

**BEFORE THE UNITED STATES
TRADE REPRESENTATIVE**

**REQUEST TO TESTIFY AND PRE-HEARING BRIEF
ON THE PETITION TO REMOVE**

MAURITANIA

**FROM THE LIST OF BENEFICIARY COUNTRIES PURSUANT TO
19 USC § 3703(1)(F) OF THE AFRICAN GROWTH AND OPPORTUNITY ACT**

Filed by

**THE AMERICAN FEDERATION OF LABOR &
CONGRESS OF INDUSTRIAL ORGANIZATIONS (AFL-CIO)**

AUGUST 4, 2017

INTENT TO TESTIFY

Please accept this request to testify on the behalf of the AFL-CIO at the August 23, 2017 public hearing on Mauritania's AGOA eligibility.

In addition, we would like to submit a video produced by investigative journalists at Equal Times that contains testimony of former slaves into the official record. We request that it be played at the hearing.

The video can be accessed at the Equal Times website at the following link:
<https://www.equaltimes.org/mauritania-is-failing-to-eradicate#.WX9xNBTwxhA>.

Sincerely,

Celeste Drake
Trade and Globalization Policy Specialist
815 16th St NW
Washington, DC 20006
202 637 5344
cdrake@aflcio.org

PRE-HEARING BRIEF

I: Introduction

The Government of Mauritania has failed to establish or make progress towards establishing internationally recognized worker rights, as required by 19 USC § 3703(1)(F). The Government of Mauritania fails to prohibit forced labor and does not protect the right to freely associate and bargain collectively.

Section I of this briefs analyzes the failure to establish freedom from forced labor, while Section II addresses the failure to establish freedom of association and collective bargaining.

II: The Government of Mauritania has not established or made progress towards establishing freedom from forced labor, as required by 19 USC § 3703(1)(F)

The practice of slavery remains widespread in Mauritania. Thousands of men, women and children, predominantly from the Haratine ethnic group, live under the direct control of their masters, are treated as property, and receive no payment for their work. Men and children typically herd animals or work in the fields, while women perform domestic work. They face verbal and physical abuse, and girls and women are subject to sexual abuse and rape. Slave status is inherited, so children born to a mother in slavery are also considered property and can be rented out, loaned, given as gifts in marriage or inherited.¹

A greater number of people of slave descent now live separately from their traditional masters, but continue to be subjected to exploitative practices, such as paying tithes to former masters for the land they farm.² Those who escape slavery remain in abject poverty, without access to remedy or social services. Former slaves, particularly from the Haratine group, face systematic discrimination and are economically and politically marginalized.³

After the AFL-CIO filed its initial petition, the International Labor Organization (ILO) Committee on the Application of Standards once again took up the issue of slavery in Mauritania at its June 2017 meeting, and concluded that the practice continues “on a widespread basis, despite numerous discussions.”⁴ As noted in the original petition,

¹ See Mauritania: Tackling descent-based slavery, Anti-Slavery International *available at* <https://www.antislavery.org/what-we-do/where-we-work/mauritania/>; The Global Slavery Index, Walk Free Foundation *available at* <https://www.globalslaveryindex.org/country/mauritania/>; John Campbell, The State of Slavery in Mauritania, Council on Foreign Relations (October 14, 2016) *available at* <https://www.cfr.org/blog/state-slavery-mauritania>; Philip Alston, United Nations Human Rights Council Special Rapporteur on extreme poverty and human rights, End-of-mission statement on Mauritania (May 11, 2016) *available at* <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=19948&LangID=E>

² Mauritania: Tackling descent-based slavery, Anti-Slavery International *available at* <https://www.antislavery.org/what-we-do/where-we-work/mauritania/>;

³ Philip Alston, United Nations Human Rights Council Special Rapporteur on extreme poverty and human rights, End-of-mission statement on Mauritania (May 11, 2016) *available at* <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=19948&LangID=E>

⁴ International Labor Organization, Report of the Committee on the Application of Standards Forced Labor Convention 1930 (No. 29) – Mauritania, 106th ILC Session *available at* http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_558658.pdf

Mauritania has been under review for failure to prevent slavery for the past three years, and has been included in a special paragraph, indicating that the government was in serious breach of the convention.⁵ The June 2017 report concludes with a request to initiate a high-level mission to the country, a step reserved for serious offenders.

The government of Mauritania routinely fails to conduct investigations into cases of slavery, rarely pursues prosecutions for those responsible for the practice and fails to ensure access to remedy or otherwise support victims; harasses and imprisons anti-slavery activists; will not even publicly acknowledge the continued existence of slavery and fails to implement its own limited initiatives. Further, it has not responded to cases of human trafficking. This represents a total failure to take any meaningful steps to establish freedom from forced labor.

- a. *The Government of Mauritania fails to consistently conduct investigations, prosecute cases or take other meaningful steps to punish slaveholders and provide remedy for victims*

As detailed in the AFL-CIO's petition, the Government of Mauritania has not pursued investigations or prosecutions of slaveholders. Despite the pervasive nature of the problem, there are only two known instances of prosecutions for slavery. In both cases the sentences were well below those recommended in law and in no way commensurate with the gravity of the crime. In discussions at the ILO, the Government of Mauritania claims there are other cases that have been referred to the courts.⁶ However, the AFL-CIO has found no evidence to support this assertion, and in its June 2017 report, the ILO Committee on the Application of Standards reiterated a request for details on any additional cases.

There are only two known cases of convictions for slavery. There was one conviction under the 2007 Anti-Slavery Law, which resulted in a two-year prison sentence, far below the recommended sentencing of five to ten years. The convicted 'master' remained free on bail for almost five years, and an appeal hearing was only scheduled after pressure from the African Committee of Experts on the Rights and Welfare of the Child (ACERWC, an organ of the African Union). The revised 2015 Anti-Slavery Law, which established Special Courts on Slavery, resulted in only one additional case. In May 2016, two individuals were convicted of slavery. Each received a five-year prison sentence, of which four years were suspended, even though the law stipulates 10 to 20 years' imprisonment.

The government rarely initiates investigations and does not respond consistently or effectively when cases are brought to its attention. Since 2014, the UK-based NGO Anti-Slavery International has filed 13 legal cases, all of which, except for those mentioned above, are stalled at the investigative, prosecutorial or trial level. Often government authorities, particularly the police, do not act on reports of slavery. Cases have been dismissed because officials claim the location where slavery is reported is inaccessible or too far away. If an investigation takes place, it is usually limited to interviewing the victims and alleged masters. Investigators often bring the victims and suspects in together for interviews, which places enormous pressure on vulnerable individuals and makes it unlikely that accurate information is collected. Masters are sometimes arrested but then quickly released on bail, with no further proceedings taking place. Often cases are not charged as slavery crimes under the provision

⁵ International Labour Organization, Committee on the Application of Standards Forced Labour Convention, 1930 (No. 29) – Mauritania, 105th ILC Session (2016) *available at*

http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3284576

⁶ *Ibid*

of the Anti-Slavery Law, but re-classified into ‘lesser’ charges such as a work-related conflict or exploitation of minors. In other instances, cases are resolved through informal settlements. Some cases are dismissed by the prosecution without sufficient investigation or reasonable grounds. When trials do take place, procedures and deadlines are regularly not respected.

There are no mechanisms in place to identify victims, provide protection prior to and during trial, or facilitate access to reintegration and rehabilitation services. As the ILO mission report concluded, given their extreme vulnerability, presumed victims need access to shelter and basic services when they come forward to lodge a complaint or are otherwise identified.⁷

Finally, while the Government of Mauritania has made public statements about a technical cooperation project it is developing to train officials to identify and prosecute slavery,⁸ to date, civil society organizations report there have been no such government-supported trainings, and there have been no efforts to consult organizations or individuals working directly with communities in formulating or implementing trainings. Instead, training on slavery for judges and prosecutors have come from external organizations like international non-governmental organizations, the International Organization for Migration (IOM), and the European Union.

b. The Government of Mauritania retaliates against anti-slavery activists

The Government of Mauritania actively interferes with the right to be free from forced labor by harassing, detaining and imprisoning anti-slavery activists. At least 15 activists were imprisoned in 2016, and the Government has prevented unions and human rights organizations from engaging in peaceful demonstrations.

In 2014, Biram Dah Abeid and Brahim Bilal Ramdhane, leaders of the anti-slavery organization IRA Mauritania, were arrested at a peaceful demonstration, convicted of inciting rebellion, disobeying authorities and belonging to an illegal organization and sentenced to two years in prison.⁹ They were released after 18 months due to time served after the Supreme Court downgraded their charges in May 2016.¹⁰

Between June and July 2016, 13 members of IRA Mauritania were arrested, along with 10 other individuals, in connection with a protest against forced evictions in Nouakchott on June 29, during which several people, including police officers, were wounded. The report of the United Nations Special Rapporteur on Extreme Poverty and Human Rights states that,

“The IRA-Mauritania activists were reportedly accused of rebellion, use of violence, attack against public authority, armed assembly and membership in an unrecognized organization. They have denied having participated in or organized the eviction protest. There are strong indications that the arrests and convictions were politically motivated and targeted at the anti-slavery activism of the group. The Special Rapporteur expresses concern that these arrests took

⁷ *Ibid*

⁸ Report of the Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning the Forced Labour Convention, 1930 (No. 29), Mauritania, Published 2017

⁹ Mauritania: Anti-Slavery Activists Remain in Prison, Freedom House (November 10, 2015) *available at* <https://freedomhouse.org/article/mauritania-anti-slavery-activists-remain-prison>

¹⁰ Biram Abeid Accepts UN Human Rights Prize, End Crowd (August 15, 2016) *available at* <https://endcrowd.org/news/the-movement/biram-accepts-un-prize/>.

place shortly after his visit to Mauritania in May 2016 and may have been partly in reprisal for the group's cooperation with him during his visit. The trial of the IRA-Mauritania members was reportedly marred by irregularities and fell short of international standards.”¹¹

In November 2016, the Court of Appeal reduced the sentences of all 13 members of IRA Mauritania. Three of the 13 were acquitted on the basis of insufficient evidence and released. Seven were convicted of participating in an unrecognized organization, and one additional individual was convicted of incitement of a non-armed assembly, but released after their sentences were reduced. At the time of writing, Moussa Biram and Abdellahi Matalla Saleck remain in prison for incitement of a non-armed assembly with the goal of threatening public order.¹²

On January 27, 2016 local authorities of Dar Naim rejected a request from the Confédération Libre des Travailleurs de Mauritanie (CLTM) to hold a rally, organized with the support of the Spanish agency for international development cooperation, to mark the launch of an awareness-raising campaign on slavery. Workers report local authorities rejected the rally because it was “political” in nature.

c. The Government of Mauritania denies the existence of slavery and the systemic discrimination against and marginalization of former slaves

Senior government officials, including President Mohamed Ould Abdel Aziz, deny the existence of slavery categorically, acknowledging only that ‘vestiges’ or ‘consequences’ of slavery exist (*les séquelles de l’esclavage*). Officials also deny systemic discrimination towards former slaves and those considered of slave caste. Such statements make it incredibly difficult to meaningfully tackle forced labor in the country.

President Aziz has repeatedly claimed slavery no longer exists, and that any so-called ‘slave’ is someone who chooses to be a slave. At a 2015 press conference President Aziz asserted that slavery ‘only exists in the minds of those who wish to exploit the poverty of others for their own gain.’ In a speech in May 2016 he repeated this denial, and blamed the poverty of Haratines on their ‘propensity’ for having too many children.¹³ During the UN Universal Periodic Review in November 2015, the delegation from Mauritania “stated that slavery had not existed in the country for a great many years.”¹⁴ As the report of the Special Rapporteur on extreme poverty and human rights states, “discussions of such vestiges should not be permitted to obscure the actual practice of slavery, which still exists in Mauritania.”¹⁵

¹¹ Report of the Special Rapporteur on extreme poverty and human rights on his mission to Mauritania, para 66-67

¹² Crackdown on Anti-Slavery Movement in Mauritania Continues after Release of Biram Dah Abeid, Unrepresented Nations and Peoples Organization (May 3, 2017) available at <http://unpo.org/article/17712>

¹³ Mauritanie: les Haratines en colère contre le discours du président, RFI (May 13, 2015) available at <http://www.rfi.fr/afrique/20160513-mauritanie-discours-presidentiel-polemique-haratines-esclaves>

¹⁴ Report of the Working Group on the Universal Periodic Review, Mauritania (A/HRC/31/6), November 2016, paragraph 60, page 8

¹⁵ Report of the Special Rapporteur on extreme poverty and human rights on his mission to Mauritania, A/HRC/35/26/Add.1, 8 March 2017, para 33. Available at http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/35/26/Add.1

Further, the Government of Mauritania has taken no steps to address discrimination against former slaves and those considered of slave caste. In May 2016 the UN Special Rapporteur on Extreme Poverty and Human Rights found that Harantites and Afro-Mauritanians were systematically excluded from “many aspects of economic and social life,” but that officials consistently stated there was no discrimination in Mauritania - a claim the Special Rapporteur found “implausible.”¹⁶ The report concludes “[t]he Government’s commitment to ending the ‘vestiges of slavery’ must be expanded to address directly the most enduring and consequential ‘vestige,’ which is the continuing deep disempowerment of the great majority of former slaves.”¹⁷ Denial of the practice interferes with establishing freedom from forced labor and demonstrates that the Government of Mauritania is not committed to affording fundamental labor rights.

d. The Government of Mauritania fails to implement its own limited anti-slavery initiatives

Given the refusal to acknowledge the continued existence of slavery and systematic discrimination, the Government’s own initiatives are limited in scope, but even these constrained programs have not been meaningfully implemented. Neither the National Agency to Fight against the Vestiges of Slavery, for Social Integration and to Fight Against Poverty (known as “Tadamoun”) nor the 2014 Road Map for the elimination of the vestiges of slavery have resulted in meaningful action.

Since its establishment in March 2013, Tadamoun appears to have undertaken little work on slavery. The Government claimed Tadamoun would develop targeted programs for areas where descendants of slaves are concentrated,¹⁸ but the AFL-CIO could find no evidence of such programs. The agency has been not been transparent regarding its activities and budget, and has not consulted with stakeholders. In 2016, the UN Special Rapporteur on Extreme Poverty and Human Rights concluded that the “agency is not in fact directly addressing” slavery.¹⁹ Very few former slaves have received any financial support from Tadamoun to date.

Most of the recommendations contained in the 2014 Road Map to combat the vestiges of slavery have not been implemented. In its report to the ILO Committee of Experts, the Government claimed that awareness-raising activities have been carried out in collaboration with civil society and religious authorities, such as awareness-raising caravans.²⁰ However, anti-slavery organizations report that these awareness-raising caravans simply reiterate that slavery no longer exists in Mauritania, rather than informing the public about the criminalization of slavery in law and what they should do if they are in slavery or are aware of slavery situations in their area. Awareness-raising activities should be planned and led in coordination with expert civil society organizations and representative trades unions. At a minimum, such activities must include information about how to exercise basic labor rights.

¹⁶ Philip Alston, United Nations Human Rights Council Special Rapporteur on extreme poverty and human rights, End-of-mission statement on Mauritania (May 11, 2016) *available at* <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=19948&LangID=E>

¹⁷ *Ibid*

¹⁸ *Ibid*

¹⁹ *Ibid*

²⁰ Report of the Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning the Forced Labour Convention, 1930 (No. 29), Mauritania, Published 2017

e. The Government of Mauritania fails to address human trafficking cases

The Government of Mauritania has failed to meaningfully address cases of human trafficking. In 2015, trade unions reported receiving complaints from over 900 Mauritanian women returning from Saudi Arabia. The women recounted being promised work in healthcare or education with decent wages. However, when they arrived their documents were confiscated, and they were forced to work as domestic workers for substantially less pay. Many recounted sexual harassment and physical abuse. CLTM introduced complaints, but reports that in several cases authorities refused to call the heads of the recruitment offices before the labor inspectorate. After extensive international pressure, the Government of Mauritania closed a single recruitment agency, but did not take meaningful steps to hold other to account, or to license and monitor recruitment agencies to prevent further abuses.²¹

Preventing the practice of slavery, forced labor and human trafficking are essential to the establishment of internationally recognized worker rights. The situation is dire for the thousands of people who remain in slavery in Mauritania and those who have escaped only to live in abject poverty without systematic government support and rehabilitation or the right to justice and remedy. The Government of Mauritania has repeatedly failed to address these egregious violations, as required by 19 USC § 3703(1)(F).

III: The Government of Mauritania has not established or made progress towards establishing freedom of association and the right to collective bargaining, as required by 19 USC § 3703(1)(F)

The Government of Mauritania restricts the rights to free association and collective bargaining in both law and practice. In so doing, it fails to establish internationally recognized worker rights.

a. The Government of Mauritania has not established the right to freedom of association and collective bargaining in law

Mauritanian law gives the Government broad control over the formation and operation of labor unions, restricts worker's ability to speak out and advocate, allows the government to intervene directly in collective bargaining, and restricts the right to strike.

Mauritanian law does not guarantee the right to freedom of association. Articles 275 and 276 of the Labor Code grant the Office of the Public Prosecutor discretion to refuse to recognize trade unions, and any changes in union statutes, administration or leadership must be approved by the Government. The law also fails to protect workers from anti-union discrimination. This is inconsistent with the right to freely associate.²²

²¹ Stop the trafficking of Mauritanian women to Saudi Arabia, International Trade Union Confederation available at <http://act.ituc-csi.org/en/mauritania>

²² Freedom of Association: Digest of Decisions and Principles of the Freedom of Association Committee of the Governing Body of the ILO, Geneva, International Labour Office, Fifth (revised) edition, 2006 (hereinafter CFA Digest of Decisions), ¶ 272 available at http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@normes/documents/publication/wcms_090632.pdf ("The principle of freedom of association would often remain a dead letter if workers and employers were required to obtain any kind of previous authorization to enable them to establish an organization. Such authorization could concern the formation of the trade union organization itself, the need to obtain

A 2008 law allows authorities to bring legal proceedings against trade union leaders and activists for statements the Government believes undermine public order. The right to freedom of association requires that trade unionists are free to express their opinions.²³ This measure restricts the labor movement's ability to effectively advocate and "advance the social and economic well-being of their members."²⁴

The Government is allowed to intervene directly in collective bargaining. The Ministry of Civil Service and Labour is entitled to take part directly in the preparation of collective agreements and all agreements must be approved by the Ministry. This interference by government authorities prevents workers and employers from autonomously engaging in negotiations and is not in accordance with the fundamental right to bargain collectively.²⁵

There are numerous restrictions on the right to strike. For example, the Labor Code restricts the right to strike in many sectors, including telecommunications, water treatment, garbage collection, health and social services.²⁶ These sectors fall well beyond the ILO definition of essential services.²⁷ In addition, the right to strike is not recognized for executive or managerial staff. If a strike is judged to be illegal, workers have no ability to appeal the decision.

b. The Government of Mauritania actively interferes with the right to freedom of association and collective bargaining by suppressing worker organizing, sometimes with violence; harassing and intimidating labor activists; and excluding democratic unions from consultative bodies and international fora

Trade union leaders and activists have been subjected to violence, arrests and intimidation. On April 6, 2016, during a dockworkers' strike at the port of Nouakchott, trade unionist Moctar Ould Oueineni was fatally injured when police fired teargas to suppress a protest. On November 7, 2016, the police once again used force to repress a strike action at the port, and thirty dockers were arrested.²⁸ On May 10, 2017, security forces violently suppressed a peaceful protest organized by the Secondary Education Teachers Union in the capital Nouakchott in front of the Ministry of National Education.²⁹ The death of a trade unionist

discretionary approval of the constitution or rules of the organization, or, again, authorization for taking steps prior to the establishment of the organization.")

²³ CFA Digest of Decisions ¶ 37 ("A free trade union movement can develop only under a regime which guarantees fundamental rights, including ... freedom of opinion expressed through speech")

²⁴ Prelude to Change: Industrial Relations Reform in South Africa, Report of the Fact-Finding and Conciliation Commission on Freedom of Association concerning the Republic of South Africa ¶¶ 616 et seq. (1992) ("trade unions must be free to express their views publicly on a government's economic and social policy, since their fundamental objective is to advance the social and economic well-being of their members").

²⁵ CFA Digest of Decisions ¶ 925-926

²⁶ Arrêté conjoint n° 566/MIPT/MFPE fixant la liste des établissements considérés comme services essentiels pour la population qui pourraient être concernés par la réquisition prévue dans la loi n° 70-029 (Janvier 1970) available at <http://www.ilo.org/dyn/natlex/docs/SERIAL/67894/65333/F1233746888/67894.pdf>

²⁷ See CFA Digest of Decisions ¶ 564 ("services whose interruption would endanger the life, personal safety or health of the whole or part of the population")

²⁸ Mauritanie: arrestations de dockers en grève au port de Nouakchott, Cridem (July 11, 2016) available at cridem.org/C_Info.php?article=690724

²⁹ Mauritania: Security forces violently suppressed a peaceful protest, Arab Trade Union Confederation (May 11, 2016) available at <http://www.arabtradeunion.org/en/content/mauritania-security-forces-violently-suppressed-peaceful-protest>

while exercising the right to protest is a particularly tragic and egregious affront to the right to freedom of association.³⁰ As the ILO has repeatedly stated “[t]he rights of workers’ and employers’ organizations can only be exercised in a climate that is free from violence, pressure or threats of any kind against the leaders and members of these organizations, and it is for governments to ensure that this principle is respected.”³¹

The Government of Mauritania often fails to prevent anti-union activities, and when it does intervene in labor disputes it sometimes takes the side of employers. For example, in early 2015, the Société Nationale Industrielle et Minière de Mauritanie (SNIM) began organizing a strike. Three union representatives, Ahmed ould Abeily, Yaya Gaye and Mohamed ould Mohamed Salem, were informed that they would be temporarily laid off, and Ahmed Vall Cheibani, a leader of a SNIM local, was fired on February 12, 2015. Workers report the company distributed flyers in the workplace warning not to take part in the strike, and union delegates were given express orders not to use their offices on company premises to hold meetings. The CLTM reports workers were threatened with eviction from company housing and the company refused to restock the on-site store for the duration of the strike. The government did not act to address these retaliatory dismissals and other active interference with the rights to freely associate and bargain collectively.

Instead of intervening to protect the workers’ right to organize, in the SNIM case local authorities acted to suppress worker organizing. Workers report local police in Zouerate parked a police vehicle outside union premises shortly before a rally was due to start in an apparent bid to intimidate workers, and two union representatives, Kénéme Demba and Ahmed ould Abeily, were summoned to appear before the local Prefect. The General Confederation of Workers of Mauritania (CGTM) applied for permission to march in solidarity with the SNIM workers’ strike at the end of February, but were refused by authorities, ostensibly because the march would disrupt the traffic, but the planned route did not go through the area the authorities claimed would be affected. On November 6, 2015, in Zouérat, workers report government authorities interfered with a SNIM general meeting by blocking entrance to the meeting. After workers made their way around the barricade and entered the meeting location, police fired teargas into the closed space.³²

The Government of Mauritania has persistently excluded the CGTM from the National Labor Council, a consultative body that discusses labor-related issues, and other government advisory councils. In general, the Government does not consult with the CGTM on legislation or policy, including current reforms to the electoral processes that determine trade union representatives, instead favoring unions that are aligned with it politically, despite requirements in the Labor Code to engage with representative organizations. The

³⁰ CFA Digest of Decisions ¶ 43 (“Freedom of association can only be exercised in conditions in which fundamental rights, and in particular those relating to human life and personal safety, are fully respected and guaranteed): ¶ 50 (“In the event of assaults on the physical or moral integrity of individuals, the Committee has considered that an independent judicial inquiry should be instituted immediately with a view to fully clarifying the facts, determining responsibility, punishing those responsible and preventing the repetition of such acts.”)

³¹ CFA Digest of Decisions ¶ 44

³² Mauritania, ITUC Global Rights Index (2016) available at <https://www.ituc-csi.org/ituc-global-rights-index-2016>

Government has also refused to include CGTM in ILO delegations for the past three years. Such favoritism and exclusion is not in accordance with the right to freely associate.³³

By restricting freedom of association and collective bargaining in both law and practice, the Government of Mauritania has failed to establish or make progress towards establishing the internationally recognized rights, as required by 19 USC § 3703(1)(F).

IV: Conclusion

The Government of Mauritania has failed to establish or make progress towards establishing internationally recognized worker rights, as required by 19 USC § 3703(1)(F). To remain eligible for AGOA benefits, the Government must take meaningful, systematic action to enforce and uphold the right to be free from forced labor and the rights to freely associate and collectively bargain. This must include fulfilling the metrics identified by the ILO Committee on the Application of Standards and the ILO Committee of Experts detailed in the AFL-CIO's initial submission. We urge the USTR to engage with the Government of Mauritania to ensure it promptly meets these commitments, and to robustly monitor progress.

³³ See CFA Digest of Decisions ¶ 340 ("By according favourable or unfavourable treatment to a given organization as compared with others, a government may be able to influence the choice of workers as to the organization which they intend to join. In addition, a government which deliberately acts in this manner violates the principle laid down in Convention No. 87 that the public authorities shall refrain from any interference which would restrict the rights provided for in the Convention or impede their lawful exercise