



February 23, 2021

President Joseph R. Biden
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Secretary Alejandro Mayorkas
U.S. Department of Homeland Security
301 7th Street, S.W.
Washington, D.C. 20528

RE: 165 STATE, LOCAL, AND NATIONAL ORGANIZATIONS CALL FOR IMMEDIATE 18-MONTH DESIGNATION OF TEMPORARY PROTECTED STATUS OR DEFERRED ENFORCED DEPARTURE FOR MAURITANIA

Dear President Biden and Secretary Mayorkas:

The undersigned 165 state, local, and national organizations write to call for an immediate 18-month designation of Temporary Protected Status (TPS) or Deferred Enforced Departure (DED) for Mauritania in light of ongoing human rights violations, including slavery, which have been compounded by COVID-19 and other humanitarian concerns. TPS and DED are effective and proven policy tools created to ensure that the United States does not return anyone to countries where they would face loss of freedom or threats to their lives.¹ Given the extreme nature of the human rights crisis in Mauritania, an immediate designation of either TPS or DED is warranted and necessary to safeguard vulnerable people in the United States and promote U.S. foreign policy objectives.

I. TEMPORARY PROTECTED STATUS AND DEFERRED ENFORCED DEPARTURE

TPS was created by Congress as a blanket protection to safeguard nationals in the United States if conditions in their country of origin make safe return impossible. The Secretary of the U.S. Department of Homeland Security (DHS) may designate a country for TPS if conditions in the country meet requirements regarding ongoing armed conflict, natural disasters (including epidemics), or other extraordinary conditions. TPS provides protection from deportation and permission to work in the United States for the duration of the designation.

DED was established to provide the president with a vital foreign policy tool for protecting foreign nationals in the United States from civil, political, and humanitarian crises in their

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Lisa Rice
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Anthony Romero
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National Congress of American Indians
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AAJC

Interim President & CEO
Wade Henderson

¹ Temporary Protected Status: An Overview and Current Issues, Congressional Research Service (Oct. 26, 2020), <https://crsreports.congress.gov/product/pdf/RS/RS20844>.

home countries or otherwise suspending deportation to serve U.S. foreign policy interests.² Like TPS, DED provides protection from deportation and work authorization.

II. TPS OR DED FOR MAURITANIA IS WARRANTED UNDER THE LAW AND BY MORALITY

Slavery, Human Trafficking, and Sexual and Gender Based Violence:

Mauritania is currently facing extraordinary conditions that warrant an immediate, 18-month designation of either TPS or DED. While Mauritania criminalized slavery in 2007 -- the last country in the world to do so -- the practice continues widely, with at least 90,000 people in Mauritania currently enslaved.³ The United Nations estimates that the number of people enslaved in Mauritania is much higher, with up to 680,000 out of a total population of 3.4 million.⁴ Even when taking more conservative estimates into account, Mauritania's population has *one of the highest percentages per capita of enslaved populations in the world.*⁵

Additionally, reports show ongoing use of rape by slave owners to increase their enslaved workforce.⁶ In early 2020, there were multiple documented cases of enslaved children escaping bondage, only to be ordered returned to their so-called "masters" by local courts.⁷ In Mauritania, people who are enslaved inherit their status so that even those who may escape are subjected to severe discrimination as a result of the racial caste and legal systems.⁸ Other human rights issues that make it impossible for women in the United States to be safely returned to Mauritania include the prevalence of child marriage -- with 37 percent of girls in Mauritania married before age 18 and 18 percent married before age 15⁹ -- and widespread practice of female genital mutilation.¹⁰ Mauritania also continues to not meet *minimum* requirements on human trafficking.¹¹

Politically-Motivated Arrests and Detentions, Torture, Violent Suppression of Freedom of Speech, State-Sanctioned Violence:

While the United States should immediately designate TPS or DED due to risk of enslavement alone, Mauritians forcibly returned from the United States face other human rights risks. Specifically,

² *Id.*

³ World Report 2020, Mauritania, Human Rights Watch, <https://www.hrw.org/world-report/2020/country-chapters/mauritania#> (last visited Feb. 2, 2021).

⁴ John D. Sutter, Slavery's last stronghold, CNN <https://www.cnn.com/interactive/2012/03/world/mauritania.slaverys.last stronghold/index.html> (last visited Feb. 2, 2021).

⁵ Seif Kousmate, The Unspeakable Truth about Slavery in Mauritania, The Guardian, <https://www.theguardian.com/global-development/2018/jun/08/the-unspeakable-truth-about-slavery-in-mauritania> (last visited Feb. 6, 2021); Arantxa Underwood, Which Countries in the World Have the Highest Rates of Modern Slavery and Most Victims, Thompson Reuters Foundation News, <https://news.trust.org/item/20180730000101-aj7ui> (last visited Feb. 6, 2021).

⁶ *Id.*

⁷ Nellie Peyton, Activists warn over slavery as Mauritania joins U.N. human rights council, Reuters (Feb. 26, 2020), <https://www.reuters.com/article/us-mauritania-slavery-un/activists-warn-over-slavery-as-mauritania-joins-u-n-human-rights-council-idUSKCN20K2GS>.

⁸ History of Mauritania, The Guardian, <https://www.theguardian.com/world/2008/aug/06/mauritania.history> (last accessed Feb. 5, 2021); Slavery in Mauritania: An Update, Wilson Center, <https://www.wilsoncenter.org/event/slavery-mauritania-update> (last accessed Feb. 5, 2021).

⁹ Mauritania, Girls Not Brides, [https://www.girlsnotbrides.org/child-marriage/mauritania/#:~:text=Mauritania%20has%20the%2018th,Hodh%20Echargui%20\(40%25\)](https://www.girlsnotbrides.org/child-marriage/mauritania/#:~:text=Mauritania%20has%20the%2018th,Hodh%20Echargui%20(40%25)) (last visited Feb. 2, 2020).

¹⁰ World Report 2020, Mauritania, Human Rights Watch, <https://www.hrw.org/world-report/2020/country-chapters/mauritania#> (last visited Feb. 2, 2021).

¹¹ Statelessness in the United States: A Study to Estimate and Profile the US Stateless Population, Center for Migration Studies (2020), <https://cmsny.org/wp-content/uploads/2020/01/StatelessnessReportFinal.pdf>.

politically-motivated arrests, torture, and detentions without due process are prevalent.¹² Mauritanian journalists who report on slavery and human rights violations, as well as activists who speak out, are routinely retaliated against and imprisoned without a transparent or fair trial.¹³ Human Rights Watch documented the case of blogger Mohamed Cheikh Ould Mkhaitir who was arrested after speaking out against Mauritania's caste system.¹⁴ He was held for more than 5 years before a court reversed his sentence.¹⁵ Despite the court's ruling, the government continued to hold him in solitary detention for nearly another two years.¹⁶ In another case, police arrested Biram Dah Abeid for publicly burning Islamic law books that he said justified the practice of slavery.¹⁷ Law enforcement charged him for threatening national security and good morals and he was sentenced to death.¹⁸ While he has been released due to international pressure, the death penalty is still pending.¹⁹

State-sanctioned violence both inside and outside of prison is prevalent. Those who are detained often face inhumane conditions in jails, including overcrowded and unsanitary conditions, lack of water, and torture.²⁰ Ongoing fact-finding by Amnesty International has uncovered cases including people held in spaces so small they could not extend their arms or legs, waterboarding, people forced to eat sand, beatings with electric cables, being burned with heated knives, and more.²¹

Outside of prison, Mauritians also face state violence, including related to the recent, disputed, 2019 election in Mauritania. Verified video footage shows people being beaten by police during protests.²² Following the election, the government conducted raids and arrested anti-slavery opposition leaders and journalists.²³ The government also shut down internet and cell phone service for over a week as part of the suppression of information and anti-slavery voices.²⁴

¹² 2019 Country Reports on Human Rights Practices: Mauritania, Department of State (2019), <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/mauritania/>.

¹³ *Id.*

¹⁴ World Report 2020, Mauritania, Human Rights Watch, <https://www.hrw.org/world-report/2020/country-chapters/mauritania#> (last visited Feb. 2, 2021).

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ Biram Dah Abeid, End Slavery Now, (2014), <https://www.endslaverynow.org/blog/articles/biram-dah-abeid>.

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ Sam Allard, ICE is Shipping Ohio's Mauritians Back to Slavery's Last Stronghold in Northwest Africa, SCENE (June 5, 2019), <https://www.clevescene.com/cleveland/ice-is-shipping-ohios-mauritians-back-to-slaverys-last-stronghold-in-northwest-africa/Content?oid=30632228>.

²¹ Men, women and children tortured to confess to crimes in Mauritania, Amnesty International (2013), <https://www.amnesty.org/en/latest/news/2013/06/men-women-and-children-tortured-confess-crimes-mauritania/>; Mauritania: Growing Repression of Human Rights Defenders Who Denounce Discrimination and Slavery, Amnesty International (2018), <https://www.amnesty.ie/mauritania-growing-repression-human-rights-defenders-denounce-discrimination-slavery/>.

²² Mauritanian authorities brutally crack down on post-election protests, videos show, Middle East Eye (June 28, 2019), https://www.middleeasteye.net/news/mauritanian-authorities-brutally-crack-down-post-election-protests-videos-show?fbclid=IwAR0gSIRIbM9Ho5Y9WuZCwCoimJovoHPN55TbYgS24sefB8dGYBf5kr9Gh_w.

²³ Mauritania cracks down on opposition after disputed election, France 24 (June 26, 2019), <https://www.france24.com/en/20190626-mauritania-cracks-down-opposition-parties-disputed-election-arrests-foreigners>; Two journalists arrested, internet shut down, amid disputed election in Mauritania, Committee to Protect Journalists (July 3, 2019), <https://cpj.org/2019/07/two-journalists-arrested-internet-cut-amid-dispute/>.

²⁴ World Report 2020, Mauritania, Human Rights Watch, <https://www.hrw.org/world-report/2020/country-chapters/mauritania#> (last visited Feb. 2, 2021).

A 2019 report from the U.S. Department of State confirms the above mentioned human rights issues in Mauritania and more, stating:

Significant human rights issues included allegations of torture by law enforcement officers; arbitrary and politically motivated arrests; harsh and life-threatening prison conditions; sporadic restrictions on freedom of assembly; restrictions on freedom of association and religion; widespread corruption; crimes of violence against women and girls, which the government took little action to prevent or prosecute; criminalization of same-sex sexual conduct; continued existence of slavery and slavery-related practices with antislavery organizations subjected to restrictions; trafficking in persons; and child labor.²⁵

Specific Danger to Mauritians Returning from the United States:

Mauritians deported from the U.S. are targeted and often face additional unique abuses due to their affiliation with the United States. In recent years, those deported to Mauritania from the United States are confirmed to be systematically jailed upon arrival without charge or due process.²⁶ They are interrogated in coercive and harsh conditions, without access to counsel, about their time in America, and some are released only after they pay a bribe to be released.²⁷ These issues are compounded by the high number of Mauritians in the United States and elsewhere who are stateless, resulting from past Mauritanian government practices related to stripping human and other rights based on race and ethnic origin.²⁸

COVID-19 Health Crisis, Rising Food Insecurity, Land Grabbing:

Land grabbing,²⁹ food insecurity, and COVID-19 are also widespread concerns making safe return impossible. In mid-2020, USAID estimated nearly 700,000 Mauritians would face *crisis or worse levels of food insecurity towards the end of the year*.³⁰ Overall, at least 1.4 million people face some level of food insecurity in Mauritania.³¹ Rates of severe acute malnutrition are trending upward, resulting from extreme patterns of flooding and drought in certain areas over the past few years.³² Human rights abuses and humanitarian needs are compounded by the COVID-19 pandemic, which the Centers for Disease Control classified as “Very High,” the worst rating, in Mauritania.³³

²⁵ 2019 Country Reports on Human Rights Practices: Mauritania, Department of State (2019), <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/mauritania/>.

²⁶ Nellie Peyton, Mauritians who sought refuge in U.S. face deportation, then jail, Reuters (Dec. 17, 2018), <https://www.reuters.com/article/us-mauritania-immigration-usa/mauritians-who-sought-refuge-in-u-s-face-deportation-then-jail-idUSKBN1OG1DA>.

²⁷ *Id.*

²⁸ Statelessness in the United States: A Study to Estimate and Profile the US Stateless Population, Center for Migration Studies (2020), <https://cmsny.org/wp-content/uploads/2020/01/StatelessnessReportFinal.pdf>.

²⁹ Land Rights, Mauritanian Network for Human Rights in USA, <https://www.mauritaniannetwork.org/land-expropriation> (last visited Feb. 2, 2021).

³⁰ Food Assistance Fact Sheet: Mauritania, USAID (May 6, 2020), <https://www.usaid.gov/mauritania/food-assistance>.

³¹ UNICEF Mauritania Humanitarian Situation Report No. 5: 1 January to 31 December, 2020, UNICEF (Jan. 29, 2021), <https://reliefweb.int/report/mauritania/unicef-mauritania-humanitarian-situation-report-no-5-1-january-31-december-2020>.

³² Food Assistance Fact Sheet: Mauritania, USAID (May 6, 2020), <https://www.usaid.gov/mauritania/food-assistance>; UNICEF Mauritania Humanitarian Situation Report No. 5: 1 January to 31 December, 2020, UNICEF (Jan. 29, 2021), <https://reliefweb.int/report/mauritania/unicef-mauritania-humanitarian-situation-report-no-5-1-january-31-december-2020>.

³³ Covid-19 in Mauritania, Centers for Disease Control, <https://wwwnc.cdc.gov/travel/notices/covid-4/coronavirus-mauritania> (last visited Feb. 2, 2021).

III. TPS OR DED FOR MAURITANIA IS IN LINE WITH U.S. FOREIGN POLICY INTERESTS

By protecting lives and granting work authorization, TPS or DED serve key national and regional security interests, advance moral and strategic U.S. engagement with the international community, and provide other benefits to the United States. The Biden administration has stated its goal to “restore America’s standing in the world” and that a pillar of its foreign policy will be “championing America’s values and human rights.”³⁴ TPS or DED for Mauritania must be designated immediately to meet those goals.

The U.S. has recognized ongoing human trafficking and slavery in Mauritania -- resulting in suspension of nonhumanitarian assistance to the country in 2018³⁵ -- yet deportations from the U.S. to these life- and freedom-threatening conditions are ongoing. An immediate designation of TPS or DED is necessary to safeguard vulnerable Mauritians in the U.S. and send a clear message to the world that the U.S. condemns slavery and will not return people to conditions where they may be enslaved.

Although Mauritania continues to face severe human rights crises, the U.S. has named Mauritania an important strategic partner in counterterrorism and in 2019, then-Secretary of State Mike Pompeo made clear that the United States “looks forward to working together [with Mauritania] to advance human rights and social equality to ensure peace and stability.”³⁶ Our nation's commitment to achieving these goals is dependent on ensuring that we don't destabilize Mauritania with the return of its nationals when it is unsafe to do so. The U.S. has invested millions of dollars in the country in emergency response aid and other areas.³⁷ TPS or DED must be part of that ongoing response. While the Mauritanian government continues to fail to follow basic international human rights norms, with devastating human consequences, it is imperative that the United States ensure nationals and stateless Mauritians are able to remain in the U.S. in safety with their families.

IV. CONCLUSION

In line with the above country conditions and policy principles, we urge the Biden administration to immediately grant the maximum protection possible through an 18-month designation of DED or TPS for Mauritania. This relief will not only benefit and protect Mauritanian individuals in the United States, but also their families and communities here and in Mauritania.

Thank you for your time and consideration. Please contact Houleye Thiam, President, Mauritanian Network for Human Rights in the USA, at houleyeet61@gmail.com; Iman Boukadoum Esq., Senior Manager, The Leadership Conference on Civil and Human Rights at boukadoum@civilrights.org; and Lisa Parisio, Advocacy Attorney, Catholic Legal Immigration Network at lparisio@cliniclegal.org with any questions or to arrange engagement to discuss these urgent matters.

³⁴ The Biden-Harris Administration immediate priorities, The White House, <https://www.whitehouse.gov/priorities/> (last visited Feb. 2, 2021).

³⁵ U.S. Relations with Mauritania, U.S. Department of State (Aug. 2, 2019), <https://www.state.gov/u-s-relations-with-mauritania/>.

³⁶ In Focus: Mauritania, Congressional Research Service (March 3, 2020), <https://crsreports.congress.gov/product/pdf/IF/IF11444>.

³⁷ Mauritania, USAID, <https://results.usaid.gov/results/country/mauritania> (last visited Feb. 2, 2021).

Sincerely,

The Leadership Conference on Civil and Human Rights
Mauritanian Network for Human Rights in the USA
Catholic Legal Immigration Network, Inc.
ACER, Inc.
Adhikaar
Advocates for Basic Legal Equality, Inc.
Advocates for Immigrant Rights
Advocating Opportunity
AFL-CIO
African Communities Together
AFT
Aldea - The People's Justice Center
Alianza Americas
Alliance for Immigrant and African Education
Alliance San Diego
American-Arab Anti-Discrimination Committee (ADC)
America's Voice
Amnesty International of the USA, Inc.
Anti-Racism Daily
Arkansas Immigrant Defense
Asian Americans Advancing Justice – AAJC
Asian Pacific Environmental Network
ASISTA
Asylum Seeker Advocacy Project (ASAP)
AsylumConnect
Bellevue Program for Survivors of Torture
Black Immigrant Collective (BIC)
Boston Prep
Buen Vecino
Cambridge Table to Farm
Cameroon American Council
Caribbean-American Advancement Foundation, Inc.
CASA
Central American Resource Center
Central Ohio CASA
Centro Romero
Church of Our Saviour/La Iglesia de Nuestro Salvador
Church of the Ascension, NYC
Church World Service
Cira Center for Behavioral Health

Cleveland Jobs with Justice
Coalition for Humane Immigrant Rights (CHIRLA)
CODEFOUND
Community Justice Exchange
Compassionate Justice Works
Congregation of Sisters of St. Agnes
Cora Davidson Consulting
CRIS - Community Refugee & Immigration Services
Decolonize Mycology
Disciples Immigration Legal Counsel
Disciples Refugee & Immigration Ministries
Earthy Mindfulness
Emily Rae Pellerin Consulting LLC
Empowering Pacific Islander Communities (EPIC)
Enrich Chicago
Equal Justice Society
Evangelical Lutheran Church in America
Fairfax Grassroots
Faith in New Jersey
Family Action Network Movement (FANM)
First Focus on Children
First Parish in Brookline
Florida Immigrant Coalition
Food Justice DMV
Freedom Network USA
FWD.us
Global Faith and Justice Project
Greater Cleveland Immigrant Support Network
Haitian Bridge Alliance
Holy Spirit Missionary Sisters, USA-JPIC
HOUSTON SERVICES
Human Rights First
Hunter House
HVN America
Illinois Coalition for Immigrant and Refugee Rights
Immigrant Law Center of Minnesota
Immigrant Legal Advocacy Project
Immigrants' Rights Working Group of Democratic Socialists of America
Immigration Hub
Immigration Working Group of the Southwestern Pennsylvania Synod
Intercommunity Justice and Peace Center
Interfaith Council of Contra Costa County
International Center of Kentucky

InterReligious Task Force on Central America
Iye Lokoja Foundation
Jesuit Social Research Institute
Jewish Voice for Peace, Atlanta Chapter
Justice for Migrant Women
Katie Lei Creative, LLC
Labor Council for Latin American Advancement
Latino Pastoral Action Center, Inc.
Leadership Team of the Felician Sisters of North America
LGBTQ Allyship
Louisiana Advocates for immigrants
Luminary Healing Arts
Lutheran Immigrant & Refugee Service
Make the Road New York
Marin Antiracist Coalition
Maritime Women Against Sexual Assault
Massachusetts Law Reform Institute
Massachusetts Organization of African descendants, Inc
Matthew Shepard Foundation
The Minneapolis Federation of Teachers 59
Migrant and Immigrant Community Action Project
Mississippi Center for Justice
Movement for Black Lives (M4BL)
National Association of Social Workers
National Black Justice Coalition
National Council of Jewish Women
National Employment Law Project (NELP)
National Health Law Program
National Immigration Law Center (NILC)
National Immigration Litigation Alliance
National Korean American Service & Education Consortium (NAKASEC)
National Network for Immigrant & Refugee Rights
Network in Solidarity with the People of Guatemala
Never Again Action
New Covenant Church
New York Immigration Coalition
NHCUC Immigrant and Refugee Support Group
Nicaragua Center for community Action
Northeastern University School of Law Immigrant Justice Clinic
Northwest Immigrant Rights Project
NYCD16 Indivisible
Ohio Immigrant Alliance
OneAmerica

Pennsylvania Council of Churches
Pennsylvania Immigration and Citizenship Coalition
PPA NYC
Provincial Council Clerics of St. Viator
Rocky Mountain Immigrant Advocacy Network
RAICES
Reshaping Madison Together
Seattle Immigrant Rights Action Group
Seek Collective
Service Employees International Union (SEIU)
Sisters of Mercy of the Americas Justice Team
Sisters of St. Joseph of Rochester
SOLACE San Diego
Somos Sunrise
Sunrise Movement Rochester
Talk of Cleveland, LLC
Texas Civil Rights Project
The Black Collective
The Business for Peace Community Development Foundation or B4P
The Nava Center
The Rhapsody Project
Transformations CDC
U.S. Committee for Refugees and Immigrants (USCRI)
UndocuBlack Network
Union for Reform Judaism
Unitarian Universalist Service Committee
Unite North Metro Denver
United African Organization
United We Dream
University of Maryland Carey Immigration Clinic
University of San Francisco Immigration & Deportation Defense Clinic
Wallingford Indivisible
Wayne Action for Racial Equality
WESPAC Foundation, Inc.
West Valley Neighborhoods Coalition
Western Mass Jewish Activists for Immigration Justice
Wind of the Spirit Immigrant Resource Center
Witness at the Border
Yonkers Sanctuary Movement