

Mauritania: Migrant's rights

## **SOS for Subharian migrants**

*By Samir ABI*

They are from Nigeria, Cameroon, Liberia, Guinea-Bissau, Senegal, Mali, Togo, Ghana, Gambia, Guinea in short just the sons and daughters of the African continent. They are masons, painters, merchants, teachers, fishermen, mechanics, launderers, domestic workers working every day to earn their bread by the sweat of their brow. They live in Mauritania since three years, since fifteen, or since any other time. Fate led them where they could find a job and develop personally while helping their parents back home. They ask only one thing, to live and work legally in Mauritania. Their wishes do not seem to meet the interests of the Mauritanian authorities who made the regularization of the situation the migrants find themselves in, particularly the sub-Saharanans, an obstacle-strewn path. A few days spent with them allows us to share their fears and their hopes while at the same time stressing the magnitude and urgency of support needed.

### **The residence permit: A Way of the Cross**

Living in Nouadhibou, city with a thriving economy in the north of Mauritania, already for ten years, the lady we'll name Fatima to respect her wish to remain anonymous, told us how she was able to renew her residence card this year. Despite four residence permits already obtained since 2012, the year when Mauritania started requesting this document, every year she is obligated to renew her application, to present the same documents as if she was a newcomer. For her fifth demand this year, she followed the same administrative path as in the years before. The first step was to apply for registration in the commercial register by going to the court of Nouadhibou. When not able to show a work contract from their employers and to get a work permit from the labour office, migrants fall off the record of the commercial register. Given the first paper is obtained, one has to present a valid passport indicating at least fifteen months before expiration in order to file the application.

We learned about the fate of one of those compatriots who showed a valid passport with thirteen more months before expiration date, only, he have to search for the nearest Embassy which was located in Dakar, Senegal to request a renewal of his passport. In the end the Embassy has refused renewal of the travel document as they did not accept the reason as valid.

Ms Fatima arrived in May to gather all documents required apart from the registration in the commercial register namely, certificate of residence, criminal record, medical certificate, marriage certificate, a lease's contract together with a guarantee of recognition of a Mauritanian citizen. In addition to UM 30000 (75 euros) non-refundable application fee for the residence permit certificate. She submits her application to the immigration office in charge of issuance of residence permits in Nouadhibou, the only office except the one in the capital Nouakchott. *« Having an immigration office in Nouadhibou has been a great relief for us, because at the beginning it was necessary that all the migrants go to the police station of Tevragh-zeina in Nouakchott, 470 km from Nouadhibou to demand the certificate. They were so busy there, that agents only accepted 150 applications per day. Imagine yourself with your family in Nouakchott where you had to find a hotel to lodge, get up at 3 a.m. and hope for a ticket to be served; unless you bribe the police officer who gives out the ticket. Imagine the*

*pain when you are forced to wait to 3am until 10 a.m. or 11a.m. And yet we were motivated to obtain a residence card. 150 migrants a day who pay 30,000 ouguiya. Imagine during a year what the Mauritanian government is earning from them. And the additional briberies of the police officers. We spent a fortune but we really wanted the residence card to freely do our business. For others who live neither in Nouakchott nor in Nouadhibou it is the same suffering that continues. «*

A month after filing the application, Ms. Fatima returned to the immigration office to learn that her request was refused by the Mauritanian authorities. Since this year, the Mauritanian government requests a certificate of the Mauritania Chamber of Commerce from all migrants with registration in the commercial register. Ms. Fatima did not know and had not been informed during deposition. Once again she was obliged to travel to Nouakchott, assured the numerous checkpoints along the road came with the necessity to bribe cops and police in order to pass. In Nouakchott, the Chamber of Commerce informed her that it was impossible to issue the requested certificate. So she returned to Nouadhibou submitting the response received from the Chamber of Commerce. Strange luck, during discussions with immigration officials she posed the following question: *« If I, official representative of my community in Mauritania, designated by the Embassy of my country, if I cannot obtain my residence card; how can other members of my community obtain it? »*. The immigration officers asked for her letter of appointment as responsible for her community in Mauritania and sent it to Nouakchott. Three days later, she received a call from the immigration office asking her to come to withdraw her residence permit.

One story out of from dozens we heard during our stay with migrants in Nouadhibou. Migrants have entrusted us they resort to forger services for false certificates of the Chamber of Commerce because by legal means it is almost impossible to obtain such a certificate. For this they pay 18,000 ouguiya (45 euros). Faced with my disapproval of this illegal procedure which can lead to their imprisonment, they responded: *« Whose fault is it? We want to have our papers and they are complicating everything to us and in the end we do not get them. We want to live here in Mauritania and continue the work we do here. But they always see us as migrants trying to reach Europe. »* I did not know how to answer this allegation.

### **Difficult integration**

Jacques teaches french in a private school which is attended by the children of the privileged Mauritanian society where tuition fee is 300,000 UM (750 euros). Living in Mauritania since 1999, he has slowly become the leader of his migrant's community following the departure of their dean. The latter had lived 56 years in Mauritania. When he had arrived the country it was not independent. He had devoted his whole life as an employee in a company owned by a Mauritanian family. Far advanced in years, and after 50 years of loyal service, the company had granted him transportation to return to his country of origin. In fact, he had spent all those years in Mauritania, earning less than minimum wage, without ever having had the opportunity to build a family. He died a week after his return to his native village.

Nafisa said bluntly during our first meeting: *« Social integration for us subsaharan migrants, is impossible in Mauritania compared to Moroccan and Sahrawi migrants who encounter fewer problems You can speak Arabic, but you will always remain a black African. »* I did not share her opinion and I presented my vision of Mauritanian society as I had observed it since my arrival. I have been very well received in all the communities. And to support my argument I told her the story I experienced in the bus taking me from Nouakchott to

Nouadhibou in which only black person, I was harassed at every checkpoint by the police and gendarmes. I was requested money for tea while my papers were proven to be in order. It was my Moorish companions who started revolting from a certain checkpoint and came for my defence. And I was very moved when one of them shouted loudly to the police: « *We are all Africans.* » From her daily life, Nafisa considered my story as an exception.

In turn, she told a painful story of the son of one of her migrant friends who was denied to take a school exam because he did not have a national identification number. Eventually I had to learn that many children of migrants are finding themselves in this kind of situation and thus are forced to lose a school year and not able to end school with a formal education certificate. Lives ruined because of administrative formalism and bureaucracy in a century where state leaders continue to discourse on the need to respect fundamental human rights including the right to education. I also learned from Nafisa that it is difficult for a female foreigner to marry a Mauritanian without bringing a tutor of her community. Otherwise the marriage is not recognized, and children from such a marriage are denied birth certificates.

Migrant's children without birth certificate and having difficulty passing their school exams. Migrants are likely to become illegal workers as they cannot obtain labor contracts and prosecuted as illegals, hence criminals by the police. They are stranded migrants without care for means. « *Yet we are helping to build this country. On construction sites, from masonry to painting it is Senegalese and Malians. On fishing boats it is Gambian and Senegalese, for work household it is Malian, restaurants, laundries, it is the Nigerians and Togolese. In many sectors we are there, present, and we want this country to advance because we love it and want to continue to live here, let our children grow up here. Look what happens with respect to fishing. They gave artisanal fishing permits to Chinese and Korean large ships. They gave fishing licenses to Europeans and no longer to Senegalese fishermen. Everyone complains in Nouadhibou that there is no more fish while the Mauritanian coast is almost the richest of fish in the world. This is normal as European, Chinese and Korean export any fish. Who benefits?* » Bouba asks me during a conversation in the taxi driven by a Guinean Amadou.

### **All responsible**

Ms Fatima is heading her community and she told me about the many problems they are facing. She was able to settle in a dwelling place, which became a destination for all her countrymen who by circumstances of life find themselves in difficulties in Mauritania. She is hosting them, providing food and does her best to resolve the problems they face to enable them to continue their way – if they are to continue their journey. She serves as their mother for advice related to their social problems, sister to migrants in difficulty, divorce and others. She contributes to the mobilization of the community authorities to provide health care to migrants in distress and for the repatriation of the body if one of them dies. She deals with legal problems when they occur. Her heart cry is for these stranded migrants in the « *no man's land* » between Morocco and Mauritania, the two countries don't provide the necessary documents to migrants to continue their journey and thus they have to sleep in containers. She feels helpless in this situation.

« *I leave it to God's grace for everything I do. I do it without remuneration and my only requests at the embassy in Dakar is to bring us social assistance when a person is ill, legal when a person is in conflict with the Mauritanian law and support for the repatriation of those who ask. Our calls to their places are dead letters. Even to organize the Independence Day of our country here we contribute because our embassy has no budget for us* ». This

situation is certainly not unique . Despite the grandiose activities to honor the role of diasporas in the development of African countries, few African countries actually provide an annual budget for their embassies for social and legal protection of their citizens living abroad. Diasporas are urged to build their home countries and their host countries and are left to themselves when they are in trouble.

*« This is why I thank the people of IOM. They, at least they helped me to care for migrants and repatriated some of them. I thank Caritas and the Catholic mission in Nouadhibou who helped for this. When nobody thinks to help you then you must cling to those who can because there is a lot of suffering when you are not at home and without papers. »* told me Lady Fatima. The testimony of this woman must be heard by our countries who continue to entrust the fate of their migrants to international aid without the real benefits of political citizenship for the diaspora. After listening to all these men and women, having shared meals with their children, spending as much time with them in the streets of Nouadhibou and the fifth and sixth districts of Nouakchott, we had to go through this written cry to remember that we collectively bear responsibility for the suffering of our brothers and sisters migrants in Mauritania.

It's our fault for both European and African citizens to not having interfered when Europe was developing its outsourcing securitized migration policies and hunting migrants to Mauritania by setting up detention centers for Africans on African soil. This is the price to pay when to avoid African migration to Las Palmas, to the Canary Islands which belong to Spain. Based on the current confusion between the fight against terrorism and the hunt for migrants, eight million Euros were granted by the European Union to Mauritania for implementing a migration strategy adopted in 2011. A migration strategy that like in most of African countries has been drafted with the help of European consultants, in order to promote securitized migration policies rather than migrants' human rights. It is as much our fault as a citizens to witness quietly the externalisation of European borders to Sahelian countries, to West Africa into the Horn of Africa and the transformation of the Niger into as back base of European forces to curb migration under the pretext of fighting terrorism.

Recolonization of Africa is on and like yesterday Europe brandished junk projects and funds labeled development assistance for the African despots and get hold of political orientation in our countries. Our responsibility in this situation as Africans is neither to not enter history as Nicolas Sarkozy said, but not to learn from our history ever since our first meeting with Europe and the Middle East. Our responsibility as citizens, voters, as expressing us on the destiny of our countries is to remind them to protect us and fight for a real emergence of a united African continent. A strong African continent on the international stage and in the negotiations involving the mobility of its citizens and not an Africa still lagging behind the Western countries desiderata. It will be our fault if tomorrow African countries do not change this way. The night is long but the day comes.