

July 14, 2022

**RECEIVED**

**By ESEC at 10:36 am, Jul 15, 2022**

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

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

**RE: URGENT REQUEST FOR NEW 18-MONTH DESIGNATIONS OF TPS OR DED FOR MAURITANIA**

Dear President Biden and Secretary Mayorkas,

The below 87 state, local, and national organizations request an immediate 18-month designation of Temporary Protected Status (TPS), or Deferred Enforced Departure (DED), for Mauritania. Given the ongoing extraordinary conditions that have triggered a humanitarian crisis, reports of widespread human rights violations, and continuing practice of enslaving its Black population and forced statelessness, it is impossible for Mauritians to safely return to Mauritania at this time. The humanitarian concerns are exacerbated by the effects of the COVID-19 pandemic, economic and political instability, and a shortage of essential resources including food insecurity. As conditions persist, TPS and DED are proven policy tools that must be used to safeguard Mauritians from being returned to a country where they will face enslavement, statelessness, sexual violence and even death.<sup>1</sup>

Considering the extreme nature of the entwined human rights and humanitarian crises in Mauritania, an immediate designation of either TPS or DED is warranted and necessary to protect vulnerable Mauritians in the United States and to advance U.S. foreign policy objectives. Country conditions outlined in this letter and in numerous State Department reports have satisfied TPS designations for other nations. We demand fairness and equity for all people in need of humanitarian protections, and oppose all forms of racial bias and anti-Blackness in the TPS decision making process.<sup>2</sup> With a TPS designation for Mauritania, the United States has the opportunity to send a clear message to the world that it condemns the practice of slavery, and that people who are victims of forced statelessness must be protected.

**I. TEMPORARY PROTECTED STATUS AND DEFERRED ENFORCED DEPARTURE**

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

<sup>2</sup> "Request For Investigation of Racially Disparate Decisions Regarding the use of Temporary Protected Status", May 11, 2022, [https://static1.squarespace.com/static/60b79f3630f94f1039bd0125/t/627d00c56cd1dd7a9a531481/1652359365819/2022-04-06+Letter+to+Admin.+re\\_+Failure+to+Utilize+TPS+%282%29.pdf](https://static1.squarespace.com/static/60b79f3630f94f1039bd0125/t/627d00c56cd1dd7a9a531481/1652359365819/2022-04-06+Letter+to+Admin.+re_+Failure+to+Utilize+TPS+%282%29.pdf).

TPS was created by Congress as a blanket protection to safeguard nationals in the United States when conditions in their home country 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. Importantly, TPS can provide protection to those who may have been denied or are otherwise ineligible for asylum in the United States.

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 home countries or otherwise suspending deportation to serve U.S. foreign policy interests.<sup>3</sup> Like TPS, DED provides protection from deportation and work authorization.

## II. MAURITANIA'S HUMAN RIGHTS AND HUMANITARIAN CRISES

### 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. Although 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.<sup>4</sup> As the practice of slavery has become more covert, 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.<sup>5</sup> Given these numbers, Mauritania's population has one of the highest percentages per capita of enslaved populations in the world.<sup>6</sup> Haratine and Afro-Mauritanian communities remain at risk to hereditary and chattel slavery, and according to the OECD, are particularly vulnerable to sexual violence and rape.<sup>7</sup> The Special Rapporteur on contemporary forms of slavery, Tomoya Obokata, is examining the persistence of descent-based slavery, as well as the social, economic and political situation of formerly enslaved people and those originating from slave castes. Following a recent 10-day trip to Mauritania in May 2022, Obokata stated: "Chattel slavery persists in Mauritania, despite denial

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<sup>3</sup> "Temporary Protected Status: An Overview and Current Issues", Congressional Research Service, October 26, 2020, <https://crsreports.congress.gov/product/pdf/RS/RS20844>.

<sup>4</sup> "World Report 2020, Mauritania", Human Rights Watch, <https://www.hrw.org/world-report/2020/country-chapters/mauritania#>.

<sup>5</sup> John D. Sutter, "Slavery's last stronghold", CNN <https://www.cnn.com/interactive/2012/03/world/mauritania.slaverys.last.stronghold/index.html>.

<sup>6</sup> 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>; Arantxa Underwood, "Which Countries in the World Have the Highest Rates of Modern Slavery and Most Victims", Reuters, <https://news.trust.org/item/20180730000101-aj7ui>.

<sup>7</sup> "History of Mauritania", The Guardian, <https://www.theguardian.com/world/2008/aug/06/mauritania.history>, "Slavery in Mauritania: An Update", Wilson Center, <https://www.wilsoncenter.org/event/slavery-mauritania-update>; OECD Factsheet, "Social Institutions and Gender Index – Mauritania," 2019, <https://www.genderindex.org/wp-content/uploads/files/datasheets/2019/MR.pdf>.

of the practice in some quarters... caste-based slavery is also an issue, with persons from repressed castes who refute their slave status facing violent reprisals and denial of access to basic services by dominant castes.”<sup>8</sup>

Reports also show ongoing use of rape by slave owners of their enslaved workforce to produce more slaves.<sup>9</sup> 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.<sup>10</sup> 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. 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 15<sup>11</sup> — and widespread practice of female genital mutilation.<sup>12</sup> Data from the World Bank suggests that up to 90 percent of women and girls aged 15 to 49 have undergone female genital mutilation at some point during their lifetime.<sup>13</sup>

Despite the creation of special courts to prosecute slave owners and traffickers, high impunity and few prosecutions have led to a lack of justice for survivors of trafficking and enslavement. According to the 2020 U.S. State Department Trafficking in Persons Report,<sup>14</sup> Mauritania investigated one case, prosecuted three alleged traffickers, and convicted only five traffickers. According to the same report, no slave owners or traffickers were held in prison, and ten appeals cases remained pending at the three anti-slavery courts. Furthermore, the COVID-19 pandemic exacerbated the inefficiency of the courts and led to their complete closure for months on end, as noted in the 2021 State Department Mauritania country report.<sup>15</sup> The same report

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<sup>8</sup> “Mauritania: UN expert encouraged by progress but says more work needed to fully eradicate slavery”, United Nations Office of the High Commissioner of Human Rights, May 13, 2022, <https://www.ohchr.org/en/press-releases/2022/05/mauritania-un-expert-encouraged-progress-says-more-work-needed-fully>.

<sup>9</sup> 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>; Arantxa Underwood, “Which Countries in the World Have the Highest Rates of Modern Slavery and Most Victims”, Reuters, <https://news.trust.org/item/20180730000101-aj7uj>.

<sup>10</sup> Nellie Peyton, “Activists warn over slavery as Mauritania joins U.N. human rights council”, Reuters, February 26, 2020, <https://www.reuters.com/article/us-mauritania-slavery-un/activists-warn-over-slavery-as-mauritania-joins-u-n-human-rights-council-idUSKCN20K2GS>.

<sup>11</sup> Mauritania, “Girls Not Brides”, [https://www.girlsnotbrides.org/child-marriage/mauritania/#:~:text=Mauritania%20has%20the%2018th.Hodh%20Echarqui%20\(40%25\)](https://www.girlsnotbrides.org/child-marriage/mauritania/#:~:text=Mauritania%20has%20the%2018th.Hodh%20Echarqui%20(40%25)).

<sup>12</sup> “World Report 2020, Mauritania”, Human Rights Watch, <https://www.hrw.org/world-report/2020/country-chapters/mauritania#>.

<sup>13</sup> Valeria Cetorelli, Ben Wilson, Ewa Batyra, Ernestina Costa, “Female Genital Mutilation/Cutting in Mali and Mauritania: Understanding Trends and Evaluating Policies,” Studies in Family Planning, March 16, 2020, <https://onlinelibrary.wiley.com/doi/full/10.1111/sifp.12112>.

<sup>14</sup> “Trafficking in Persons Report” U.S. Department of State, June 2020, <https://www.state.gov/wp-content/uploads/2020/06/2020-TIP-Report-Complete-062420-FINAL.pdf>.

<sup>15</sup> “2021 Country Reports on Human Rights Practices: Mauritania,” U.S. Department of State, <https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/mauritania/>.

describes the routine acquittal of individuals charged for slavery. According to a 2019 statement by the minister of social affairs, there were also more than 16,000 children who needed protection, including displaced children. The weakness of the judicial system to combat trafficking and slavery demonstrate a lack of political will from the government and leave Haratine and Afro-Mauritanian communities particularly at risk.

### 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 are met with other human rights violations and are in urgent need for protection from deportation. Specifically, politically-motivated arrests, torture, and detentions without due process are prevalent.<sup>16</sup> 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.<sup>17</sup> Human Rights Watch documented the case of blogger Mohamed Cheikh Ould Mkhaitir who was arrested after speaking out against Mauritania's caste system.<sup>18</sup> He was held for more than 5 years before a court reversed his sentence.<sup>19</sup> Despite the court's ruling, the government continued to hold him in solitary detention for nearly another two years.<sup>20</sup> In another case, police arrested Biram Dah Abeid for publicly burning Islamic law books that he said justified the practice of slavery.<sup>21</sup> Law enforcement charged him for threatening national security and good morals and he was sentenced to death.<sup>22</sup> While he has been released due to international pressure, the death penalty is still pending.<sup>23</sup>

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.<sup>24</sup> Ongoing fact-finding by Amnesty International has uncovered cases including people held in spaces so small they could not extend their arms or legs, subjected to waterboarding, people forced to eat sand, beaten with electric cables, being burned with heated knives, and more.<sup>25</sup>

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<sup>16</sup> "2019 Country Reports on Human Rights Practices: Mauritania", Department of State, <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/mauritania/>.

<sup>17</sup> Ibid.

<sup>18</sup> "World Report 2020, Mauritania", Human Rights Watch, <https://www.hrw.org/world-report/2020/country-chapters/mauritania#>.

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> Biram Dah Abeid, "End Slavery Now", 2014, <https://www.endslaverynow.org/blog/articles/biram-dah-abeid>.

<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

<sup>24</sup> 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>.

<sup>25</sup> "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-mauri>

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.<sup>26</sup> Following the election, the government conducted raids and arrested anti-slavery opposition leaders and journalists.<sup>27</sup> 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.<sup>28</sup> In 2021 and 2022, the President's security forces beat peaceful demonstrators, including a pregnant woman who was protesting the land grabbing of her family's home.<sup>29</sup> On Mauritanian Independence Day in 2021, when protestors were commemorating the lives of 28 Black soldiers who were murdered by the Mauritanian government in 1990, they were also beaten by the government.<sup>30</sup>

The 2021 Human Rights Report from the U.S. Department of State confirms and underscores the above mentioned human rights issues in Mauritania, stating:

“Significant human rights issues included credible reports of: harsh and life-threatening prison conditions; arbitrary arrests; serious restrictions on free expression and media, including criminal blasphemy laws; serious government corruption; lack of investigation and accountability for gender-based violence; trafficking in persons, including continued existence of slavery and slavery-related practices; crimes involving violence against lesbian, gay, bisexual, transgender, queer, or intersex persons; existence of laws criminalizing consensual same-sex sexual conduct between adults; and existence of some of the worst forms of child labor.”<sup>31</sup>

#### Specific Danger to Mauritians Returning from the United States:

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[ania/](https://www.amnesty.ie/mauritania-growing-repression-human-rights-defenders-denounce-discrimination-slavery/); “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/>.

<sup>26</sup> “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](https://www.middleeasteye.net/news/mauritanian-authorities-brutally-crack-down-post-election-protests-videos-show?fbclid=IwAR0gSIRIbM9Ho5Y9WuZCwCoimJovoHPN55TbYgS24sefB8dGYBf5kr9Gh_w).

<sup>27</sup> “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/>.

<sup>28</sup> “World Report 2020, Mauritania”, Human Rights Watch, <https://www.hrw.org/world-report/2020/country-chapters/mauritania#>.

<sup>29</sup> “Black Mauritians’ Ongoing Search For Safety”, Ohio Immigrant Alliance, March 22, 2022, <https://ohioimmigrant.org/2022/03/22/mauritania-today-deportations-arrest-torture-expulsion-oppression-and-black-mauritians-ongoing-search-for-safety/>.

<sup>30</sup> Ibid.

<sup>31</sup> “2021 Country Reports on Human Rights Practices: Mauritania,” U.S. Department of State, <https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/mauritania/>.

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.<sup>32</sup> 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.<sup>33</sup> In fact, there are reports that such violent tactics are used as a punishment for having sought asylum in the U.S.<sup>34</sup> 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.<sup>35</sup> The Ohio Immigrant Alliance interviewed 117 Black Mauritians who had been deported from the United States to Mauritania, many who do not possess identity documents.<sup>36</sup> These deportees are harassed by the Mauritanian police, and have reported being denied identity documents. Deportees have also reported denial of medical care, physical and psychological abuse by the Mauritanian government, and other human rights abuses committed against them.

#### Forced Statelessness is Widespread in Mauritania:

Forced statelessness, and ethnic cleansing, is widespread in Mauritania, making deporting people to Mauritania dangerous—and even deadly. In addition to large-scale, state sanctioned ethnic cleansing,<sup>37</sup> which the government engaged in in the 1980's, many Black Mauritians were stripped of their identifying documents<sup>38</sup> and deported from their own nation, rendering them and their children stateless. Furthermore, a 2011 national census which nullified the nationalities<sup>39</sup> of all Mauritians not present in the country, also required those who remained in the country to present official documents of generations of deceased family members in order to prove their citizenship.<sup>40</sup> For Black people in Mauritania, blatant discrimination<sup>41</sup> and the

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<sup>32</sup> Nellie Peyton, "Mauritians who sought refuge in U.S. face deportation, then jail", Reuters, December 17, 2018, <https://www.reuters.com/article/us-mauritania-immigration-usa/mauritians-who-sought-refuge-in-u-s-face-deportation-then-jail-idUSKBN1OG1DA>.

<sup>33</sup> Ibid.

<sup>34</sup> Ibid.

<sup>35</sup> "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>.

<sup>36</sup> "Black Mauritians' Ongoing Search For Safety", Ohio Immigrant Alliance, March 22, 2022, <https://ohioimmigrant.org/2022/03/22/mauritania-today-deportations-arrest-torture-expulsion-oppression-and-black-mauritians-ongoing-search-for-safety/>.

<sup>37</sup> Rone Tempest, "In Senegal and Mauritania, Ethnic Conflict Rages Amid Talk of War," LA Times, June 3, 1989, <https://www.latimes.com/archives/la-xpm-1989-06-03-mn-831-story.html>.

<sup>38</sup> "An ambitious plan to end statelessness," The New Humanitarian, November 7, 2014, <https://www.thenewhumanitarian.org/analysis/2014/11/07/ambitious-plan-end-statelessness>

<sup>39</sup> Sebastian Kohn, "Fear and Statelessness in Mauritania," Justice Initiative, October 2, 2011, <https://www.justiceinitiative.org/voices/fear-and-statelessness-mauritania>.

<sup>40</sup> "Joint Submission to the Human Rights Council at the 37th Session of the Universal Periodic: Mauritania," Association des femmes chefs de Famille, SOS-Esclaves, Anti-slavery International, Minority Rights Group International, Global Campaign for Equal Nationality Rights, Institute on Statelessness and Inclusion, July 9, 2020, [https://files.institutesi.org/UPR37\\_Mauritania.pdf](https://files.institutesi.org/UPR37_Mauritania.pdf).

<sup>41</sup> Ibid.

burden<sup>42</sup> of obtaining these identity documents proved impossible, as many births and deaths could not be formally registered by their ancestors. This led to huge swaths of the Black population in Mauritania becoming undocumented in their own country.

This de-naturalization increased the persecution of Black people in Mauritania. Individuals without adequate documents cannot seek justice through the courts,<sup>43</sup> cannot own property, cannot work, and cannot move freely around the country. The mass deportations of Black Mauritians in 2011 has led to the practice of land grabbing by the government in Boghe, Darel Barka, and now MBagne/Feralla.<sup>44</sup> Furthermore, police forces and other authorities frequently subject Black Mauritians to racial profiling,<sup>45</sup> often demanding proof of citizenship and resulting in those individuals who do not have documents and found stateless to be jailed, extorted, and trafficked into slavery or slavery-like conditions.

The United States has proven before that TPS can be used as a way to protect those who are the victims of targeted eviction, as is the case of Hazaras in Afghanistan. The initial TPS designation of Afghanistan acknowledges that Hazaras have been historic victims of prejudice on ethnic grounds, as is the case for Haratines, Fulanis and other Black Mauritians, and demonstrates that the persecution of a particular group of people creates unsafe conditions in a country and necessitates a TPS designation.<sup>46</sup> Furthermore, in a recent announcement about stateless individuals,<sup>47</sup> the Biden Administration outlined the challenges and vulnerability of people without identity documents. This important step must be followed up with a designation for TPS or DED for Mauritania, so that stateless individuals are protected.

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

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<sup>42</sup> “Still Far From Freedom: The Struggle of Mauritania’s Haratine Women,” Minority Rights Group International, April 2015,

[https://minorityrights.org/wp-content/uploads/2015/07/MRG\\_Rep\\_Maur\\_ENG.pdf](https://minorityrights.org/wp-content/uploads/2015/07/MRG_Rep_Maur_ENG.pdf).

<sup>43</sup> “Black Mauritians’ Ongoing Search For Safety”, Ohio Immigrant Alliance, March 22, 2022,

<https://ohioimmigrant.org/2022/03/22/mauritania-today-deportations-arrest-torture-expulsion-oppression-and-black-mauritians-ongoing-search-for-safety/>.

<sup>44</sup> “‘Land Slavery’ and Stolen Land Another Tool for Oppression of Black Mauritians”, Mauritanian Network for Human Rights in USA, March 2021,

[http://ohioimmigrant.org/wp-content/uploads/2021/03/Slavery-and-Land-Grabbing-in-Mauritania\\_March-2021-1-1.pdf](http://ohioimmigrant.org/wp-content/uploads/2021/03/Slavery-and-Land-Grabbing-in-Mauritania_March-2021-1-1.pdf); “Land Rights”, Mauritanian Network for Human Rights in USA, <https://www.mauritaniannetwork.org/land-expropriation>.

<sup>45</sup> “Black Mauritians’ Ongoing Search For Safety”, Ohio Immigrant Alliance, March 22, 2022,

<https://ohioimmigrant.org/2022/03/22/mauritania-today-deportations-arrest-torture-expulsion-oppression-and-black-mauritians-ongoing-search-for-safety/>.

<sup>46</sup> U.S. Citizenship and Immigration Services (USCIS), “Designation of Afghanistan for Temporary Protected Status”, Federal Register, Designation of Afghanistan for Temporary Protected Status, May 20, 2022,

<https://www.federalregister.gov/documents/2022/05/20/2022-10923/designation-of-afghanistan-for-temporary-protected-status>.

<sup>47</sup> “DHS Announces Commitment to Enhance Protections for Stateless Individuals in the United States”, U.S. Department of Homeland Security, December 15, 2021,

<https://www.dhs.gov/news/2021/12/15/dhs-announces-commitment-enhance-protections-stateless-individuals-united-states>.

In addition to enslavement and human rights abuses outlined above, food insecurity and COVID-19 have also made safe return impossible for those Mauritians in the United States. In mid-2020, USAID estimated nearly 700,000 Mauritians would face crisis or worse levels of food insecurity towards the end of the year.<sup>48</sup> This was an underprediction, as by the end of 2020, at least 1.4 million people faced some level of food insecurity in Mauritania.<sup>49</sup> This problem has only worsened in the last year; the number of people facing severe food insecurity in the country doubled by the end of 2021, due to both COVID-19 and a persistent drought in the Sahel.<sup>50</sup> Rates of severe acute malnutrition are trending upward, resulting from extreme patterns of flooding and drought in certain areas over the past few years.<sup>51</sup> The pandemic has compounded the human rights abuses and humanitarian needs in the country.<sup>52</sup>

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

Through the designation of TPS or DED and subsequent protection provided from deportation, these humanitarian tools 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 shown it is capable and able to protect vulnerable people from being deported to dangerous and life threatening places, as evident by recent TPS designations for Ukraine, Afghanistan and Cameroon. TPS or DED for Mauritania must be designated immediately to meet U.S. goals.

The U.S. has already recognized ongoing human trafficking and slavery in Mauritania; in 2018, Mauritania was suspended from the African Growth and Opportunity Act (AGOA) resulting in a loss of trade benefits to the country.<sup>53</sup> This recognition has yet to be paired with the life saving protection of TPS. 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.

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<sup>48</sup> “Food Assistance Fact Sheet: Mauritania”, USAID, May 6, 2020, <https://www.usaid.gov/mauritania/food-assistance>.

<sup>49</sup> “UNICEF Mauritania Humanitarian Situation Report No. 5: 1 January to 31 December, 2020”, UNICEF, January 29, 2021, <https://reliefweb.int/report/mauritania/unicef-mauritania-humanitarian-situation-report-no-5-1-january-31-december-2020>.

<sup>50</sup> “Food insecurity in the Sahel has increased significantly over the past year”, United Nations Office for the Coordination of Humanitarian Affairs, December 31, 2021, <https://reports.unocha.org/en/country/west-central-africa/card/6uW0IQYfGL/>.

<sup>51</sup> “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, January 29, 2021, <https://reliefweb.int/report/mauritania/unicef-mauritania-humanitarian-situation-report-no-5-1-january-31-december-2020>.

<sup>52</sup> “Covid-19 in Mauritania”, Centers for Disease Control, <https://wwwnc.cdc.gov/travel/notices/covid-4/coronavirus-mauritania>.

<sup>53</sup> “U.S. Relations with Mauritania,” U.S. Department of State, August 2, 2019, <https://www.state.gov/u-s-relations-with-mauritania/>.



Although Mauritania continues to face severe human rights crises, the U.S. has named the country an important strategic partner in counterterrorism and in 2021 on Mauritanian Independence Day, Assistant Secretary for African Affairs Mary Catherine Phee stated that “our continued collaboration on combating violent extremism and effectively confronting terrorism will benefit both our nations and our citizens”.<sup>54</sup> In order to create that commitment, and as demonstrated by U.S. investment of millions of dollars in the country in emergency response aid and other areas,<sup>55</sup> TPS or DED must be part of our 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 Mauritanians 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](mailto:houleyeet61@gmail.com) with any questions or to arrange engagement to discuss these urgent matters.

Sincerely,

#### **National**

ACER. Inc  
African Communities Together  
Alianza Americas  
American Friends Service Committee (AFSC)  
Asian Americans Advancing Justice | AAJC  
Asylum Seeker Advocacy Project (ASAP)  
Border Network for Human Rights  
Cameroon Advocacy Network  
CASA  
Catholic Legal Immigration Network, Inc. (CLINIC)  
Center for Gender & Refugee Studies  
Church World Service  
Communities United for Status and Protection  
Congregation of Sisters of St. Agnes  
Detention Watch Network  
Disciples Immigration Legal Counsel

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<sup>54</sup> “In Focus: Mauritania”, Congressional Research Service, March 3, 2020, <https://crsreports.congress.gov/product/pdf/IF/IF11444>.

<sup>55</sup> “Mauritania”, USAID, <https://results.usaid.gov/results/country/mauritania>.

Disciples Refugee & Immigration Ministries  
Doctors for Camp Closure  
Dominican Sisters  
Dominican Sisters of Hope  
FWD.us  
Grey Nuns of the Sacred Heart  
Haitian Bridge Alliance  
Hispanic Federation  
Human Rights First  
Immigrant Legal Resource Center  
Immigration Hub  
InReach  
Lutheran Immigration and Refugee Service  
National Council of Churches  
National Council of Jewish Women  
National Employment Law Project  
National Immigrant Justice Center  
National Immigration Law Center  
National Network for Arab American Communities (NNAAC)  
Nicaraguan American Human Rights Alliance, NAHRA  
Robert F. Kennedy Human Rights  
Service Employees International Union (SEIU)  
Sisters of Charity Federation  
Sisters of St. Joseph-TOSF Social Justice Committee  
Southeast Asia Resource Action Center  
The Leadership Conference on Civil and Human Rights  
U.S. Committee for Refugees and Immigrants (USCRI)  
U.S. Federation of the Sisters of St. Joseph  
Witness at the Border

**State/Local**

Adhikaar  
Al Otro Lado  
Alianza Sacramento  
Centro Romero  
Chacon Center for Immigrant Justice at Maryland Carey Law  
Children's Legal Center  
Church of Our Saviour/La Iglesia de Nuestro Salvador  
Cleveland Jobs with Justice  
Florence Immigrant & Refugee Rights Project  
Florida Immigrant Coalition  
Immigrant ARC  
Immigrant Law Center of Minnesota  
Immigrant Legal Advocacy Project

Intercommunity Justice and Peace Center  
International Institute of New England  
InterReligious Task Force on Central America  
Iowa Migrant Movement for Justice  
Jewish Voice for Peace, Atlanta chapter  
Just Neighbors Ministry  
La Casa de Amistad  
Latin American Coalition  
Legal Aid Justice Center  
Michigan United  
New York Annual Conference United Methodist Church Board of Church and Society  
New York Immigration Coalition  
NH Conference United Church of Christ, Immigrant & Refugee Support Group  
Ohio Immigrant Alliance  
Pennsylvania Council of Churches  
Rocky Mountain Immigrant Advocacy Network  
Seattle Immigrant Rights Action Group  
Sisters of Saint Joseph of Chestnut Hill, Philadelphia, PA  
Sisters of St. Dominic of Blauvelt, New York  
The Advocates for Human Rights  
True Alliance Center Inc  
United African Organization  
United Vision for Idaho  
Venezuelans and Immigrants Aid (VIA)  
Ventura County Clergy and Laity United for Economic Justice  
Wallingford Indivisible  
Wayne Action for Racial Equality  
Wilco Justice Alliance (Williamson County, TX)  
Wind of the Spirit Immigrant Resource Center



U.S. Citizenship  
and Immigration  
Services

July 27, 2022

Mr. Houleye Thiam  
President  
Mauritanian Network for Human Rights  
[houleyet61@gmail.com](mailto:houleyet61@gmail.com)

Dear Mr. Thiam:

Thank you for your July 14, 2022 letter to the Department of Homeland Security (DHS) requesting an 18-month designation of Temporary Protected Status (TPS) or Deferred Enforced Departure (DED) for Mauritania. U.S. Citizenship and Immigration Services (USCIS) is principally responsible for advising the Secretary on TPS and DED issues and implementing the programs. Secretary Mayorkas asked that I respond on his behalf.

The Secretary of Homeland Security may designate a country for TPS and extend or terminate a country's existing TPS designation based upon specific statutory criteria. In order to designate a country for TPS or extend a country's TPS designation, the Secretary must find one or more of the following: (1) there is an ongoing armed conflict within the country that would pose a serious threat to the personal safety of the country's nationals if they were returned; (2) there has been an environmental disaster resulting in a substantial, but temporary, disruption of the living conditions in the area affected, the country is temporarily unable to handle adequately the return of its nationals, and the country has officially requested TPS designation; or (3) there exist extraordinary and temporary conditions in the country that prevent nationals from returning in safety, and the Secretary does not find that permitting the country's nationals to remain temporarily in the United States would be contrary to the national interest of the United States. *See* Immigration and Nationality Act § 244(b)(1). DHS is monitoring conditions in Mauritania and makes decisions to designate TPS after consultation with interagency partners and careful consideration of the circumstances of the country.

DED is an administrative stay of removal that may be authorized by the President for a designated group of foreign nationals. The authority to grant DED arises from the President's constitutional authority to conduct the foreign relations of the United States. *See* Executive Order 12711 (April 11, 1990). The President can authorize DED for any reason related to this authority. Although DED is not a specific immigration status, individuals covered by DED are not subject to removal from the United States, usually for a designated period of time. The President may direct DHS to offer certain benefits, such as employment authorization or advance parole to reenter the United States after travel abroad, to eligible foreign nationals covered by the DED directive. The Secretary authorizes employment for the period of time and under the conditions pursuant to the presidential directive. DHS is responsible for adjudicating and processing any DED-related applications for employment authorization or advance parole. In

Mr. Houleye Thiam

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general, eligibility standards are set forth in the Presidential designation of DED for each specific group of eligible foreign nationals.

Please be assured that DHS offers support that may be available upon request to assist eligible Mauritanian nationals (or individuals without nationality who last habitually resided in Mauritania) residing in the U.S. who have been affected by these conditions including:

- Change or extension of nonimmigrant status if eligible nationals are currently in the United States, even if the request is filed after the authorized period of admission has expired;
- Expedited processing of requests for travel authorization documents;
- Expedited adjudication of requests for off-campus employment authorization for F-1 students experiencing severe economic hardship;
- Expedited adjudication of employment authorization applications, where appropriate;
- Assistance if applicants received a Request for Evidence or a Notice of Intent to Deny and were unable to appear for an interview, submit evidence, or respond in a timely manner because of the pandemic; and
- Replacement of lost or damaged immigration or travel documents issued by USCIS, such as a Permanent Resident Card (Green Card).

I appreciate the information you have provided on conditions in Mauritania and your interest in its designation for TPS or DED. We will share this information with the appropriate offices involved in TPS decision making. DHS is committed to administering its programs, including TPS, in a fair and equitable manner. On his first day in office, President Biden affirmed his Administration's belief that "advancing equity, civil rights, racial justice, and equal opportunity is the responsibility of the whole of our Government" through his Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (EO 13985).<sup>1</sup> DHS is committed to supporting the implementation of this directive and has undertaken significant efforts to address the important issues raised in your letter.

Thank you again for your letter and interest in this important issue. Please share this response with the other organizations that cosigned your letter. Should you wish to discuss this matter further, please do not hesitate to contact the USCIS Office of Public Engagement by email at [public.engagement@uscis.dhs.gov](mailto:public.engagement@uscis.dhs.gov).

Sincerely,



Ur M. Jaddou  
Director

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<sup>1</sup> <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/>