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**STATEMENT BY THE INSTITUTE FOR HUMAN RIGHTS AND DEVELOPMENT IN AFRICA (IHRDA)
ON THE RETURN AND RESETTLEMENT OF FORCIBLY DISPLACED MAURITANIANS**

Since January 28th 2008, more than 1000 refugees have voluntarily returned to Mauritania, namely the Rosso, Bogué and Kaedi areas. Their return is the beginning of a long process of restoring the citizenship rights of more than 30,000 Mauritanians displaced to Mali and Senegal in 1989. This return is made under the auspices of a tripartite agreement between the United Nations High Commissioner for Refugees (UNHCR) and the governments of Mauritania and Senegal.

This is an important step in the implementation of the decision of the African Commission on Human and Peoples' Rights on communication 54/91, 61/91, 98/93, 164/97 to 196/97, 210/98¹ taken in Algiers in May 2000 calling for Mauritania to, among others:

*"take diligent measures to replace the national identity documents of those Mauritanian citizens, [...]
ensure their return without delay to Mauritania, as well as the restitution of the belongings looted from them [and],
take the necessary steps for the reparation of the deprivations of the victims of the above-cited events."*

The Institute for Human Rights and Development in Africa (IHRDA) welcomes the efforts of the Mauritanian government to involve all the relevant actors in the process of return. The dialogue between the government, political parties and civil society groups in the November 2007 national consultation days illustrates this involvement. Such dialogue is necessary to build confidence among the returnee community and civil society.

While acknowledging the efforts made by the government of Mauritania through the *Agence National pour l'Insertion des Réfugiés* (ANAIR) and UNHCR, IHRDA remains concerned about several issues, namely:

- the lack of effective steps towards the reinstatement of former civil servants to their respective posts where relevant, or fair compensation for their lost jobs and property;
- the fair compensation of the victims of human rights violations including property deprivation;
- the lack of a formal commitment to the return of Mauritanian refugees in Mali who are not covered by the current tripartite agreement.

IHRDA and its partners advocate for the dignified return, without distinction, for all Mauritanian citizens.

We therefore call for a tripartite agreement signed by the Malian and Mauritanian governments and UNHCR to ensure the repatriation of Mauritanian refugees in Mali. Such agreement should conform to international standards of refugee repatriation and reintegration and the above recommendations of the African Commission.

¹ Malawi African Association, Amnesty International, Ms Sarr Diop, Union Interafricaine des Droits de l'Homme and RADDHO, Collectif des Veuves et Ayants Droit, Association Mauritanienne des Droits de l'Homme / Mauritania [13 Annual Activity Report; *Compilation of decisions on communications of the African Commission on Human and Peoples' Rights 1994-2001*, IHRDA, Banjul, 2002: 161-191]

Effective equal citizenship demands equal enjoyment of social economic and cultural rights, including rights to health and education. IHRDA reiterates that **returnees should not become second class citizens in their own country**, and urges the Mauritanian government to take diligent measures towards:

- the education of the child returnees, their equal access to health care ;
- adopt proactive administrative measures for land restitution to the returnees, and;
- an early response strategy to prevent land disputes cases likely to arise during the repatriation.

For those Mauritians opting for naturalisation in their host countries, IHRDA invites the governments of Mali and Senegal to adopt appropriate legal and administrative measures for timely registration and effective integration.

Lastly, IHRDA would like to draw attention to the lack of cooperation between UNHCR in Mauritania and the civil society groups involved in the monitoring of the repatriation; and calls upon the UNHCR to adopt an inclusive approach necessary to ensure collective participation and transparency in the repatriation operations.

IHRDA reiterates its commitment to work with Mauritanian civil society and partners, to monitor the return, resettlement and reintegration of all the displaced to Mauritania.

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