of detention facilities for women and girls in Mauritania is appropriate in terms of architecture, there is no overcrowding, and it offers a certain degree of good living conditions for female detainees in many respects.

N°	Facility	Sentenced	Pre-trial	Total	Foreign women	Capacity	Occupation	of foreign women	Observations
1	Nouakcote Women's Prison	21	27	48	12	50	96.0%	25.0%	Not overcrowded
2	Women's section of Nouadhibou prison	02	00	02	02	20	10%	100%	Not overcrowded
	Grand total	23	27	50	14	70	71.42 %	0.55 %	

In the women's section of Nouadhibou prison, there are currently only two women detainees, so this section does not suffer from the problem of overcrowding for most of the year or during any of the visits made by the NPM teams. The occupancy rate in this ward currently does not exceed 10%.

As for the women's prison in the capital, which is the main place of detention for women in Mauritania, it is a medium-sized private building, enclosed by an external wall and with an external courtyard.

The main prison building consists of three wards, each with around 15 individual beds and a separate indoor bathroom. One other room has been added, which was previously used for training and entertainment. The prison also has an area reserved for visitors and a workshop to teach clothing dyeing. All areas of the prison have adequate natural ventilation and sufficient sunlight thanks to small openings and windows.

This prison, unlike many Mauritanian prisons, contains an isolation cell, which is used more for deterrence than for disciplinary measures, which are not used in this prison, as is the case in most Mauritanian prisons.

The prison has a capacity of 50 detainees. There are currently 48 detainees, including 12 foreigners of different nationalities. This means that the prison is close to full capacity at the moment but is not overcrowded yet.

The percentage of foreign detainees in this prison is relatively high because it is located in the capital, and because it is the only women's prison in Mauritania apart from the women's section of the Nouadhibou prison, which currently houses 2 foreign detainees. That said, the percentage of foreign women in Mauritanian prisons is around 28% (of all women detained in Mauritania).

b. Food

The women's prison has a clean and well-maintained kitchen. Three contract cooks work there in shifts, and some detainees help them on a set schedule.

³ United Nations Rules for the Treatment of Detainees and Non-custodial Measures for Women Offenders (Bangkok Rules), Preamble.

This prison receives a daily share of various food items from the prison administration and provides 3 meals a day for the detainees, which are acceptable both in terms of quantity and quality.

The prison warehouse contains a supply of certain food items and cleaning products, such as rice, pasta, soap, bleach for sterilisation, etc.

Morning breakfast in the women's prison includes the necessary ingredients based on the local eating habits (bread, milk and sugar), as well as the vegetables that are used to prepare lunch and dinner.

In addition to the meals provided by the prison, the prison administration allows detainees to receive food and other necessities from their families. However, the prison administration does not offer a diet to detainees suffering from chronic illnesses such as diabetes, high blood pressure and HIV, contrary to what is stipulated in the current national and international legislation.⁴

Separation

In Mauritania, the rule of separating by category is applied in women's detention facilities. In the women's prison and in the women's section of the Nouadhibou prison, detainees are separated depending on the nature of the offence, a misdemeanour or a crime.

However, despite the application of separating by categories in women's detention facilities in Mauritania, the visiting teams noted the presence of three children living with their mother in the women's prison in the capital, in flagrant violation of the national and international legislation in this area, as the decree that sets out the internal regulations of prisons in Mauritania stipulates that it is forbidden to leave children over 18 months old in prison with their mother.⁵

The second violation observed in this respect was the presence of certain women who were detained in the women's prison in the capital and in the women's section of Nouadhibou, far from their social environment, in flagrant violation of the international standards, in particular the Bangkok Rules, which stipulate that "women should, as far as possible, be assigned to a prison close to their home"⁶, as well as the Nelson Mandela Rules.⁷

Body searches

In detention facilities reserved for women, strip searches are conducted on two occasions: the first when detainees are placed in custody, and the second each time they are transferred to and from a detention facility.

In the women's prison in the capital, a team of female guards conduct strip searches on the detainees. The strip search usually takes place in the presence of a member of the National Guard responsible for security.

Visitors are only searched if they are suspected of carrying prohibited materials or materials dangerous to the security of the prison and its detainees.

Similarly, in the women's section of the Nouadhibou prison, 3 female members of the National Guard conduct strip searches of the detainees in this section. It should be noted, however, that

⁴ Decree N° 70-153 of 23 May 1970, Fixing the Internal Regime of Detention Facilities, art.105.

⁵ Decree N° 70-153 of 23 May 1970, Fixing the Internal Regime of Detention Facilities, art.109.

⁶ Bangkok Rules, Rule 4.

⁷ United Nations Standard Minimum Rules for the Treatment of Detainees (Nelson Mandela Rules, Rule 59.

these female guards need training in what is known as "women's special needs" and their sexual and reproductive health, as stipulated in the Bangkok Rules for the Treatment of Detainees.⁸

Access to healthcare and mental health services

The women's prison has a health point that provides primary health care to sick detainees. It is staffed by a doctor and a midwife who provide services when needed. However, there is no private ambulance for the prison, but it benefits from the services of an ambulance shared by all the prisons in Nouakchott, which is available on request. This health point also examines and monitors the health of pregnant detainees.

As far as mental health is concerned, the prison administration does not provide care for women detainees suffering from mental health symptoms, or their families, in any of the facilities where women are detained.

However, the teams visiting the women's section of Nouadhibou prison were able to record the case of a woman suffering from depression and mental health issues. This prisoner complained to the NPM teams about her lack of access to medication and the absence of a specialist doctor to examine her.

This case is in fact a breach of the Bangkok Rules which state that "the medical examination of detainees shall be comprehensive, in order to identify their primary healthcare needs and to highlight: (...) their mental healthcare needs, including post-traumatic stress disorder and risk of suicide or self-harm"⁹ and to conduct a comprehensive medical examination to identify the detainees' healthcare needs in a range of areas, including mental health.

In order to fill this gap in the women's prison in the capital, the NGO Noura Foundation provided a psychiatrist who examined the detainees twice a week. But he stopped working some time ago after his contract with the above-mentioned charity came to an end.

In fact, these women's detention centres are not the only ones that are suffering from this shortcoming. Prisons and detention facilities as a whole, with the exception of the capital's psychiatric hospital, do not offer mental health services for their detainees.

Contact with the outside world

There are no restrictions on visits by family and friends in any detention facilities in Mauritania. Each institution has a weekly visiting schedule. In the women's prison, detainees receive multiple visits from their families and acquaintances any time of the week, after obtaining authorisation from the competent judicial authorities.

However, it should be noted in this respect that this prison facility does not have rooms equipped for the bridal chamber, in which married female detainees can see their husbands, as is the case in some other prisons for male detainees.

The visiting teams did not observe any type of discriminatory treatment between detainees within the prison. Some foreign detainees complained about the lack of communication with their families and representatives of their diplomatic missions. However, the NPM teams did not confirm the validity of this complaint.

⁸ Bangkok Rules, Rules 5-6.

⁹ Bangkok Rules, Rule 6.

There are also no restrictions on visits to the women's section of the Nouadhibou prison.

Guarantees

Both detention facilities (the women's prison and the women's wing of the Nouadhibou prison) have custody registers, which are updated periodically and include the necessary data on the women detained, as well as the custody order issued by the competent judicial bodies. Female detainees are immediately informed upon entering these facilities of all their rights as a result of their incarceration, and most importantly the right to inform a relative of their choice and a lawyer to defend them.

Security

In these two places, in particular the women's prison and the women's wing of Nouadhibou prison, the visiting teams generally observed compliance with legal procedures relating to the security of the institution and the safety of the detainees. These institutions are guarded by National Guard teams in sufficient numbers. However, the teams also noted the lack of and the need for training for prison guards on women's special needs.¹⁰

The relatively large surface area of the women's prison helps to ensure the safety of the detainees in this facility. In terms of architectural structure, the prison is spacious enough for the relatively small number of detainees that are housed there, which often do not exceed 50. This keeps things under control and considerably reduces the possibility of incidents within the institution.

In the women's section of the Nouadhibou prison, there are no specific security measures that differ from those in the men's section, with the exception of closer surveillance of the women's section to protect them from any accidents or possible violations. The prison is guarded by men from the National Guard.

Sanitary facilities and personal hygiene

With regard to the personal hygiene of the detainees and the cleanliness of their uniforms and the detention rooms in the women's prison in the capital, the detainees themselves play an important role in the process, as they are responsible for keeping the prison clean themselves and the prison administration is responsible for providing them with cleaning materials and personal hygiene products. The prison administration has also made several washing machines available to the detainees.

In the women's section of the Nouadhibou prison, the detainees clean their section themselves and obtain cleaning materials and personal hygiene products from the prison administration.

Life in prison: regime and activities

Most women's prisons have good training and vocational workshops.

However, the location of these workshops does not allow detainees to make the most of them. In the women's prison in the capital, the room that used to house high-quality, diversified workshops has been converted into a detention room, and the workshop equipment and tools have been placed in the prison hall. However, the detainees can still take courses in sewing, office automation and computer skills, as well as apprenticeships in a number of trades, in this space.

¹⁰ Bangkok Rules, Rule 14. Rule 19 stipulates that strip searches of women may only be carried out by "female staff duly trained in appropriate search methods" so as to preserve the dignity and respect of female detainees.

Although Nouadhibou prison has a number of high-quality workshops and playgrounds for sports and weight training, there are no specific workshops for the women's section, and female detainees can take advantage of these workshops in the same way as male detainees, without discrimination, according to prison officials. The NPM's visiting teams were unable to determine exactly how much use women detainees in the women's section of this facility make of the services provided by these training and recreational facilities.

Prison staff

Despite the fact that women detainees in the women's prison are generally well treated and there is a good relationship based on mutual respect between them and the prison administration, the NPM visiting teams noted the need for administrative promotion and improved working conditions for women prison officers, which have not changed for almost two decades, and this may be reflected in their performance in managing the facility and therefore in the treatment of women detainees in particular.

The visiting teams also noted that the increased awareness of the rights of women detainees among the prison's administration officials and guards was due in part - according to the testimonies of the prison's administrators and guards - to the training and awareness-raising efforts made by the Mechanism on their behalf.

IV. Alternatives to detention

Mauritanian prison regulations generally do not provide many alternatives to detention. However, from a procedural point of view, the judicial system is very lenient when it comes to imprisoning women. Given the conservative nature of Mauritanian society and the negative social repercussions that the detention of women has on them and their community in general, most judges tend to replace the detention of women with bail or personal sponsorship from a social or religious authority.

In cases where women commit minor offences and violations, particularly in inland towns, a sponsor or guarantor is often used as an alternative to detention, depending on their social customs and the vulnerable situation of this category of detainees, and in accordance with the current standards of international law, in particular the United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules) which state that "in the case of a minor offence, the public prosecutor may impose non-custodial measures where appropriate."¹¹

This report is part of the Global NPM report on Women in Prison.

Access the full report here: www.apt.ch/global-report/

¹¹ United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules), art. 5, in Compendium of United Nations standards and norms in crime prevention and criminal justice, United Nations publication, Office on Drugs and Crime, New York, 2007, p.124.