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Mauritania blogger sentenced to death is released on appeal

The Washington Post (09.11.2017) - <http://wapo.st/2Aimfvy> - An appeals court in Mauritania has released a blogger who had been sentenced to death for an online post deemed blasphemous by authorities.

The court in Nouadhibou city on Thursday sentenced Mohamed Cheikh Ould Mkhaitir to two years in prison and a fine. He has already served nearly four years, so he was released.

Mkhaitir was arrested in January 2014 and charged with apostasy over a Facebook post that condemned the use of religion to justify discrimination against his caste.

It was the first death sentence handed down for apostasy in Mauritania since the African nation's independence in 1960.

Amnesty International welcomed the new ruling and called on authorities to ensure that he lives without threat of physical attack.

Death sentence of blogger Mohamed Cheikh Ould Mkheitir for apostasy and EU-Mauritania Fisheries Partnership Agreement

Human Rights Without Frontiers calls upon the EU, which has a fishing agreement with Mauritania, to monitor the upcoming re-trial of Mohamed Cheikh Ould Mkheitir.

HRWF (01.06.2017) - On 1 February 2017, the Supreme Court of Mauritania decided that Mohamed Cheikh Ould Mkheitir would be re-tried by a new appeal court and new judges. Nothing seems to have happened since then.

The case

In Mauritania a 28-year-old blogger, Mohamed Cheikh Ould Mkheitir, was arrested in January 2014, for allegedly publishing an article seen by some as insulting Muhammad and constituting an act of apostasy. His writing in fact sought to highlight the indentured servitude in Mauritanian society, often socially justified with reference to national cultural identity and in particular to Islamic tradition. This resulted in him being maligned by clerics and government officials alike as a "blasphemer".

In December 2015 IHEU reported that, by the end of December 2014, he had been sentenced to death for "apostasy", in a trial that started and ended on a single day. He

has been on death row ever since. There appears to be a moratorium on carrying out death sentences in general; however, along with individuals convicted of other capital crimes, such as terrorism and homosexuality, Mkheitir remains on death row, with extremely limited prospect of a pardon.

Article 306 of the Mauritanian penal code stipulates apostasy as a crime punishable by death. Anyone found guilty of converting from Islam is supposed to be given three days to repent and if the individual concerned does not do so, they will face confiscation of their property, or the death sentence.

However Mohamed Cheikh Ould Mkheitir was found guilty of “apostasy” and sentenced to death — despite “repenting” in his one-day trial.

Following Mkheitir’s initial arrest, there were a number of protests condemning his writing (though with a low level of internet penetration, and at around 50% one of the lowest remaining levels of literacy in the world, there is good reason to think that the content of his blogs was not really a direct motivator for many of the protesters). There were numerous calls, including by imams, scholars and professors, for his execution. One preacher, Abi Ould Ali, offered EUR 4,000 to anyone who killed Mkheitir. The Mauritanian government and opposition parties supported the protests. President Mohamed Ould Abdel Aziz said, “We will apply God’s law on whoever insults the prophet, and whoever publishes such an insult.”

After his death sentence was handed down in December 2014, there were again popular celebrations. Jemil Ould Mansour, leader of Mauritanian Islamist party Tawassoul, welcomed the conviction, saying that Mkheitir had got “the fate he deserves”.

Ensaf Haidar, the wife of Saudi blogger Raif Badawi, protested against Mkheitir’s sentence in August 2015, writing: “Millions of people around the world rallied to the support of Raif Badawi; who will care for a poor young man in Mauritania? He will be executed for blasphemy – by those who insist that Isis does not represent Islam.”

It has been observed that the charge of “spreading atheism” has been used not only to silence writers and activists but for political means also. A number of left-wing activists and writers have highlighted what they see as a systematic campaign which accuses them of spreading atheism. They have attributed this to the Muslim Brotherhood seeking to undermine the leftist movement and to make people fearful of it. Left-wing activists have been called upon to repent to God and integrate themselves into Muslim society, fatwas signed by a group of Mauritanian religious scholars have been issued accusing some activists of apostasy, and the Supreme Council for Fatwa and Grievances has issued a statement calling on activists on social media to “stop offending Islam and the Prophet and spreading atheism”.

There were calls for the left-affiliated Aqlam Horra (free pens) website to be shut down after it published an article entitled “Religion, Religiousness and Masters,” (which was subsequently deleted and apologised for). A Mauritanian businessman had said he would pay whoever killed the writer responsible for the article. Source: APPG on Freedom of Religion or Belief.

See more at:

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21646&LangID=E#sthash.nPTWCoEh.dpuf>

Fishing Partnership Agreement EU - Mauritania

On 10 July 2015, the European Union and the Islamic Republic of Mauritania initialed a new, 4-year Protocol to the Fisheries Partnership Agreement (FPA). The new protocol confirms several decades of cooperation in the field of fisheries, a key sector for the development of Mauritania and one of the pillars of the European strategy for blue growth.

Under the Protocol, the EU fleet will be allowed to fish in Mauritanian waters for shrimp, demersal fish, tuna and small pelagic fish, up to a total of 281 500 tonnes a year, under improved operational conditions. In addition to catches paid for by the European fleet, the EU will pay a financial contribution of € 59.125 million per year to the partnership, out of which € 4.125 million will be used to support local fishing communities in Mauritania.

Human Rights Without Frontiers hopes that the EU will use its good relations with Mauritania to raise the issue of Mohamed Cheikh Ould Mkheitir.

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