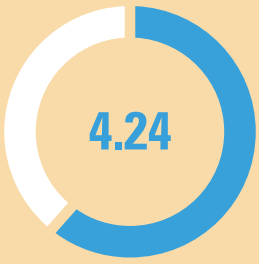
UNITED NATIONS
الاسكوا
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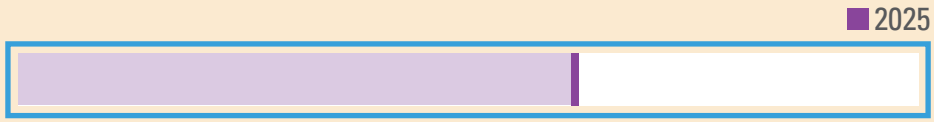
Shared Prosperity Dignified Life

Country profile
MAURITANIA

ARAB BUSINESS LEGISLATIVE FRAMEWORKS



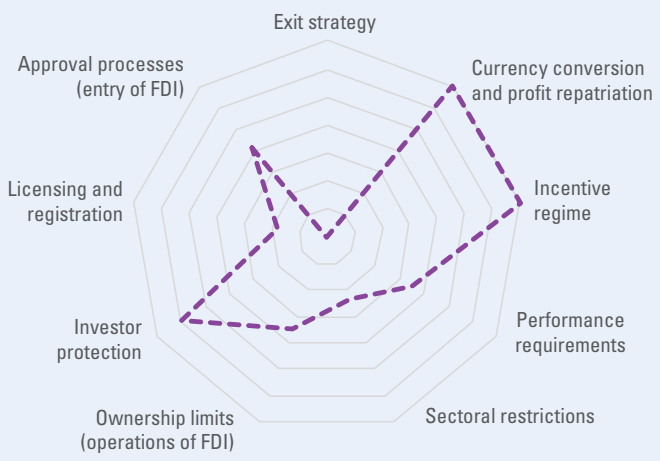
FOREIGN DIRECT INVESTMENT



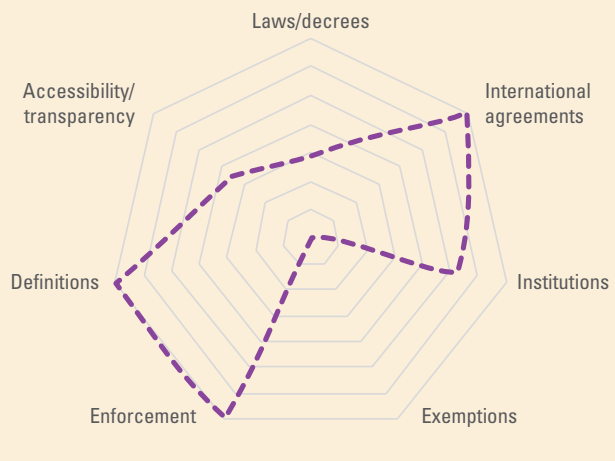
Very weak | Weak | Basic | Moderate | Developed | Strong | Very strong

COMPONENTS	2025
Approval processes (entry of FDI)	4.20
Licensing and registration	1.75
Investor protection	6.00
Ownership limits (operations of FDI)	3.50
Sectoral restrictions	2.33
Performance requirements	3.50
Incentive regime	7.00
Currency conversion and profit repatriation	7.00
Exit strategy	0.00

COMPONENTS



ELEMENTS



Note on methodology: The foreign direct investment (FDI) pillar was fully revised in 2023 following a legal and methodological review and first applied in the 2025 assessment. The 2020 edition assessed the macroeconomic enabling environment for investment. The revised methodology shifts to a business-conducting perspective, assessing the regulatory treatment of foreign investment.

2020 EDITION

Basic

Foreign direct investment framework assessment

Macroeconomic enabling environment lens

The 2020 assessment examined whether the country's **macroeconomic policies** provided a stable foundation for investment, whether the **investment regulatory framework** set clear rules of engagement, how far **incentivization schemes** attracted foreign capital, the extent to which **bilateral treaties** offered investors legal certainty, and whether **banking regulations** enabled the financial operations required for investment.



Macroeconomic policies



Investment regulatory framework



Incentivization schemes



Bilateral treaties



Banking regulations

This country profile is prepared based on the legal and regulatory framework in force as at April 2025.

This country profile assesses the foreign direct investment (FDI) framework of Mauritania based on the nine FDI assessment components adopted under the Arab Business Legislative Frameworks methodology. The analysis is structured to ensure that each component is examined against its specific definition and indicators, supported by relevant legal and regulatory evidence.

Foreign direct investments in Mauritania are governed by a clear legal and institutional framework based on Investment Code No. 006–2025, which repealed the provisions of Law No. 052–2012. This law forms part of the country's comprehensive strategy aimed at promoting and developing the private sector and enhancing the competitiveness of the national economy by encouraging direct investments.



Approval processes

This assessment component examines the mechanisms and institutional arrangements governing the authorization of FDI, the applicable regulatory requirements, and the legal basis for international investment commitments and access to bank financing.

Mauritania has established an institutional and legal framework to organize, monitor and support investment.

The Investment Promotion Agency of Mauritania (APIM) is the principal institutional body responsible for investment-related regulatory policies. It was established as a public administrative institution by Decree No. 017–2021, which sets out its organization and functioning. Article 2 assigns the Investment Promotion Agency of Mauritania responsibility for implementing the national investment promotion policy, promoting the country as an investment destination, creating investment opportunities (particularly in productive sectors), assisting investors with administrative procedures (including access to incentives), monitoring project implementation, and supporting an enabling investment climate. Article 3(d) further defines the Agency's monitoring role, requiring it to accompany investors during project implementation, verify compliance with commitments (particularly investment

amounts and job creation), support corrective measures to address identified deviations, and incorporate investor feedback to improve policy design.

The legal framework of Mauritania recognizes the role of bilateral and multilateral treaties in regulating foreign direct investment. Article 34 of the Investment Code (Law No. 006–2025) expressly states that the provisions of the law do not prevent investors from benefiting from broader advantages and guarantees granted by bilateral or multilateral treaties and agreements concerning FDI, confirming domestic recognition of treaty-based investment protections and ensuring their continued applicability alongside domestic investment legislation.

Mauritania has concluded several bilateral and regional investment agreements, including within the framework of the Arab Maghreb Union, and with Saudi Arabia, France, Belgium, Spain and Japan, which contain regulatory provisions relating to investment protection, transparency and legal guarantees for foreign investors.

However, the investment legislation cited above does not contain explicit provisions imposing registration fees specifically on foreign investors, nor does it include FDI-specific rules authorizing or regulating mortgages or security interests for foreign investors in relation to bank loans.



Licensing and registration

This assessment component reviews the legal and regulatory framework for the licensing and registration of foreign investment projects in Mauritania, with particular attention to transparency and predictability in administrative procedures, land use and ownership conditions, and streamlining of registration processes.

The Mauritanian legal framework regulates licensing and registration through the Investment Code and its implementing mechanisms, including eligibility thresholds for incentives, minimum investment amounts, and streamlined registration procedures through a one-stop shop and electronic platforms.

With regard to land ownership or superficies restrictions, the Investment Code does not contain explicit provisions imposing specific limits on the surface area of land that may be owned or used by foreign investors. Real estate ownership is governed by the general property legislation, without specific restrictions introduced under the Investment Code within this component.

With regard to minimum capital or investment thresholds, the Investment Code establishes mandatory investment thresholds as a condition for benefiting from the incentive regimes. Article 14 introduces three incentive regimes (the basic incentive regime for eight years, the development poles regime for ten years, and the structuring investments regime for ten years). Under the basic incentive regime, article 15 requires an investment between 2 million ouguiya (MRO) and MRO 30 million, while article 17 refers to investments exceeding MRO 30 million up to MRO 200 million. Article 20 sets a minimum investment amount of MRO 2 million under the development poles regime, and article 22 requires investments exceeding MRO 200 million under the structuring investments regime. This framework demonstrates that minimum capital and investment thresholds are expressly determined by law.

The Investment Code does not expressly provide for a statutory cost-benefit analysis requirement as a legal condition for granting licenses or incentives. The legislation focuses on eligibility thresholds and incentive conditions, without mandating an explicit economic evaluation procedure.

With regard to the streamlining of licensing and registration procedures, the Investment Code establishes a one-stop shop within the investment authority. Under article 24, the one-stop shop centralizes the procedures related to business registration and incorporation, and the issuance of investment certificates required to benefit from incentives, and provides reception, guidance and assistance services to investors, while imposing professional confidentiality obligations on staff. The “Khadamati” electronic services platform enables the online registration of companies, reflecting the establishment of an electronic portal to simplify and accelerate licensing and registration procedures.

Investor protection

This assessment component reviews the legal protections available to foreign investors in Mauritania, including statutory guarantees, access to dispute resolution mechanisms, and the role of domestic courts and arbitration frameworks in ensuring the enforcement of investor rights and investment-related obligations.

Mauritania provides a consolidated legal and treaty-based framework for investor protection through preferential trade agreements, international investment treaties, statutory guarantees, and explicit arbitration mechanisms.

With regard to preferential trade arrangements, Mauritania is a member of the Arab Maghreb Union and has concluded an association agreement with the European Union granting duty-free access to the European Union market. These agreements improve market access and encourage foreign direct investment by integrating Mauritania into larger regional and international markets.

With regard to international investment agreements, article 32 of the Mauritanian Investment Code provides that disputes between foreign investors or foreign-owned companies and public authorities may be settled by referring to the investment protection treaties concluded between Mauritania and the investor's home State, confirming the applicability of bilateral and multilateral investment treaties.

The Investment Code further grants explicit statutory guarantees. Article 4 protects investments against direct or indirect expropriation except for public interest purposes, on a non-discriminatory basis, in accordance with due process and in return for fair, adequate and effective compensation that is freely transferable, and with interest payable in case of delay. Article 8 guarantees free access to raw and semi-processed materials and prohibits anti-competitive practices, while article 10 establishes fair and equitable treatment and national treatment, prohibiting discrimination and denial of justice.

With regard to dispute settlement, Mauritanian law expressly authorizes arbitration. Pursuant to article 32 of the Investment Code, disputes arising from the interpretation or application of the Code may be resolved through arbitration, either before the International Mediation and Arbitration Center of Mauritania or before the International Centre for Settlement of Investment Disputes (ICSID) pursuant to the 1965 Convention ratified by Mauritania. Article 33 further allows investors to challenge administrative decisions before national courts or submit disputes to arbitration by agreement.

In this context, Mauritania has ratified both the ICSID Convention and the 1958 New York Convention, providing a binding international framework for international investment arbitration and for the recognition and enforcement of foreign arbitral awards.

Ownership limits

This assessment component examines the extent to which Mauritanian legislation imposes ownership limits, foreign equity restrictions, or screening and prior approval mechanisms on foreign investment operations, including restrictions related to acquisition of real estate or participation in certain economic activities.

Mauritanian investment legislation does not establish general foreign equity caps or screening mechanisms applicable across sectors. The Investment Code applies to all investments carried out in accordance with the law, subject to sectoral exclusions defined separately.

However, the legislation introduces specific restrictions concerning access to and use of land by foreign investors. Pursuant to article 9 of the Investment Code, investors may be granted land for the purposes of the project exclusively in the form of usufruct rights, which do not confer ownership rights. The provision expressly prohibits the disposal of such land by sale or lease, as well as its use for purposes other than those authorized, subject to compliance with the applicable land tenure regime. This framework restricts the acquisition and disposal rights of foreign investors in relation to land used for investment projects.

Sectoral restrictions

This assessment component reviews sector-specific regulations that affect foreign direct investment in Mauritania, focusing on market access limitations, competition-related considerations, and exceptions justified on grounds.

The legislation incorporates competition-related safeguards applicable to investors. Article 8 of the Investment Code guarantees investors free access to raw and semi-processed materials produced throughout the national territory, subject to the applicable regulatory framework governing the exploitation of natural resources, and prohibits collusion and anti-competitive practices.

This provision establishes a general competition safeguard applicable to investment activities.

Article 3 of the Investment Code states that the code does not apply to specific sectors, including: activities governed by banking and financial systems legislation (including leasing), insurance and reinsurance activities, and activities governed by the legislation applicable to mining, hydrocarbons and green hydrogen. These exclusions operate as statutory prohibitions preventing foreign direct investment under the Investment Code in the banking, insurance, mining and hydrocarbons sectors.

Performance requirements

This assessment component examines whether Mauritanian investment legislation or policies impose performance-related obligations on foreign investors, such as requirements related to employment, skills development, export promotion, or compliance with social and labour standards.

Mauritanian investment legislation incorporates labour development measures and export-related incentive mechanisms applicable to foreign direct investment. It does not, however, establish a comprehensive statutory framework for the systematic evaluation of opportunity costs or efficiency of FDI strategies.

Article 12 of the Investment Code authorizes foreign investors to employ foreign workers in key positions up to a maximum of 10 per cent of managerial and supervisory posts, subject to compliance with labour legislation. The recruitment of foreign employees is conditional upon obtaining authorization and a work permit from the competent authority and is permitted only where equivalent national skills are not available. The same provision requires investors to provide training opportunities for an equivalent number of national employees in order to ensure the transfer of expertise. Additionally, articles 16, 18, 21 and 23 grant vocational training tax credits of up to 70 per cent of training costs for Mauritanian employees, establishing a statutory framework promoting workforce development and skills transfer in FDI projects.

Articles 16, 18, 21 and 23 of the Investment Code also provide for the refund of value added tax (VAT) and equivalent taxes paid on raw materials and semi-processed products used in the manufacture of exported goods, subject to the mandatory repatriation of export revenues. This mechanism constitutes an export-linked fiscal incentive applicable to eligible foreign-financed investment projects.

Incentive regime

This assessment component reviews the legal framework governing investment incentives in Mauritania, which includes defining incentive schemes in legislation, specifying the adopted incentive regime, and identifying the competent authorities responsible for administering and implementing these incentives.

Mauritania offers various exemptions and privileges to foreign investors. These are divided into three categories and outlined in articles 13 to 23 of the Investment Code. The three incentive regimes include the basic incentive regime, the development poles regime, and the structuring investments regime, as defined in article 14. They are subject to clearly defined eligibility thresholds, sectoral coverage and employment requirements, and grant a wide range of customs, tax and financial incentives. The applicable incentive scheme, the corresponding benefits and the duration of validity are determined in an investment certificate issued by the investment authority, in accordance with the eligibility conditions and incentive provisions set out in articles 15 to 23 of the Investment Code.

Pursuant to article 15 of the Code, the basic incentive regime applies to small and medium-sized enterprises whose investments range between MRO 2 million and MRO 30 million and create at least five direct jobs within three years. Article 16 grants this category reduced customs duties, exemptions from financial transaction taxes, VAT exemptions and refunds, export-related tax refunds, vocational training tax credits, and environmental and renewable energy incentives.

The intermediate category under the basic incentive regime, governed by articles 17 and 18, applies to investments between MRO 30 million and MRO 200 million creating at least fifteen direct jobs within three years, and provides customs reductions, VAT reductions and refunds, exemptions from financial transaction taxes, export-related tax refunds, vocational training tax credits, and environmental and energy-related incentives.

The development poles regime, established under articles 19 to 21, applies to companies operating within designated development poles and is established by decree of the Council of Ministers on the basis of a feasibility study. Article 20 defines minimum investment and employment thresholds, while article 21 grants extensive customs and tax incentives, including customs exemptions, reduced corporate income tax, VAT exemptions and refunds, and vocational training tax credits.

The structuring investments regime, governed by articles 22 and 23, applies to strategic sectors such as agriculture, industry, renewable energy, tourism, logistics, health and digital industries, and requires a minimum investment exceeding MRO 200 million and the creation of at least fifty direct jobs. It also grants enhanced incentives, including customs and tax reductions, VAT exemptions and refunds, vocational training tax credits, environmental incentives, and accelerated depreciation of 25 per cent for new equipment.

With regard to the institutions authorized to uphold and implement incentive schemes, the investment authority is responsible for issuing investment certificates and granting corresponding benefits, while the establishment of development poles is carried out by decree of the Council of Ministers upon a joint proposal by the competent ministers and the investment authority, in accordance with article 19.



Currency conversion and profit repatriation

This assessment component examines the legal provisions governing currency conversion and the repatriation of profits by foreign investors in Mauritania, including guarantees for capital transfers, the role of financial and banking authorities, and applicable capital control measures.

Mauritania provides a legal framework that guarantees currency conversion and profit repatriation for foreign investors, while subjecting investment flows to institutional disclosure.

Article 6 of the Investment Code guarantees investors the right to freely transfer profits, dividends, capital gains and the proceeds from the sale or liquidation of all or part of the investment, thereby confirming the principle of free repatriation of investment returns.

Article 7 explicitly states that the salaries of foreign employees working on foreign investment projects may be freely transferred abroad.

With regard to authorities or institutions responsible for monitoring, assessing and enforcing FDI capital flows, the Investment Code requires any investor seeking to benefit from the Code to file an application for an investment certificate with the competent investment authority. This

file should include information on investors, including beneficial owners, the source of invested capital, and detailed information on the investment programme, its nature and amount. This requirement establishes an institutional disclosure and ex ante monitoring mechanism enabling the competent authority to assess and monitor capital inflows and the origin of funds at the licensing stage.



Exit strategy

This assessment component assesses the legal framework governing the exit of foreign investors from the Mauritanian market, focusing on provisions related to divestment, liquidation, mergers and acquisitions.

Article 6 of the Investment Code provides a core financial exit guarantee by granting investors the right to freely transfer profits, dividends, capital gains and the proceeds from the sale or liquidation of all or part of the investment. This provision constitutes the principal legal basis ensuring the repatriation of proceeds generated upon divestment or liquidation, subject to the applicable foreign exchange regulations.

Beyond this guarantee, the Investment Code does not contain explicit provisions governing the legal process of exit or establishing a specific statutory regime for foreign investor withdrawal from the host economy. Exit operations remain governed by the general rules of company law, commercial law and financial regulations applicable to all investors.

Regarding mergers and acquisitions carried out by foreign investors, the Investment Code does not include any specific provisions regulating such transactions within the FDI framework. Merger and acquisition transactions, transfers of ownership and corporate restructuring are subject to the general provisions of company and commercial law, without a dedicated investment-specific regime or special rules applicable to foreign investors.

RECOMMENDATIONS

- Clarify whether any capital controls or temporary restrictions may apply, and under what legal conditions, to ensure predictability.
- Define any national security or strategic review criteria, including scope and the competent authority, to avoid discretionary interpretation.
- Codify the maximum duration and renewal conditions of usufruct rights to reduce uncertainty over tenure security.
- Include an explicit provision in the Investment Code clarifying that mergers, acquisitions, corporate restructurings, and transfers of ownership involving foreign-owned enterprises are governed by the general company and commercial law framework.
- Establish clear administrative procedures, documentation requirements, and statutory timelines for the transfer and repatriation of divestment and liquidation proceeds.
- Specify, through regulations, procedures for monitoring and ensuring compliance with training and localization commitments, in order to support consistent enforcement.