



collectif des défenseurs sahraouis
des droits de l'homme
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Report on the violations of human rights in Western Sahara

CODESA 2007



Dedicated to our camrades :

Dedicated to our camrades :

EL OUALI AMAIDANE



Membre of the **CODESA**

YAHYA EL HAFED IAAZA



Membre of the **CODESA**

*...Free them and all the Sahrawi political prisoners
the Western Saharan territory...*

**...Free them and all the Sahrawi political prisoners
the Western Saharan territory...**

**Banned to enter
the Western Saharan territory...**

EL MAMI AAMAR SALEM



Membre of the **CODESA**

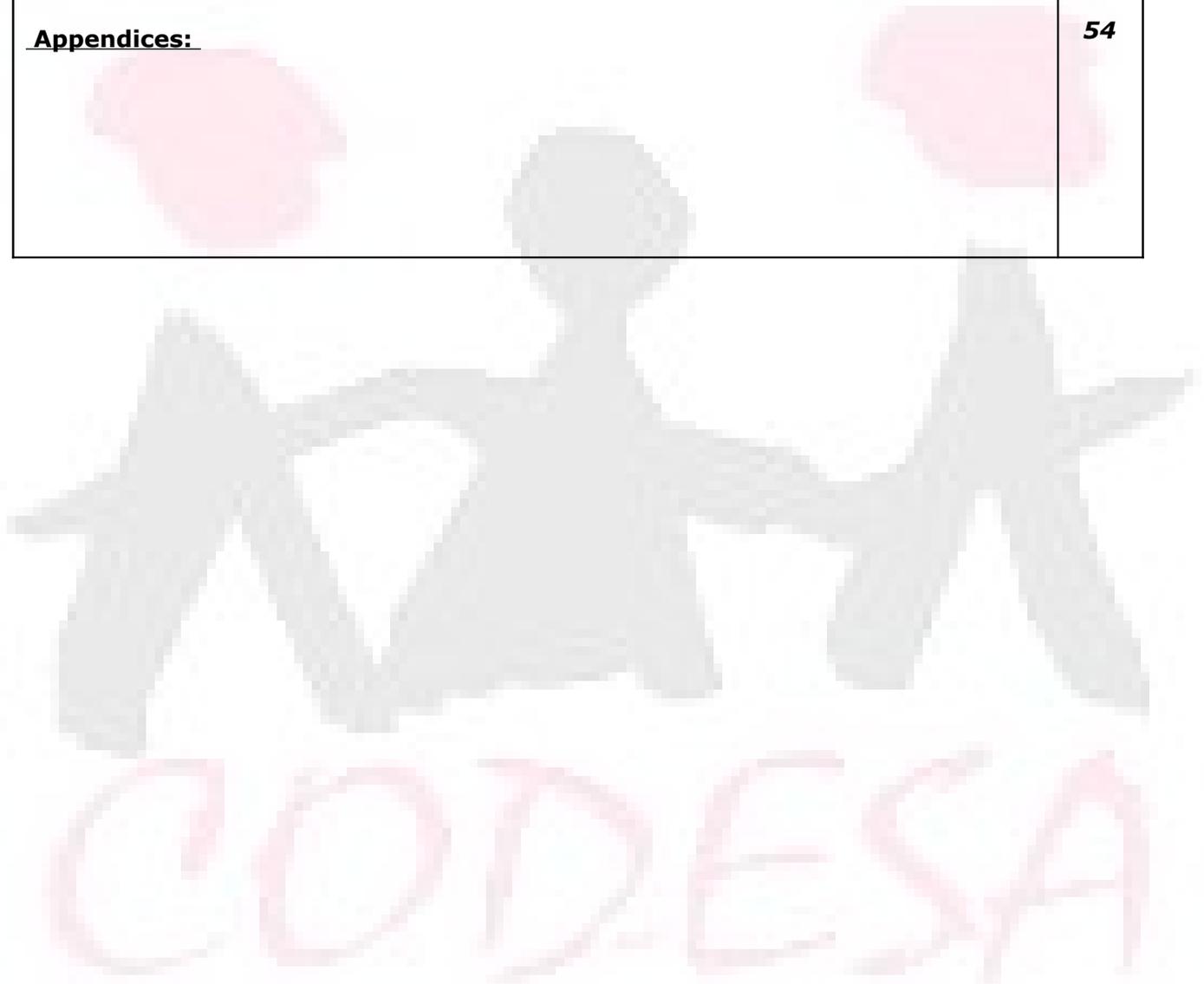
Allow him to be back...

Allow him to be back...

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Introduction

Intending to spread human rights culture in the Western Sahara and the South of Morocco,

Aiming at monitoring and unveiling the human rights abuses in the region, highlighting the responsibility of the Moroccan state for these abuses and creating a reliable human rights movement and Sahrawi civil society whose objective is the defense of human rights in accordance with the international charters and convents.

The **CODESA** has come up with this report that examines the 2007 violations in a general political context characterized by:

- 1- The ban of the **CODESA** constitutive assembly, which was intended to take place on October 7th, 2007 in El Aaiun, Western Sahara.
- 2- The excessive harassment against its members through:
 - The continuous process of arbitrary arrests and different forms of mistreatment (**EL QUALI AMAIDANE** and **YAHYA MOHAMED EL HAFED IAZZA**).
 - The enforced deportation of a number of its members to remote areas in Morocco (**MOHAMED EL MOUTAWAKIL, EL HAMED MAHMOUD, MOHAMED ABD EDDAIM, BAJ EL HOUCINE...**) and forbidding others to enter the Western Sahara territory (**EL MAMI AAMAR SALEM**).
 - The deprivation of some members of their right to work (**LAARBI MASSOUD, NOUMRIA BRAHIM, AHMED EL MOUTAWAKIL...**), or professional promotion (**MOHAMED EL MOUTAWAKIL...**) as well as the right to continue their university studies (**ALI SALEM TAMEK**).
 - The dismissal of some **CODESA** members of their posts (**GAUDI FDAILI, HAIBA ELMAH, YAHYA MOHAMED ELHAFED IAZZA..**) or their deprivation of receiving their salaries (**AMINATOU HAIDAR, ALI SALEM TAMEK...**)
- 3-The Moroccan reluctance to reveal the fate of hundreds of Sahrawi disappeared,
- 4- The endless process of abductions and political arrest in the Moroccan-controlled part of Western Sahara.
- 5- The continuing of the media siege and military blockade of the territories under the Moroccan control in order to that the crimes against humanity committed by the Moroccan state would be kept secret.

This report also appears in a period while the Moroccan state is intentionally committing systematic human rights abuses against the Sahrawi citizens in the Western Sahara, South of Morocco.

The Sahrawi university students are no exception; they are subjected to political arrest, torture and mistreatment or because of their participation in the peaceful demonstrations and sit-ins advocating the Sahrawi people's inalienable right to self-determination.

All these violations are still taking place despite the appeals made by the Sahrawi human rights defenders, the non-government organizations all over the world and the Sahrawi people to stop these abuses.

The CODESA secretariat

A. The Political and Civil Rights

Introduction:

The civil and political rights are certainly a crucial part of human rights in general, and are stated and respected by the democratic states' constitutions.

First, it may be important to refer to the articles 3, 5, 7, and 9 of the Universal Declaration of Human Rights, the articles 6, 7, and 9 of the International Convention for the Civil and Political Rights and the Convention against Torture and other Treatment, in order to see how the Moroccan authorities violate these rights when it comes to the citizens of Western Sahara.

Obviously, these international charters and conventions do not allow to any state depriving a people of its living rights, including the states that are in control of the non-self governing territories. In addition, these charters call the states to guarantee and respect the people's rights to self-determination, according to the United Nations resolutions.

Therefore, denying the Sahrawi people's right to self-determination is the principal reason behind all the flagrant violations of human rights perpetrated by the Moroccan state against the Sahrawi citizens for more than three decades.

This has been the conclusion that the UNHCHR report came up with after the visit it paid to the Western Sahara on May 2006. Further, it associated the Sahrawis' suffering with their denial the inalienable right to self-determination.

I. The right to peaceful assembly and the right to demonstrate:

The Sahrawi citizens are still being deprived of their right to demonstrate and to peaceful assembly to call for their right to self-determination. All the peaceful sit-ins in Western Sahara, South of Morocco and at the Moroccan universities organized by the Sahrawis are violently oppressed by the Moroccan police (particularly since May 21st, 2005).

The Moroccan authorities are always ready to arbitrarily arrest and torture the demonstrators despite the Moroccan agreement upon the torture Ban Treaty.

A great number of the Sahrawis' houses and students' rooms at the university campuses (in Rabat, Casablanca, Marrakech and Agadir) were stormed, and their furniture damaged.

II. The right to set up associations and trade unions:

The Moroccan state still continues to ban any independent Sahrawi association or trade union not publicly stating that the "Sahara is Morocco". They also continue to deprive all the Sahrawi human rights defenders of organizing in "legal" associations according to the Moroccan Law. The **CODESA** (the Collective of Sahrawi Human Rights Defenders) followed all the steps that are stated in the Moroccan Law of General Freedoms to get its authorization.

However, the Morocco authorities banned the CODESA members to organize the constitutive conference that was intended to take place on October 7th, 2007, in El Aaiun, W.S.

The **ASVDH** (Association of Victims of Flagrant Violation of Human Rights Perpetrated by the Moroccan State) is still deprived of public work.

The **AMDH** Laayoune Branch still also not allowed to benefit from public spaces (conference rooms, etc..) for human rights activities.

Similarly, all the Sahrawis cannot set up independent trade unions to defend Sahrawi workers, employees and women's rights.

III. **The right to physical safety and the excessive misuse of power:**

Systematic torture is still taking place in the Western Sahara. The Moroccan police officials, especially in El Aaiun, deliberately indulge in systematic torture practices like violent beating, raping, burning the Sahrawi detainees and even killing (**HAMDI LEMBARKI**). They exert the torture that has led to psychological and physical disablement.

These abuses take place in judicial police centers and police vans. Yet, beating and arrests may occur at educational schools, in public streets or in the detainees' homes and the city's outskirts.

The human rights defenders are also subjected to different forms of torture and mistreatment in public street, in custody or during the interrogations in police centers: **ETTAROUZI YAHDIH, AMINATOU HAIDAR, LIDRI EL HOUCINE, NOUMRIA BRAHIM, FATMA AYACHE, HMAD HAMMAD, BAZAID ESSALEK, EL OUALI AMAIDANE, DAHA RAHMOUN, FDAILI GAUDI, IGUILID HAMOUD, BRAHIM SABBAR...** They are also subjected to enforced mutations and exile: **MOHAMED MOUTAWAKIL, MOHAMED ABD EDDAIM, EL MAMI AAMAR SALEM, EL HAMED MAHMOUD, BAJ EL HOUCINE, EJJAIM MOHAMED, DAIH BRAHIM...**

The authorities also tend to "revenge" of the defenders' family members relatives: Essayeh Massoud, the brother of the Sahrawi human rights defender, Larbi Massoud, was dismissed of "Ominium Marocain de Péche" in Tantan because his brother's activities on human rights in the Western Sahara and South of Morocco. Chrif Tlaimidi, Amiatou Haidar's brother and her nephew, Mohamed Haidar(a child) were brutalized. The rights defender, Lamine Sahel's brother-in-law, Boumata Yahdih and his brother Sahel Ramdan, were forcibly muted from Boujdour, W.S. to Qalaat Draghna, Morocco. All the family members of the political prisoner, El ouali Amidane, were tortured in many occasions.

The Moroccan security forces have mistreated numerous political prisoners (**EL HAFED TAUBALI, HMAIDAT AHMED SALEM, ABDESSALAM LOUMADI, RACHID LAAROUSSI, AHMED EL MOUSSAOUI, LAHBIB EL QASMI...**) AND Sahrawi minors (**NAFII SAH, LEMAISSE ABD ENNASSER, BADER LHAWASSI...**).

The Sahrawi women are still being brutalized by the Moroccan forces during the peaceful sit-ins. **SULTANA KHAYA** (lost her eye during a violent oppression in the Qadi Ayad University campus, Marrakech, Morocco), **RABAB AMAIDANE, SOUMAIA ABD EDDAIM, FATMA AMAIDANE** and **GHLAINA BARHAH.....**

The university students face daily harassment because of their advocating for Western Sahara independence, especially when they organize peaceful sit-ins and protest demonstration.

The Moroccan state is still using torture despite its signature of and agreement upon the Convention Against Torture and passing a law in the Moroccan parliament that forbids torture.

The complaints of the Sahrawi victims that were put in the courts against the security officials have never yet been activated or they registered against "unknown" (the case of NOUMRIA BRAHIM and LIDRI ELHOUCINE).

A great number of authority agents and security forces officials are behind this kind of human rights violations. They use excessive force in order to disperse peaceful protest demonstrations and sit-ins organized by Sahrawi citizens. The Sahrawis demonstrate on a regular basis to protest against their political and social conditions and violation of their rights. The Moroccan authorities' crackdown the demonstrations using torture, violence, beating and humiliation, especially of the Sahrawis who are calling for the Sahrawi people's right to self-determination and call for the release of political prisoners.

When stopped by the police, the Sahrawis (mainly women and children), are tortured inside the vans, the police centers and in different places in order to elicit confessions and frighten them.

The Moroccan authorities excessively misuse power against the Sahrawis. That has taken the form of:

- Storming the Sahrawis' houses.
- Humiliation of the protestors.
- Confiscation of driving licenses with no legal justification (**DOUIHI MOHAMED ALI**).
- Enforced mutation of Sahrawi employees to Moroccan cities in remote areas where there are hard life conditions.
- Deprivation of getting one's passports or their confiscation of the passports (especially the Human Rights Defenders **OULAD CHEIKH EL MAHJOUB**).
- Dismissing of one's work or prohibition of the right to get jobs because of one's political beliefs.
- Prohibition of getting one's salary despite not being sacked of work.

IV. The right to life:

The Moroccan state is certainly responsible for the death of the Sahrawis who die in the Moroccan Prisons (**MOHAMED BOUSSETTA** (Nov. 28th, 2002), **HADDI HASSAN** (May 2004), **RAMDAN ELLAITHI** (Mars 21st, 2003), **LAHCEN BOUYA** (2003)), the hospital and detention centers, which we consider as crimes against humanity.

The Sahrawi's deaths are mainly because of the torture and carelessness at the hospitals, lack of HYGIENE and all types of medical care.

During 2007, different forms of mistreatment have continued to be practiced against the Sahrawis.

Many citizens' rights to physical security were violated. They had to face violent acts and torture because of their advocating for self-determination and their belief of independence for their country.

The CODESA secretariat has witnessed various torture cases that put later on complaint letters. The victims have complained about being brutally beaten, severely tortured by Moroccan officials that were recognized by their victims.

However, the complaints have not been taken into account.

Some of these victims were human rights defenders that up to December 31, 2007, their complaints still continue to be disregarded.

The main human rights defenders, activists and Sahrawi citizens who have been tortured are still waiting for an action to be taken concerning their complaints against the Moroccan officials' torture. Their names are: **AMINATOU HAIDAR, LIDRI EL HOUCINE, NOUMRIA BRAHIM, FATMA AYACHE, HMAH HAMDAN, SALEK BAZAID, LAILA ELLILI, HAMADI ZOUBAIR, ABDENNASSER LMAISSI, FATMA AMIDANE, SULTANA KHAYA, AMINATOU AMIDANE, MAHJOUBA AMIDANE, SALEK SAIDI, ABDEDDAIM SOUMAYA, MOULAY ALI TAUBALI, BADER EL HAWASSI, MOHAMED EL MOUSSAWI, MOHAMED DAANOUNE, KAMAL ETTTOUBI, MUSTAFA TAKROUR, MOHAMED SALEM AAMAR, HASSAN ELOUALI, AHMED MESKA** and the ex-Sahrawi political prisoners, **SIDI MOHAMED AALOUATE, YAYA EL BACHIR, LAKHLIFA EJENHAOUI, MOHAMED SALEM BOUAMOUD, EL OUALI AMIDANE, MOHAMED HADDAD**..etc

The Moroccan judicial institutions have ignored these complaints in order not to look into the cases of torture accusations against the Moroccan officials. This certainly fosters impunity and encourages the Moroccan officials in the Western Sahara to continue their violent attacks against the Sahrawis. On the other hand, it also helps in the deterioration of the psychological state of Sahrawi victims of torture.

In addition, the Moroccan authorities keep silent concerning the crimes perpetrated by its officials against the Sahrawi citizens and Human Rights Defenders.

The media campaigns against the Human Rights Defenders, especially the members of the secretariat of the CODESA and human rights workers, have increased tremendously. That was owing to the CODESA's intention to organize its constitutive conference on October 07th, 2007.

The conference was banned by the Moroccan authorities, and thus the CODESA cannot yet get its legal documents according to the Moroccan law.

In a word, despite signing the international charters of human rights, the Moroccan Kingdom still leaves no room for doubt that it continues to violate different political and civil rights in the Western Sahara.



Chronology of the Events

January 03rd, 2007

GUELMIM / SOUTH OF MOROCCO

The Sahrawi university students organized a peaceful protest sit-in in which they called for their rights as students (grants, accommodation, transport,.. etc) and chanted slogans advocating the independence of the Western Sahara.

They also denounced the release of the gendarmerie agent, HASSAN OHEIRA, who had been sentenced to 10 years' imprisonment for torturing to death the Sahrawi citizen Mr. **SLEIMAN CHWIHI** in 2004.

January 05th, 2007

SMARA / WESTERN SAHARA

Two ex-political prisoners, **OTHMAN TNAKHA** and **DEDI HMADA** were arrested at the entrance of SMARA, W.S, by the Moroccan police.

They were tortured inside the police van and then taken to LGAÏZ region, east of SMARA, where they were left in a miserable state.

January 06th, 2007

SMARA / WESTERN SAHARA

Some Sahrawi citizens protested peacefully against the arrest of the Sahrawi human rights activist, **ASFARI NAAMA** (member of the **CORELSO**) coming from France.

The citizen **MATTOU LAKHDAR**, 24 years old, was brutalized. Her head was seriously injured.

January 06th, 2007

EL AAIUN / WESTERN SAHARA

The Moroccan authorities stormed a Sahrawi family's house and arrested five Sahrawi boys: **MASSOUD BOUSHAB**, **MOHAMED BARKA BOMBARA**, **DARAJI OTHMAN**, **DRISS DAICH**, **ALI SALEM BOJEMAA SAADANI** and **ABDELAZIZ MOHAMED**.

Their families allege that they were subjected to torture and ill-treatment.

January 09th, 2007

EL AAIUN / WESTERN SAHARA

The Moroccan security forces arrested the Sahrawi young girl **FALA AABBASS** in LA PLAYA 25 Km west of EL AAIUN, W.S, where she danced "**The Sahrawi combatant**" in a ceremony, a famous Sahrawi dance that advocates the independence.

January 11th, 2007

EL AAIUN / WESTERN SAHARA

The Sahrawi youths: **SIDI BRAHIM BANI**, **FEKAK MOHAMED** and **YOUSSEF DAUDI** were arrested in a wide arrest campaign against the Sahrawi teenagers, for their activism in the peaceful protest demonstrations. They were taken to a disclosed place, where they were tortured and released.

January 12th, 2007

EL AAIUN / WESTERN SAHARA

A 34 years old woman, **AZIZA SAID MOULAY** was arrested. She spent some hours in the Judicial Police Center where she was interrogated.

FATIMATTOU BRAHIM EL BACHIR, 18 years old and **SIDATI MOHAMED SALEM** were detained because of their participation in the peaceful demonstrations advocating self determination of the Sahrawi people.

HAYAT MOHAMED SALEM, 26, was brutalized by the police agents in plain clothes.

January 15th, 2007

EL AAIUN / WESTERN SAHARA

The Moroccan police detained **BRAHIM SALKI**, 30, **EL KHALIL MBAIRIK**, 17, and **NAJAT WALDA MOHAMED CHEIKH**.

January 19th, 2007

EL AAIUN /WESTERN SAHARA

The Sahrawi political prisoners were violently repressed at 6:00 a.m. They were brutally beaten, handcuffed and subjected to all kinds of humiliation.

The human rights defenders **EL OUALI AMAIDANE**, **ETTAROUZI YAHDIH** (CODESA) and **BRAHIM SABBAR** (ASVDH) were put under excessive surveillance.

January 20th, 2007

EL AAIUN /WESTERN SAHARA

The Moroccan authorities stormed the Sahrawi citizen **GHLAILA SMAIL**, 65. Her hand and right arm were injured.

MAHJOUBA BACHRI MOHAMED SALEM was detained.

January 22nd, 2007

HAOUZA-SMARA /WESTERN SAHARA

The death of the Sahrawi eight-year-old girl, **NORA LAHMAR** and the injury of her six-year-old brother, **MOHAMED LAHMAR** at the explosion of a landmine in a desert-like region under the Moroccan control.

The little Sahrawi boy **MOHAMED LAHMAR** spent a whole month in **Ibnou Toufail Hospital** in Marrakech/Morocco for medical treatment.

February 11th, 2007

EL AAIUN /WESTERN SAHARA

The Sahrawi Human Rights Defender, **BAZAID SALEK**, was stopped and intimidated by the Moroccan police because of his political views supporting the self-determination of the people of W.S.

AGHLAILA MOULAY EL MOUSTAFA (55), was brutalized and **BRAHIM BOUMRAH** (27), was arrested.

February 12th, 2007

EL AAIUN /WESTERN SAHARA

ABAIDI SALEK KARROUM and **LIMAM BRAHIM BASSIR** were arrested.

February 14th, 2007

EL AAIUN /WESTERN SAHARA

MOHAMED SALEM AUBBA and **MOHAMED ESSALOUKI** were arrested.

February 16th, 2007

EL AAIUN /WESTERN SAHARA

About 10 Sahrawi citizens (among them two less than 12 years old) were injured by the Moroccan police after a peaceful demonstration calling for the release of the Sahrawi political prisoners.

The majority of the wounded are women, among them are: **LAILA BAHABA**, **HAYAT BAHABA**, **BACHIR LAAROSSI MOSTAFA**, **FATIMATOU AMIDANE**, **RABAB AMIDANE**, **RABAB SALEM BARKA**, **BOUAMOU MOHAMED SALEM** and **RAGUEB KOURINA**(12 years old).

February 18th, 2007

EL AAIUN /WESTERN SAHARA

A peaceful demonstration was brutally dispersed by the Moroccan security forces and the following Sahrawi citizens were injured: **LAMNAYA BOUGHANBOUR** (an old woman), **EL BOURHIMI MGHAILI** and **NAJIB DAUDI**; while **BOUCHAAB HASSAN**, **ABEH LEMGHAFRI** and **BAH HASSANA** were arrested.

February 19th, 2007

EL AAIUN /WESTERN SAHARA

The Swedish journalist **LARS BJÖRK** was arrested for because of taking photos of a demonstration of young Sahrawis. His passport, camera and press card were confiscated.

He was deported to Agadir, Morocco to be expelled to his country.

February 20th, 2007

EL AAIUN /WESTERN SAHARA

A 20 year-old **RACHID HIDRI** and an 8 years old boy **ELQADI MOHAMED LAMINE** were arrested.

The Moroccan authorities violently attacked the 13 years old boy, **HAMZA BRAHIM JMAII**.

February 21st, 2007

EL AAIUN /WESTERN SAHARA

KHAIRA SAILOUKI and **TEBBIBA EL MOUSSAOUI** (26) were brutalized; **EL HASSINA EL MOUSSAOUI** (23) was arrested.

February 21st, 2007

MARRAKECH /MOROCCO

The Sahrawi university students organized a sit-in in the university campus, chanting pro-independence slogans.

They called for the Sahrawi people's right to self-determination and the release of the Sahrawi political prisoners going on a hunger strike since January 30, 2007.

February 25th, 2007

DAKHLA /WESTERN SAHARA

About 33 Sahrawi citizens were injured, by the Moroccan security forces as they violently dispersed a peaceful protest demonstration, the injured are: **SALEH MOHAMED LAMINE BARRAY, HASSANA EL WALI, BELOUSSI AHMED ZAIN, CHAHIRA AHMED SALEM, HOUDA AHMED SALEM, CHAINENA OMAR BALLA, AMMA HAMMADI, KHOUTA NDEGSAAD, AHMED FAL AHMED, KHATTA AHMED, BALLA AHMED SALEM, AHMED BABA BOCHRAYA, CHIAA BOUAILA, WAYAHI BOUAILA, SIDATI CHAIN, NOUNA BAKAR, CHEBLA AHMED BRAHIM, MRABIH EL WALI, ATIKOU BARRAY, SOUKAINA MOKHTAR, CHIAA AHMED BABA, MOULAY AHMED KHATRI, OTHMAN MOKHTAR, HAYAT MOKHTAR, GHALIA AHMED MOUSSA, JAMILA MOHAMED LAMINE, ALIYEEN BOUCHRAYA ALI SALEM, FATIMATOU BOUCHRAYA ALI SALEM, MOHAMED BOUCHRAYA ALI SALEM, ZAINA BARRAY, MOHAMED BOUBAKKAR, CHAIKH BANANE** and **ALLA BOUAILA**.

The demonstrators organized a peaceful protest sit-in in front of the hospital of DAKHLA. Four youth, **SIDI HAMDY MAYEEF, CHIAA BOUJEMAA, MAMADOU CHAIN** and **AHMED BABA ALI SALEM** were at the hospital of Dakhla.

February 26th, 2007

EL AAIUN /WESTERN SAHARA

JAMILA MABRAN, 19, and **MUSTAPHA EL KHAIR EL BAILLAL**, 36, were brutalized and injured (head).

March 08th, 2007

EL AAIUN /WESTERN SAHARA

The Moroccan police have been arresting many Sahrawi students from the educational institutes as they participated in peaceful demonstrations and distributed the POLISARIO flags and pamphlets. The following students were detained: **ELHAFED LHWAIMAD**, 13 years old, **YASSINE ETTAOUBBALI**, 14 and **ALI KHABBAN**, 12.

More than this, the Moroccan educational authorities dismissed the Sahrawi student, **HASSAN FENTAR** from school as he brandished the POLISARIO flag in his institute.

March 10th, 2007

EL AAIUN /WESTERN SAHARA

The police arrested **ELHAFED LHWAIMAD**, 13, **FDAILI ADDOUA**, 13, **ELHOUCINE LEMSID**, 12, and **BAWBBA MOHAMED**, 14. From educational institutes after the sit-ins that took place there two days before.

All these students have been released after being tortured and interrogated in the Judicial Police Center and were asked to attend to the police center on Monday, March 12th, 2007.

March 11th, 2007

DAKHLA /WESTERN SAHARA

Four Sahrawi young boys were arrested for their advocating of W.S independence, their names are **SIDI HAMDY MAYIF, CHIAA BOUJEMAA,**

MAMADOU CHAIN and AHMED BABA ALI SALEM.

They were arrested for distributing leaflets denouncing the human rights violations in a "cultural festival" organized by the Moroccan authorities. The four Sahrawis were taken to the hospital in a critical state, according to their families.

March 16th, 2007

EL AAIUN /WESTERN SAHARA

The Moroccan authorities forcibly transferred the Sahrawi political prisoner **CHOUBIDA LAAROUSSI**, from the Black prison in EL AIUN to the local Prison of TIZNIT/ MOROCCO.

CHOUBIDA was sentenced to 18 months imprisonment after being arrested in DAKHLA/W.S while participating in a peaceful pro-independence demonstration.

March 17th, 2007

EL AAIUN /WESTERN SAHARA

The Sahrawi Student **CHAIKHI AYOUB** was arrested.

March 21st, 2007

EL AAIUN /WESTERN SAHARA

The arrest of the Sahrawi citizen **MOHAMED ELHADI**.

March 23rd, 2007

EL AAIUN /WESTERN SAHARA

The arrest of two Sahrawi citizens : **EL HOUCINE BABOUZAID** and **ABDALLAHI MOULAY HAIMDDAHA**.

March 29th, 2007

EL AAIUN /WESTERN SAHARA

The arrest of the Sahrawi citizen **ELHAITH ERRAGB**.

April 08th, 2007

EL AAIUN /WESTERN SAHARA

The arrest of the Sahrawi 29 years old man **ALI FARHANI**.

April 09th, 2007

RABAT/MOROCCO

The Sahrawi student **SOUAD ELLOUD** (22), was brutalized and injured on the back and head.

April 12th, 2007

SMARA /WESTERN SAHARA

The Sahrawi 17 years old **MANSOUR LEHSEN** was arrested.

April 17th, 2007

EL AAIUN/WESTERN SAHARA

The Sahrawi human rights defenders **AMINATOU HAIDAR** and **MASSOUD LARBI** (both members of the **CODESA**'s secretariat) were forbidden to attend the trial of the political prisoners **ETTAROUZI YAHDIH**, **EL OUALI AMIDANE** (both members of the **CODESA**), and **BACHRI BEN TALEB** in the court of appeal.

The arrest of **TAHLIL MOHAMED** (president of **Boujdour Local Committee of the victims of the human rights**, a branch of the **ASVDH**).

April 21st, 2007

EL AAIUN/WESTERN SAHARA

The Sahrawi young boys: **NAJEM ELGARHI**, **YOUSSEF BAIBA**, **SIDI CHRIF**, **EDDAYOUN ERGUIBI**, **LARBI SALMALA**, **SID AHMED ELGARHI** and **MOHAMED EL MOUSSAOUI** were arrested by the Moroccan police because of their participation in peaceful demonstration calling for self determination of the Sahrawi people. They said they were ill-treated and violently interrogated.

April 25th, 2007

RABAT/MOROCCO

The Sahrawi ex-political prisoner, **EL BELLAOUI HAMADI**, started his

open-ended hunger strike in front the Moroccan parliament building.

Being prohibited to enter his territory, the Western Sahara, he decided to protest in Rabat holding a slogan in which the following words were written "NO to decimations, NO to emigration, YES to self-determination".

April 27th, 2007

BOUJDOUR /WESTERN SAHARA

The Moroccan security forces brutally dispersed a demonstration against the Moroccan Autonomy Plan.

The young Sahrawis **DLIMI KHALED, MOHAMED LAMINE ZAMIT** and **TAYEB JERFAONI** were arrested, while the Sahrawi university students **SALAMI ALYAT, KHAYA KHAYA, ZAZA SIDYA** and **ELBACHIR KHAYA** were interrogated. Miss **BOUTA KHAYA** was arrested in MARRAKECH/Morocco.

May 1st, 2007

EL AAIUN/WESTERN SAHARA

The Sahrawi human rights activists and citizens celebrated the Day of Laborers in El Aaiun together with the Moroccan Association of Human Rights. The Sahrawi political prisoners' families called for the release of the detainees and condemned the violations of human rights perpetrated by the Moroccan state against the Sahrawi citizens and activists.

The Sahrawi militants, the Moroccan ones from the **AMDH** and the Moroccan party **ENNAHJ ADDIMOUQRATI** distributed a release calling for the Sahrawi right to self-determination.

May 05th, 2007

RABAT/MOROCCO

The arrest of the Sahrawi Student **MARIAM EL BACHIR** (25), she was brutalized and her head was injured.

May 05th, 2007

AGADIR/MOROCCO

4 Sahrawi university were arrested in Ibnou Zohr university in Agadir (**FILALI MAHMOUD, LEMBARKI SALEK, ZEINA DAOU** and **ELBACHIR ISMAILI**)

The arrests were a reaction of the Moroccan authorities against the students demonstrations at Moroccan universities

The following Sahrawis were seriously injured: **LAMBARKI MOULOUD** and **MOHAMED FADEL LAKHAL**.

May 10th, 2007

MARRAKESH/MOROCCO

SULTANA KHAYA a Sahrawi university student was violently beaten by the police and her eye was smashed. She was arrested with 25 other Sahrawi university students while dozens were injured in El Qadi Ayad University.

The reason was the organization of a protest demonstration denouncing the oppression against the Sahrawi university students in Agadir, Morocco: **Sultana Khaya, Rabab Amidan, Samia Abd Dayem, Rachid Bennou, Abdel Fetah Elyedassi, Soukeina Adi, Saadani Meichan, Saadani Bija, Lehbeila Zeidan, Hadhoum Allal, Enguiya El Ouaban, Rahma Yahdiha, Ghali Chrif, Assietou Hasna, Souad Loud, Aicha Nassi, Saaid Zreibi, Zahra Rahou, Oumelmoumine Terrouzi, Nasra Bahia, Yahdiha Ehl Najim, Soukeina El Khatat, Said El ouaban, Fdili Toueir, Aziz Ait yousef** and **Mahmoud Lemgheiti**.

The students wounded are: **EL KHERCHI SAADANI, BOUJDOUR SAADANI, ZIRI AICHA, LEMZOUKI CHRIFA, DIDI SAOUDI, EZOUZAL MHAJJIBA, DAMI THOURAYA, TALEB ALI BEDRA, SAADANI EL KHERFI, SAFIA BOUCUOT, EL MAOUGUEF ZAHI, DOUNIA HMEIDAHA, AICHA ZBEIR, ALI HARAB, EM KOUT KHAMOU, IMAD NAKHOUR, RAGUIB ELHAJOURI, DEDI HMADA, MAHMOUD BAH, NEZA MOHAMED, MEMOUISSI YOUSSEF, MLIHA ELMHAJOURI, SALK**

AKIF, SALKA DIDA, BTEILA BASMIR and **SAFIA EL MEDA**

May 11th, 2007

SMARA /WESTERN SAHARA

The Sahrawi child, **EL BOURHIMI KHATTARI** (14) and the 23 years old **DADDA MOULAY EL MAHJOUR** were severely beaten by the Moroccan police in **OUED SALOUANE** (4 km from SMARA / W.S).

May 11th, 2007

EL AAIUN/WESTERN SAHARA

The Moroccan police savagely repressed a peaceful protest demonstration in DCHEIRA Square at about 10:00. The demonstrators were mainly the political prisoners' families and the university students' families. Many Sahrawis were injured (**ALAAIZA EL GASMI, NANHA AHNINI, AHMAD BRAHIM, and BRAHIM BEN LBACHIR**) and some of them arrested (**MOHAMED KAZIZA, MOHAMED YESLEM ZAD-ENNAS, ALI ESSAADOUNI, MOHAMED OULD MAOULOUD, LAHCEN LAABEIDI**).

May 12th, 2007

SMARA /WESTERN SAHARA

The Sahrawi teenager, **SOUADOU BAHABA** (14) and the 32 years old lady **FATIMATTOU ISMAIL** were brutalized. **FATIMATTOU ETNAKHA**, 19, and **INTISSAR KARROUM**, 19, were arrested by the Moroccan police agents.

May 14th, 2007

SMARA /WESTERN SAHARA

SALMA SOUHAIL (24) was arrested by the Moroccan security forces.

May 14th, 2007

DAKHLA /WESTERN SAHARA

A demonstration advocating self-determination for the Western Sahara was oppressed by the Moroccan police.

SADDAM MOUJAHID, HELLOUL AHMED and **AHMED TALEB LAGHDAF** were arrested and interrogated for some hours before been released.

RAGUEB MOHAMED FADEL was seriously injured by a Moroccan police van while dispersing the demonstration. He was taken to hospital in a critical state.

May 16th, 2007

EL AAIUN/WESTERN SAHARA

Some Sahrawi secondary school students were arrested and interrogated for 15 hours in the judicial police center, then they were released, they are: **AHMED BABA MGHARBALHA, ERRAGB AHLBARRA** and **LAHBIB EL MOURAD** all them aged 15.

May 16th, 2007

RABAT / MOROCCO

The Sahrawi university students went a 24 hunger strike in solidarity with the Sahrawi Political Prisoners going on an open hunger strike in the local prison of INZEGAN and MARRAKECH/MOROCCO and also in solidarity with the victims of the human rights abuses in the Western Sahara.

May 17th, 2007

RABAT / MOROCCO

In Rabat, the capital of Morocco, Moroccan riot police wielding truncheons clashed with Sahrawi students demanding independence for Western Sahara. Saharawi students have staged a sit-in since Monday at Mohamed V University in Rabat.

Early Thursday morning, police surprised sleeping students, beating them with truncheons as they camped out before the gate of a student housing complex.

The police arrested 10 students: **MOHAMED ALI NDOUR, MOULAY**

AHMED AILLAL, ABDATI DIYA, EL AALM ABBA, EDDALAA HOUCINE, NAJEM ESSGHIR, LAKHLIFA JENHAOUI (ex-political prisoner), **MOHAMED HASSAN ELILLI, BRAHIM LAMINE** and **MOHAMED EL AALAOU**, bundling them into vans while still wrapped in blankets. They took money and mobile phones from students.

Police then blockaded an avenue running in front of the housing complex. In mid-morning, around 60 riot police wielding truncheons charged some 50 Saharawi students who had remained at the scene.

The intervention caused several wounded among them: **LOUCHAA AMAA, MOHAMED MBAREK DIDI, GHALI EL GARHI, MOHAMED LAMINE EL JAAFARI, GHALI EL KHALIL, SIDI HAMDI BOUHANNANA, CHEIKH AAMAR HADDAD, YAHDIH LABAIHI** and **BADDAD ABAID**.

Later at night, once again, the police stormed the Sahrawi students rooms in the Suissi 1 and 2 university campuses caused the arrest: **IBRAHIM ELGHARABI, EL WALI ZAZ, HAMADI, ABIDINE BOUNAAJ, BRAHIM SALEM TALBI, BRAHIM SALEM TALBI, TAHER LABBAT** and **YOUNES AGADER** and the injury of **YAHDIH KHAYA, ESSALEK AHL EFAKOU** and **HAMADA LAMBARKI**.

May 18th, 2007

TIZNIT / MOROCCO

A number of Sahrawi political prisoners in the local prison of TIZNIT were brutalized after their enforced transferred from the local prison of INZEGAN/Morocco to the local prison of TIZNIT/Morocco, their names are: **MOHAMED TAMEK, BRAHIM KAJJOUT, IDRIS MANSSOURI** and **BRAHIM NAJII**.

May 20th, 2007

EL AAIUN/WESTERN SAHARA

Two members of the **ASVDH, HASSANA DUIHI** and **BRAHIM EL ANSARI** were arrested in their car while the co-president of the **CORELISO** was arrested some hours later.

May 25th, 2007

EL AAIUN/WESTERN SAHARA

The Moroccan repressive forces proceeded at 13: 30 GMT, with a violent and savage intervention, against the Sahrawi citizens who were demonstrating, at the **INAACH** district, to claim the respect of the right of the Sahrawi people's right to self-determination. This violent intervention resulted in:

***1/** The arrest of **HAMZA LARABAS, EL MAHFOUD BOUTANGUIZA, MOHAMED FADEL ATABL, MOHAMED FADEL SBAIL, MOHAMED SALEK EL KHALIL** and **BRAHIM AKID**.

***2/** The police order to the family of **LAGHDAF ABBA** and the family of **HAMDI AYACH** (in **MAATALLAH** district) to come to the Judicial Police center.

***3/** The storming of the houses of: **1 - ABDELJALIL OULD MOHAMED FADEL OULD SIDI LAABEID** (his wife, **GHALOUHA TILMIDI**, was savagely beaten, as well as his son **LAHCEN**, whereas his two daughters, **AZOUINA** and **KALTHOUM** were arrested). **2 - MAHFOUD AGUIRINA** who was arrested with his wife, **GHLEINA MENT BARHAH**, and his two sons **ERRAGUEB** and **ABDENASSER**, as well as his daughter **KHALIDA** who is only 4 years old. **3 - BABEYA OULD BAHYA**.

The Sahrawi citizens who were arrested were released afterwards after many hours of detention and were subjected to beating and ill treatment.

May 25th, 2007

THE BLACK PRISON-EL AAIUN/WESTERN SAHARA

A number of the Sahrawi political prisoners were brutalized inside the black prison by the prison guards among them **YAHDIH ETTAROUZI, EL OUALI AMIDANE** (both members of the **CODESA**), **EL HAFED TAUBALI**

and **MOHAMED SALEM BAHABA**.

May 26th, 2007

EL AAIUN/WESTERN SAHARA

The two young Sahrawis, **MOHAMED ELAASRI** and **KHATARI ELBAILLAL** were arrested, near MAATALLAH district, at 20: 00 GMT. They were both subjected to interrogation in the judicial police center.

MANSOUR AJDEY was abducted, according to his family, and the Moroccan authorities deny being responsible for his abduction.

May 28th, 2007

EL AAIUN/WESTERN SAHARA

The Moroccan security forces dispersed a peaceful demonstration in El Inaach district in El Aaiun, W.S. and arrested **HAMZA LARABAS, EL MAHFOUD BOUTANGUIZA, MOHAMED FADEL ATBAL, MOHAMED FADEL SBAII, MOHAMED EL KHALIL** and **BRAHIM AKID**.

The Moroccan forces interrogated the Sahrawi families of **LAGHDAF ABBA** and **HAMDI AYACH**.

Two young Sahrawis were arrested by the Moroccan police force, and were subjected to heavy interrogation, between 15: 30 and 17: 00 GMT. The two Sahrawis are: **ABEIH OULD SID AHMED OULD EMBAREK ELAABED**, (19), and **MOHAMED ELMEBREM BADRI**, (19).

The 17 year-old Sahrawi citizen **EDDAWDI**, had been subjected to inhuman treatment. He was arrested at 22: 00 GMT and faced horrible forms of physical and psychological torture.

JUNE 1ST, 2007

EL AAIUN/WESTERN SAHARA

The Moroccan security forces arrested **BACHRAYA LACHGAR**, as a hostage, who was not released until Sunday June 3, 2007, after the arrest of his brother, **ECHRIF LACHGAR**, born in 1989, and was taken to the judicial police.

LAAROUSSI ELBARBOUCHI, born in 1990, **AABIDINE KRAITA** and **LAAROUSSI BABEIT**, were detained and taken to the center of the judicial police. All these prisoners were savagely tortured.

JUNE 14th, 2007

EL AAIUN/WESTERN SAHARA

The Moroccan authorities violently intervened to disperse a peaceful demonstration in MAATALLAH district in El Aaiun, WS. An arbitrary arrest campaign was launched and the following demonstrators were detained: **MOHAMED LAMINE RAHMOUNI, MOULAY ALI TOUBALI, MAHMOUD ELMOUSSAOUI, ALAMINE ZAGHMANE, ELHAJ TAGLABOUTE, ZINEDDINE ERRAYKAA, MANSOUR EDHRAYEF** and **MOHAMED ALI HADDAD**.

These demonstrators were also injured: **LAMMATE ZAGHMANE, MAHMOUD DADDI ELLOUDE** and **SAID HADDAD**.

JUNE 19th, 2007

SMARA /WESTERN SAHARA

The Sahrawi citizens **MARIAM LEMSSAAD** (26), **AFIF ALI** (26) and the child **MARRIAM LAMSSAAD** (02) were violently abused.

The following people were arrested: **SALMA NAJIB** (30), **MOHAMED KARROUM** (31), **EL AAZZA KARROUM**(33), **ZAINAB CHRIT** (18), **OUN SAAD KARROUM** (43), **LAMAHAD....**(40), **MARIAM FDAILI** , **BABAIT TELEM**, **DAALI SALKA**, **MARIAM OMAR EDDALAA**, **EZZARWALISALMA** and **EL IDRISSE EDDALAA EL MAHFOUD**.

JUNE 20th, 2007**EL AAIUN / WESTERN SAHARA**

The Moroccan court in El Aaiun, Western Sahara sentenced two Moroccan police **agents responsible for the torture and murder of the Sahrawi citizen, HAMDY LAMBARKI** at the night of 30th October, 2005 because of his participation in a peaceful protest demonstration calling for the Sahrawi people's right to self-determination and independence.

JUNE 20th, 2007**EL AAIUN / WESTERN SAHARA**

The Moroccan authorities banned a peaceful protest sit-in that was intended to take place in front of the administering office of **Phos-boukraa** company in El Aaiun, Western Sahara.

The sit-in was organized by the Sahrawi workers in the company as the latter is still reluctant to cater for their demands. The laborers are denied their basic rights guaranteed by the international laws.

The protestors were arrested by the Moroccan authorities for at least one hour in the police center after being dispersed and their slogans confiscated.

June 21st, 2007**SMARA / WESTERN SAHARA**

The police arrested **BRAHIM CHIKHI** (20) and **OTHMAN ENNAFAA** (19) after a peaceful demonstration calling for self-determination.

June 24th, 2007**SMARA / WESTERN SAHARA**

SOUAILMA ELBAD (18), **BARKOUH SAFYA** (20), **BARKOUH MOULOUD** (26), **BARKOUH NAJAT** (25), **ALI SALEM CHIKHI** (26), **MAINA BOUHOUCHE** (32) and **ABIDA HAMDY** (18) were brutalized at a peaceful sit-in advocating independence.

June 26th, 2007**SMARA / WESTERN SAHARA**

The young Sahrawi **MAKHLOU LAHBIB** (22) was arrested.

Three other Sahrawi were arrested and transferred to EL AYIUN in order to be interrogated. They were later transported to the court of appeal and put in custody in BLACK Prison, EL AYIUN, their names are: **BARKOUH SID AHMED** (28), **BARKOUH AHMED** (27) and **DLAIMI KHALIHANNA** (49).

July 05th, 2007**EL AAIUN / WESTERN SAHARA**

The Moroccan police launched a wave of arrests targeting Sahrawi minors.

The Sahrawi children, **MOHCINE CHAMMAH** and **SOULAIMAN AYACH** were interrogated by the judicial police while **MANSOUR JDAI** (17 years old) was interrogated and tortured.

July 06th, 2007**EL AAIUN / WESTERN SAHARA**

A Sahrawi common-law prisoner, **DADA ALI OULD NAFAA** died in the local prison of Agadir, Morocco, for lack of sufficient medical care in the prison.

July 08th, 2007**EL AAIUN / WESTERN SAHARA**

The Moroccan police arrested Mr. **BEIDI OULD SALAMA SAH** (50 years old) and brutalized his mother **NHABOUHA MENT ARAM** and his daughter **GHLAILA**. He was released the next day as a number of Sahrawi citizens protested against his arrest in front of the judicial police center.

July 09th, 2007

EL AAIUN /WESTERN SAHARA

The Moroccan police arrested **NAFEAA BAYADI SALAM** (19), **HAMDI FARAH SALAMA** (21) in Izik, 10kilometers east of El Aaiun, LAGHZAL **MOHAMED** (22) and **ELBOUSATI TOURAD** (22) in Tan-Tan street in ElAaiun, W.S.

July 11th, 2007

DAKHLA /WESTERN SAHARA

The Moroccan police headed by **HARIZ LARBI** stormed the house of the Sahrawi citizen **HASSAN TALB BOUYA EL OUALI**.

During the police intervention, the following citizens were arrested: **HASSAN TALB BOUYA EL OUALI**, **LARABAS TALB BOUYA EL OUALI**, **MRABIH TALB BOUYA EL OUALI** and **ELGHALYA MAYARA**.

July 13th, 2007

EL AAIUN /WESTERN SAHARA

In the very early morning, the Moroccan police arrested the young Sahrawi girl, **MINATOU AMAIDANE**, sister of the Sahrawi political prisoner, **EL OUALI AMAIDANE**, Although her family went to the police station, they could not know anything about her. The family asserts that she was abducted in front their house at 24:00 by some police agents headed by the officials **Ichi Aboulhassan** and **Moustapha Kammour**, who took her in a police car to an undisclosed place.

She spent about 22 hours in custody. When she was released, she was suffering from serious pain on one of her feet, as a police agent deliberately maltreated her inside the police van at her abduction.

July 16th, 2007

EL AAIUN /WESTERN SAHARA

The Moroccan police arrested the Sahrawi citizen EL **GHLAINA MENT BARHAH** and her husband **EL MAHFOUD LAMAISSE**. She had been brutalized by the police on May 25th, 2007 and her son could no longer hear by one of his ears because of torture.

The same day the Sahrawi citizen, **SALEK SAIDI**, 27 years old, was cruelly assaulted by the Moroccan police and fractured in many occasions before. He was even burnt by police officials inside the judicial police center.

July 16th, 2007

DAKHLA /WESTERN SAHARA

The ex-political prisoner, **MOHAMED TAHLIL** was arrested and tortured at the Mauritanian northern borders for four hours.

July 19th, 2007

BOUJDOUR /WESTERN SAHARA

Once again, **MOHAMED TAHLIL** was arrested and tortured before being transferred to the court of appeal of El Aaiun.

July 20th, 2007

SMARA /WESTERN SAHARA

EL MOUSTAFA BOUGRAINE (25) was arrested

July 23rd, 2007

SMARA /WESTERN SAHARA

SIDI ELAALEM EL HAFIDI (18) was arrested.

July 23rd, 2007

DAKHLA /WESTERN SAHARA

EL BACHIR YAYA, the ex-political prisoner was arrested at the frontiers between W.S. and Mauritania. He was interrogated and tortured before to be

released.

July 27th, 2007

GUELMIM /SOUTH OF MOROCCO

The ex-political prisoner **BALLAHI ESSADDIQ** was arrested. He was released after two days custody and interrogation.

August 03rd, 2007

EL AAIUN /WESTERN SAHARA

The Moroccan police stopped the Italian judge, **NICOLAS QUATRANO**, 55 years old, who had rented a bungalow for his family in Fom Eloued beach, 25 kilometers west of El Aaiun, Western Sahara.

The judge was stopped by the police in a check-point, about 8 kilometers far from El Aaiun, where his car "Dacia Logan" was confiscated. The car had been rented from an agency in Agadir, south of Morocco in a legal way.

The judge, **NICOLAS QUATRANO**, his wife, **ANNA MARIA**, his two sons, **VALERIO** and **DANIELE**, and the family friend, **GIULIA LIPPI**, were all left in the check-point in complete fear and anger.

In a telephone call with the **CODESA**, Mr. **NICOLAS QUATRANO** expressed his astonishment to the way the Moroccan police were treating him. He also said that he was unconvinced by the evidence they gave concerning the confiscation of his car and the documents.

August 18th, 2007

EL AAIUN /WESTERN SAHARA

The young Sahrawi **MOHAMED HALI** was arrested. His family received no reasons for their son's arrest for 3 days. He was released after been tortured but not charged.

August 21st, 2007

EL AAIUN /WESTERN SAHARA

A Swedish and Norwegian (**KAMILLA EIDSVIK** and **ANDREA GUSTAVSSON**) were detained on the open street, after having witnessed police officers storming one of the neighboring houses to where they were staying in El Aaiun.

GUSTAVSSON, a Swedish citizen, represents **Sør-Trøndelag** county on the national board of **Socialist Youth League** of Norway (SU), and **EIDSVIK** is active in the youth **Party's International Work**.

The two youth politicians were put in a police vehicle and taken to a police station, where they were interrogated for two hours before being released.

Norwegian journalists and activists have on several occasions been expelled from Western Sahara and Morocco over the last years.

In 2005, a delegation including Member of Parliament **Eva Kristin Hansen**, and the **Rafto Foundation** chairman, **Arne Lynngård**, was expelled. Their interpreter was detained and tortured.

August 25th, 2007

SMARA /WESTERN SAHARA

The Moroccan authorities arrested the ex-political prisoner **ISMAILI HAMADA**, the university students **BAIDA MOHAMED**, **M'BAREK HNINI** and **LAHCEN ADDI**. They were mistreated for 12 hours before they were released.

Sept. 12th, 2007

EL AAIUN /WESTERN SAHARA

The security forces arrested the Sahrawi youth **MOHAMED BERKAN**,

MOHAMED FADEL ELASRI, HASSANA ALIA and **MOULAY ALI TAOUBALI** during a peaceful demonstration calling for the Sahrawi people's right to self-determination.

Sept. 20th, 2007

BLACK PRISON-EL AAIUN /WESTERN SAHARA

The Moroccan prison administration of the 'Black Prison', forcibly transferred the political prisoner and the **CODESA** member "**EL OUALI AMAIDANE**" against his and his family's will to the agriculture jail of Taroudant, Morocco.

Sept. 23rd, 2007

SMARA /WESTERN SAHARA

The Moroccan police violently abused the 17 years old girl **TFARRAH EL MOUSSAOUI**, **MAIMOUNA MOHAMED SALEM** (14), **AZZOUNA MOHAMED MAHMOUD** (47), **EZZAINA MOHAMED SALEM** (16), **TFARAH MOHAMED SALEM** (21), **MANNI HAIMADDAHA** (56), **MARDI OUM EZZAIN** (55), **ABDALLAH ENNADIF** (15), **EL AALMI ELGHALIA** (31), **MARIAM BAHABA** (15), **BACHIR LAGHJIL** (31), **SOUKAINA LAGHJIL** (19), and **ELAATIQ AROUR** (50).

Sept. 27th, 2007

SMARA /WESTERN SAHARA

The arrest of the Sahrawi citizen **MOHAMED YAHYA BIJAÄ** (42), he was expelled out of SMARA, W.S.

The 28 year-old lady **BAOUBA SGHIR** was brutalized.

Oct. 08th, 2007

SMARA /WESTERN SAHARA

The arrest of **KAMAL DLIMI** (16), **HAYOUN SLAIMA** (17), **ALI MANSOUR** and **ABD ELWADOUD KARROUM**.

Oct. 10th, 2007

EL AAIUN /WESTERN SAHARA

The Moroccan police arrested the Sahrawi ex-political prisoner **LOUMADI ABDESSALAM** and his father **MOHAMED LOUMADI** in front of the court of First Instance. They were taken to the police station and interrogated for four hours and then they were released.

Oct. 17th, 2007

DAKHLA /WESTERN SAHARA

OULAD CHEIKH EL MAHJOUB, a Sahrawi human rights defender (member of the **Committee Against Torture in Dakhla /W.S.**) was arrested by the Moroccan police. He was taken to an undisclosed place where he was released.

Oct. 23rd, 2007

GUELMIME/SUD DU MAROC

The Moroccan police arrested the Sahrawi students **BRAHIM ESSARAH** and **AHMED HSIK** in front of El Hadrami Junior School. Both of them are aged 16 years old. They were interrogated about the activities of their brothers **BRAHIM BERYAZ** and **BALAGH ALI SALEM**, who had been deprived of their right to continue their higher university studies because of their participation in the peaceful pro-independence demonstrations.

Oct. 23rd, 2007

MOHAMADIA/MOROCCO

The administration of the judicial, economic and social college, Hassan II University in Mohamadia, Morocco, have turned down the application of the prominent human right defender **ALI SALEM TAMEK** (35) to register at the university after he got his baccalaureate (2007-2008) in Assa, South of Morocco.

Nov. 09th, 2007

EL AAIUN /WESTERN SAHARA

DJIMI EL GHALYA, the Sahrawi human right defender and ex-

disappeared (member of the **ASVDH**), was not allowed to leave for the attendance of the 4th platform for human rights organized by frontline in Dublin, Ireland.

Nov. 20th, 2007

EL AAIUN /WESTERN SAHARA

A mass grave, in which the skeletons of five persons, was discovered during earthworks near the Black Prison where the Moroccan authorities were building a place.

The **CODESA** asked the Moroccan state to deal with this discovery in transparency and unveil the truth about the fate of hundreds of disappeared Sahrawi citizens in the Moroccan barracks and secret detention centers

Dec. 03rd, 2007

SMARA /WESTERN SAHARA

The Sahrawi citizen **EL BACHIR LAID ELISMAILI** was arrested at a peaceful demonstration calling for the Sahrawi people's inalienable right to self-determination and independence.

Dec. 14th, 2007

EL AAIUN /WESTERN SAHARA

The Moroccan police arrested the human rights defenders **DAHA RAHMOUNI (ASVDH)** and **BRAHIM EL ANSSARI** (member of the Laayoune branch of the **AMDH**) in the Smara street. They were taken to the police station where they were tortured, interrogated and forced to sign the proceedings without reading them.

They were released after 36 hours without charges.

Dec. 15th, 2007

SMARA /WESTERN SAHARA

ENNAOUCHA ALILATRACH was arrested after a peaceful demonstration advocating independence.

Dec. 16th, 2007

SMARA /WESTERN SAHARA

MOHAMED BERKAN was arrested after a peaceful demonstration advocating independence.

Dec. 17th, 2007

SMARA /WESTERN SAHARA

The Sahrawi Human Rights Defender **FEKKOU LABAIHI** (member of the **CODESA** secretariat and president of **The Sahrawi Committee for the Defense of Human Rights in SMARA, W.S**) was interrogated for one hour in a police van then he was released.

The following Sahrawi citizens were brutalized: **ENNAJAT WALDA MOHAMED CHEIKH, BRAHIM BRAHIM, ALI CHEIKH DLIMI, BOUTHAINA DLIMI** and **EL MAHFOUD ESSALEH**.

Dec. 25th, 2007

EL AAIUN /WESTERN SAHARA

The sit-in of the families of the 15 disappeared Saharawi of December 25, 2005, was violently repressed in the avenue of Smara in El Aaiun. Families who wanted to celebrate the commemoration of their 15 relatives' disappearance have been subjected to brutal intervention causing several casualties with different degrees of injuries: **HASSAN OULD SIDI HAIBA, ABDATI LEBEICH OULD SIDI HAIBA, SALAMA OULD SALEH OULD BOUCHALGA, SOUAD MENT LEBEICH OULD SIDI HAIBA, ELBACHA MENT BABEIT, MENTANNA SIDI BACHIR HAIBA, RABAB MENT SIDI BACHIR HAIBA, LAAROUSSI OULD EL WALI OULD BABOU, SAID HADDAD MOUSTAPHA** and **MOHAMED ALI HADDAD**.

Dec. 26th, 2007

SMARA /WESTERN SAHARA

The Moroccan police arrested, the human rights defender **SAID EL BAILLAL**, (a student researcher who continue his studies at Mohamed V University in Rabat).

The police alleged that **SAID EL BAILLAL** is being sought since the events of the last May during which a group of Saharan students in Rabat were arrested and sentenced to sentences varying between 4 and 8 months.



The Political Detention in the Western Sahara:

Fake law cases and Unjust Trials

The Western Sahara, the cities of South Morocco and Moroccan universities, have witnessed a new wave of fake trials especially since May 2005, against the Sahrawi citizens advocating for the independence of Western Sahara, but particularly against the human rights defenders who hold convictions other than that of the Moroccan state's position on the issue of W.S.

During the year 2007, many Sahrawi citizens were subjected to detention by the Moroccan police, and were allegedly interrogated and tortured in secret detention centers and judicial police posts. The main reason is their participation in demonstrations and sit-ins advocating the independence of W.S.

Despite the release of about 70 political prisoners (08 of them are human rights defenders), in 2006 in two groups, the Moroccan state is still continuing its abusive practices against the Sahrawi citizens and rights activists.

During and after the visit of the UN High Commissioner for Human Rights to the Western Sahara between 17 and 19 May 2006, many Sahrawis were arrested. Among them are the ex-political prisoner **HADDI MOHAMED EL KAINAN**, the rights defenders **BRAHIM SABBAR** and **AHMED SBAII**, members of the **ASVDH**. Besides, the Sahrawi prisoners, human rights defenders and members of the **CODESA**, **ELOUALI AMIDANE** and **ETTAROUZI YAHDIH** were also detained in 2006; All of them were still detained up to December 31, 2007, except **ETTAROUZI YAHDIH** who was released on July 2007.

The Moroccan courts have handed the Sahrawi political prisoners hard and unjust verdicts ranging from a year to five years with fines that may go up to 10 000 MDH (approximately 1400 \$). The number of trials in 2007 has reached 236 ones

These trials were characterized by various legal violations such as:

1. The arrest of many Sahrawi citizens and rights defenders without any tangible proofs of their guilt:

By way of illustration, **BALLAHI ESSADDIQ**, a former political kidnapped, human rights Defender, member of the **ASVDH**, was arrested in Guelmim, South of Morocco, on Friday July 27th, 2007. He was taken to the central police station in El Aaiun, W.S. He was interrogated about events that go back to May 2005, and finally sentenced to 6 months' imprisonment but freed in a temporary release.

A further example is the case of **SAID EL BAILLAL**, a Sahrawi university researcher, member the Committee for the Support of the Sahrawi People's Self-Determination, **CODAPSO**, who was arrested on December 26th, 2007 in Smara, W.S. He was transferred to Rabat where he was sentenced to 8 months' imprisonment to be spent in the local prison of Sale, Morocco despite the non-existence of any evidence of his guilt.

There were even some Sahrawis who were put in custody for periods ranging from some hours to five days, then released without trial or any accusations by the police (**DAHA RAHMOUNI** and **BRAHIM EL ANSARI** both are members of the **ASVDH** and the section of the **AMDH** in El Aaiun).

2. The non-respect of legal custody period:

According to the Moroccan law, the legal custody period is 48 hours that can be prolonged for other 24 hours.

Some Sahrawi detainees have spent more than three days such as **ESSAH NAFII** (from 08 to 14 July 2007), **ABDELLAH EL BOUSSATI** (from 08 to 14 July 2007) and **MOHAMED BOUTABAA** (from 17 to 22 June 2007).

3. The faking of judicial proceedings

Most of the prisoners alleged that the "confessions" mentioned in the proceedings were forced out by the use of torture and ill-treatment: brutal beating, rape threat, verbal abuse, etc.

Some of the Sahrawi political prisoners have been arrested while participating in the peaceful demonstrations advocating the Sahrawi people's self-determination.

However, their political views have not been included in the proceedings presented by judicial police to the court.

4. Lack of fair trial conditions:

- ✓ The court sessions have not been open to the public. The Sahrawi citizens and the political prisoners' families were prevented from attending the trials sessions.
- ✓ A general blockade has been imposed upon the courts. The police agents, wearing their uniform or in plainclothes, were controlling the surroundings and inside the courts.
- ✓ The public prosecution has not examined the complaints of torture that the Sahrawi citizens and human rights defenders alleged to be subject (**AMINATOU HAIDAR, BRAHIM NOUMRIA, LIDRI EL HOUCINE, HMAD HAMMAD** and **SULTANA KHAYA** (whose eye was smashed out on May 09, 2007, and was arrested in Marrakech)).
- ✓ The court has ignored calling the witnesses in the lawsuits to give their testimonies, especially those in favor of the detainees.
- ✓ The rights of the defense are generally not respected.

In a nutshell, **the trials we are coping with here are political in particular. They target to prevent the Sahrawis from their right to express their political views on the issue of Western Sahara. Thus, the verdicts were based on a political basis, and not judicial one.**

A slow Death and Racist Assault against the Sahrawi political prisoners in the Black Prison, El Aaiun, Western Sahara

The Black Prison in El Aaiun, WS, is one of the worst Moroccan prisons that do not cater for the minimal human conditions and the basic needs such as nourishment, hygiene and health care.

It was built in the 1960s by the Spanish authorities. It consists of three sides and ten cells, most of them have already been ruined because of the years. It was built for about 200 inmates, but now hosts 400. The number has been reduced from 700 detainees to 400 ones after successive prisoners' protests and human rights organisations denouncements.

The prisoners are suffering from terrible conditions because of the over-crowdedness and the lack of space for the inmates that are suffocating because of little air and light inside the cells.

Most of the detainees are suffering from a number of physical and psychological disorders. Some detainees suffer from asthma (**BACHIR BEN TALEB, EL OUALI AMAIDANE,..**), stomach-aches (**SABBAR BRAHIM, EL HAFED TAUBALI...**), skin disorders (**EL GASMI LAHBIB..**), diabetes (**EL KAINAN MOHAMED MAHMOUD**), short-sightedness (**HAMID OMAR** aged of 70 and sentenced to 20 years imprisonment).

The large majority of the detainees are in a terrible psychological threatening and verbal abuse.

All these health troubles are due to the bad detention conditions in the prison and the effects of torture during the custody period and in the prison.

This has resulted already in the death of certain 13 prisoners because of the administration carelessness and torture, various epidemic illnesses and fatal diseases as well as the spread of different kinds of parasites, insects and bad smells.

However, the Moroccan authorities tended to impose a complete control over the prison for the existence of the Sahrawi political prisoners. Recently, (on November 20th, 2007) a mass grave was found outside the wall's prison. The grave contains remnants of human bones that are probably the remains of Sahrawi prisoners during the 1970s and 1980's. Those who had the chance to survive and get out then still insist that there were many of them who died during that period and never saw light again.

Their guilt was "**the support of the Popular Front for the Liberation of SAGUIA ALHAMRA and OUED EDDAHAB**", from the Moroccan authorities' viewpoint.

Since May 2005, the Sahrawi political prisoners in the Black Prison have been organising peaceful sit-in advocating the independence and going on numerous hunger strikes calling for the improvement of the prison conditions.

Thus, the prison administration was obliged to take some measures, mainly simple ones,- especially after the display of the prison photos out the net that showed the real miserable prison conditions. The Moroccan Ministry of Justice had to move and give some promises to improve the situation of the prisoners.

In fact, the Moroccan response turned to be allotting some 40 agents of the Mobile Rapid Intervention for the Black Prison to oppress any possible sit inside the prison calling for the independence of the territory.

The new head of the Black Prison administration, which was the ex-responsible for the Execution Department in the Local Prison of KENITRA, Morocco, took charge of the oppression of the Sahrawi political prisoners in the Black Prison in El AYUN, W.S.

Advocating for independence and chanting political slogans inside the prison and in the visit room are the main reasons behind the oppression. Not only are the political detainees subjected to harassment and ill-treatment by the prison employees and police agents inside the prison.

On January 19th, 2007, at about 06:00 a.m. the prison administration violently stormed the cells of the Sahrawi political prisoners live. The Sahrawi were handcuffed, cruelly dragged and violently beaten (**ETTAROUZI YAHDIH, AMADANE EL OUALI, BRAHIM SABBAR, BANGA CHEIKH, CHEIKH BEN ALLAL, OMAR BELYAZID, HMAIDAT ALI SALEM, TAUBALI EL HAFED, HADI MOHAMED MAHMOUD EL KAINAN, LOUMADI ABD ESSALAM, GHALI ZOUGHAM, MOHAMED SALEM BAHHA, DAIDA ABD ESSALAM, HAJAJ MOULOUD, CHOUBAIDA LAAROUSSI, ..**).

Ironically, it was the day when the then Moroccan minister of Justice MOHAMED BOUZOUBAA was paying a visit to El Aaiun, Western Sahara.

Their things were destroyed some of them were forcibly transferred to other detention centres very far away from their families in the Moroccan cities. This has resulted in financial and psychologically difficulties for the families.

The Sahrawi political prisoners were separated into two video-camera controlled cells. A measure taken after the strong sympathy of the common law prisoners and the visitors with them.

Five of the Sahrawi political prisoners aged 20-21 years old (**DAH HASSAN, MOHAMED BOUTABAA, EL BOUSSATI ABD ALLAHI, SAH NAFII** and **KHADA EL BACHIR**) are still suffering from abusive treatment and daily assault by the prison employees supervised by the prison headmaster. The latter refuses to let them join other Sahrawi political prisoners.

After the forcible transfer of some Sahrawi prisoners of opinion and some common law detainees to Moroccan cities, advocating for independence of the territory , the remaining detainees still suffer from extortion by the prison administration to pay (sometimes it reaches 5000 MDH = about 600 \$) for not being transferred.

This probably happens in collaboration with certain Moroccan security authorities.

As the Sahrawi political prisoners have been subjected to torture and severe beating, they sent complaint letters to the general prosecutor of the court of appeal in El Aaiun, in order to look into the abusive practices, but in vain. No action has been taken yet.

Worse is that some Sahrawi political prisoners are tortured during their transport from and to the hospital or the court.

Simply put, the Black Prison conditions are far from being decent for human beings. The major challenges are over-crowdedness, lack of health care, shortage of drinkable water, the spread of different diseases, drug consumption and trafficking, daily assault, ill-nourishment, lack of tidiness and the increase of corruption in order to get a place to sleep in other than the toilet.

Chronology of Trials during 2007

January 01st, 2007

Court of Appeal in El Aaiun, Western Sahara

BRAHIM SABBAR and **AHMED SBAILI** (human rights defenders and members of the **ASVDH**) refuse to appear before the court, they asked for protection against torture
Trial postponed to January 23rd, 2007.

January 15th, 2007

Court of First Instance in Smara, Western Sahara

ASFARI ENNAAMA human rights defender and co-president of the **CORELSO** has been condemned to a suspended sentence of 2 months and a fine of 500 MDH (40 \$).

Feb. 06th, 2007

Court of Appeal in El Aaiun, Western Sahara

BRAHIM SABBAR, **AHMED SBAILI** (human rights defenders), **ABDESSALAM LOUMADI**, **TAOUBALI EL HAFED**, **MOHAMED LAHBIB EL GASMI** and **AHMED SALEM HMAIDAT**.
Trial postponed to February 20th, 2007

March 06th, 2007

Court of Appeal in El Aaiun, Western Sahara

1st file: **BRAHIM SABBAR** and **AHMED SBAILI** (human rights defenders): condemned to one year of prison.
2nd file: **TAOUBALI EL HAFED**, **MOHAMED LAHBIB EL GASMI** and **AHMED SALEM HMAIDAT**: condemned to 3 years of prison.
3rd file: **ABDESSALAM LOUMADI**: judgment deferred to March 20th, 2007.

March 07th, 2007

Court of First Instance in El Aaiun, Western Sahara

LAMINE BADA: condemned to one and a half years in prison.
He was previously condemned to a year by the same court for having chanted slogans before the court.

March 13th, 2007

Court of Appeal in El Aaiun, Western Sahara

LAAROUSSI CHOUBEIDA: the court confirmed the verdict of the 1st instance: one and a half years.

March 20th, 2007

court of appeal in El Aaiun, Western Sahara

11 Sahrawi political prisoners appeared before the court of 1st degree.
1st file: **EL OUALI AMAIDANE** (human right defender and member of the **CODESA**) and **BACHRI BEN TALEB**: trial postponed to April 17, 2007.
2nd file: **ETTAROUZI YAHDIH** (human right defender and member of the **CODESA**): Trial postponed to April 17, 2007.
3rd file: **EL YAZID BEN AAMAR**, **SHEIKH BEN AALLAL** and **GHALI ZOUGHAM**: condemned to 3 years imprisonment.
4th file: **MOHAMED SALEM BAHABA**, **MOHAMED MOULOUD EL HAJAJ** and **BAIDA ABDESSALAM**: condemned to 3 years imprisonment.
5th file: **ABDESSALAM LOUMADI**: condemned to a year and a half imprisonment.
6th file: **BANGA SHEIKH**: condemned to five months imprisonment. As he has already spent the period in custody, he was released.

April 17th, 2007

Court of Appeal in El Aaiun, Western Sahara

1st file: **EL OUALI AMAIDANE** (**CODESA**) and **BACHRI BEN TALEB**: condemned to 5 years imprisonment.
2nd file: **ETTAROUZI YAHDIH** (**CODESA**) condemned to 1 year and a half imprisonment.

3rd file: **EL YAZID BEN AAMAR, SHEIKH BEN AALLAL** and **GHALI ZOUGHAM**: Trial postponed to May 15, 2007.

4th file: **MOHAMED SALEM BAHABA, MOHAMED MOULOUD EL HAJAJ** and **BAIDA ABDESSALAM**: Trial postponed to May 15, 2007.

April 24th, 2007

Court of Appeal in El Aaiun, Western Sahara

1st file: The two human rights defender **BRAHIM SABBAR** and **AHMED SBAII** appeared before the court which decided to defer hearings to May 22, 2007.

2nd file: **TAOUBALI EL HAFED, MOHAMED LAHBIB EL GASMI** and **AHMED SALEM HMAIDAT**. The court decided to defer the appeal to May 22, 2007.

3rd file: **LAHSEN ZRAIGUINAT**: the court confirmed the sentence pronounced in the court of the 1st degree: a fine of 500MDH (40\$).

4th file: **HAMADA MOHAMED DADI** and **AHMED SIDI ELMOUSSAOUI** (released on Dec. 08, 2006 after having completed a sentence of 6 months pronounced in the court of 1st degree): case was not treated.

May 07th, 2007

Court of Appeal in El Aaiun, Western Sahara

The human rights defender **ANNAAMA ASFARI** appeared before the court of 2nd instance: trial deferred to May 21, 2007.

May 15th, 2007

Court of Appeal in Agadir, Morocco

The court of 2nd instance decided to reduce the verdict of 1st instance of **MOHAMED TAMEK, BACHIR NAJII, DRISS MANSOURI** and **BRAHIM KAJOUT** from 4 to 3 years imprisonment each.

May 15th, 2007

Court of Appeal in El Aaiun, Western Sahara

The Court of Appeal condemned **GHALI ZOUGHAM, OMAR BELYAZID, CHEIKH BENALLAL**, to 2 years imprisonment, as it was 3 years in the court of first instance.

ABDESSALAM DAIDA and **MOULOUD EL HAJAJ**' s verdicts were reduced from 3 years to 2 years and a half imprisonment.

MOHAMED SALEM BAHABA and **SAID LOUMADI**'s verdict was reduced from a year and a half to one year.

May 18th, 2007

Court of Appeal in Marrakesh, Morocco

The eight Sahrawi students arrested after the sit-ins of the Qadi Ayad University, **ABDELFAH ELYEDASSYA, DAH M'BAIRIK, MOHAMED EL AFAOUI, HASSAN FATEH, RACHID BENNOU, MAHMOUD ELQUETIRI, AZIZ AIT YOUSSEF** and **SULTANA KHAYA** appeared before the court of 1st instance. The Trial was postponed to May 23, 2007.

May 19th, 2007

Court of Appeal in Rabat, Morocco

The court of 1st instance postponed the judgment of 9 Sahrawi students arrested after the Med V University events on May 23, 2007.

The Students are: **MOHAMED ALI NDOUR, MOULAY AHMED AILLAL, ABDATI EDEYA, LAHOUCINE EDAALA, NAJEM ESGHIR, LAKHLIFA ELJANHAWI, MOHAMED EL ALAWI, BRAHIM ELGHORABI** and **EL WALI ZAZ**.

May 22nd, 2007

Court of Appeal in El Aaiun, Western Sahara

The Court of Appeal deferred the sentences of the political prisoners and human rights activists **BRAHIM SABBAR** and **AHMED SBAII** to July 10, 2007.

May 25th, 2007

Court of Appeal in Marrakesh, Morocco

The court of 1st instance condemned the Sahrawi Political Prisoners to:

- **ABDELFAH ELYEDASSYA, DAH M'BAIRIK, MOHAMED EL AFAOUI, HASSAN FATEH, RACHID BENNOU, MAHMOUD ELQUETIRI** to 1 year imprisonment.

- **SULTANA KHAYA**: 8 months imprisonment.

May 28th, 2007

Court of Appeal in Agadir, Morocco

The court of 1st instance postponed the trial of the 5 Sahrawi Political Prisoners **AHMED CHEINE, MAHMOUD ELFILALI, MOHAMED CHOUAIAAR, LAHOUCINE LEMGHEIFAR** and **ABAZID KADAL** to May 30, 2007.

May 29th, 2007

Court of Appeal in Rabat, Morocco

The judgment of the Sahrawi students detained in the Prison of Sale was postponed to June 29, 2007.

Their names are: **MOHAMED ALI NDOUR, MOULAY AHMED AILLAL, ABDATI EDEYA, LAHOUCINE EDAALA, NAJEM ESGHIR, LAKHLIFA ELJANHAWI, MOHAMED EL ALAWI, BRAHIM ELGHORABI** and **EL WALI ZAZ**.

May 29th, 2007

Court of Appeal in El Aaiun, Western Sahara

The Court Appeal postponed the trial of **ELWALI AMIDANE, YAHDIH ETAROUZI (CODESA)** and **BACHRI BEN TALEB** to June 12, 2007.

The same court confirmed the verdict against **LAMINE BADA**: one year and half.

May 31st, 2007

Court of Appeal in Agadir, Morocco

The court of first instance sentenced five Sahrawi university students; arrested On 3rd May at the university campus of Agadir , to 2 months' imprisonment: **AHMED CHAIN, MAHMOUD ELFILALI, MOHAMED CHWAIAAR**, a third year Arab Literature student, **LAHOUCINE LEMGHAI FAR**, and **ABAZAID KADAL**.

JUNE 05th, 2007

Court of Appeal in Rabat, Morocco

The sentences of the 9 Sahrawi students: **MOHAMED ALI NDOUR, MOULAY AHMED AILLAL, ABDATI EDEYA, LAHOUCINE EDAALA, NAJEM ESGHIR, LAKHLIFA ELJANHAWI, MOHAMED EL ALAWI, BRAHIM ELGHORABI** and **EL WALI ZAZ** were postponed to June 02, 2007.

June 12th, 2007

Court of Appeal in El Aaiun, Western Sahara

The Court Appeal postponed the Trial of **ELWALI AMIDANE, YAHDIH ETAROUZI (CODESA)** and **BACHRI BEN TALEB** to June 26, 2007.

The same court confirmed the verdict against **LAMINE BADA**: one year and half.

JUNE 18th, 2007

Court of Appeal in Marrakesh, Morocco

The court postponed the Trial of the Students **ABDELFAH ELYEDASSYA, DAH M'BAIRIK, MOHAMED EL AFAOUI, HASSAN FATEH, RACHID BENNOU, MAHMOUD ELQUETIRI, AZIZ AIT YOUSSEF** and **SULTANA KHAYA** to July 03, 2007.

JUNE 26th, 2007

Court of Appeal in El Aaiun, Western Sahara

Three Sahrawi political prisoners faced trial in the Court of Appeal:

1st file: **YAHDIH ETTARROUZI**, the Sahrawi human rights defender and member of the **CODESA**: he was sentenced to 10 months of prison.

2nd file: **ELWALI AMIDANE**, member of the **CODESA**: condemned to 5 years imprisonment.

3rd file: **BACHRI BEN TALEB**: condemned to 5 years imprisonment.

July 02nd, 2007

Court of Appeal in Marrakesh, Morocco

The Court of Appeal has postponed the trial of 08 Sahrawi students to July 16th, 2007.

The main students are: **ABDELFAH ELYEDASSYA, DAH M'BAIRIK, MOHAMED EL AFAOUI, HASSAN FATEH, RACHID BENNOU, MAHMOUD ELQUETIRI, AZIZ AIT YOUSSEF** and **SULTANA KHAYA**.

July 03rd, 2007

Court of Appeal in Rabat, Morocco

The Court of Appeal delayed the trial of the Sahrawi students **MOHAMED ALI NDOUR, MOULAY AHMED AILLAL, ABDATI EDEYA, LAHOUCINE EDAALA, NAJEM ESGHIR, LAKHLIFA ELJANHAWI, MOHAMED EL ALAWI, BRAHIM ELGHORABI** and **EL WALI ZAZ** to July 10th, 2007.

July 03rd, 2007

Court of Appeal in El Aaiun, Western Sahara

Three Sahrawi political prisoners **KHALIHNA DLIMI** (50 years old), **BARKOU HAMID** and **BARKOU MOULOUD**, were presented to the court, the defense handed out a delay demand to the court jury. And thus, the case was postponed until July 18, 2007.

July 09th, 2007

Court of Appeal in El Aaiun, Western Sahara

The judgments of the human rights defenders **BRAHIM SABBAR, AHMED SBAII, TAUBALI EL HAFED, MOHAMED LAHBIB EL GASMI, AHMED SALEM HMAIDAT** and **ABDESSALAM LOUMADI** were deferred to October 01, 2007.

July 10th, 2007

Court of Appeal in Rabat, Morocco

The court reduced the verdict of the Sahrawi students **MOHAMED ALI NDOUR, MOULAY AHMED AILLAL, ABDATI EDEYA, LAHOUCINE EDAALA, NAJEM ESGHIR, MOHAMED EL ALAWI, BRAHIM ELGHORABI** and **EL WALI ZAZ** from 8 to 4 months imprisonment.

The same court maintained the 1st degree sentence: 8 months imprisonment.

July 16th, 2007

Court of Appeal in Marrakesh, Morocco

The Court postponed the Trial of the students **ABDELFAH ELYEDASSYA, DAH M'BAIRIK, MOHAMED EL AFAOUI, HASSAN FATEH, RACHID BENNOU, MAHMOUD ELQUETIRI, AZIZ AIT YOUSSEF** and **SULTANA KHAYA** to August 07, 2007.

July 31st, 2007

Court of Appeal in El Aaiun, Western Sahara

The court of 1st instance sentenced: **MOSTAPHA TAMEK** (human rights defender, the secretary general of the Regional Bureau of the **AMDH**) and

BANGA ALI (a Sahrawi student) to 8 years imprisonment.

August 07th, 2007

Court of Appeal in Marrakesh, Morocco

The court of appeal reduced the sentences of the Sahrawi students to:
- **KHAYA SULTANA**: 3 months suspending verdict.
- **ABDEFATAH ELYEDASSYA, DAH M'BAIRIK, MOHAMED EL ARBAOUI, RACHID BENNOU, MAHMOUD ELQUETIRI, AZIZ AIT YOUSSEF**: 4 months imprisonment.

Sept. 19th, 2007

Court of Appeal in El Aaiun, Western Sahara

The human rights defender and member of the **ASVDH MOHAMED TAHLIL**, was condemned to 3 years imprisonment in the court of 1st instance.
The same court postponed the Trial of **KHALIHNA CHEIKH ALI DLIMI, MOHAMED AHMED BARKOUH** and **HAMID AHMED BARKOUH** to October 25, 2007.

October 01st, 2007

Court of Appeal in El Aaiun, Western Sahara

The judgments of the human rights defenders **BRAHIM SABBAR, AHMED SBAII, TAUBALI EL HAFED, MOHAMED LAHBIB EL GASMI, AHMED SALEM HMAIDAT** and **ABDESSALAM LOUMADI** were deferred to October 08, 2007.

October 08th, 2007

Court of Appeal in El Aaiun, Western Sahara

The human rights defenders **BRAHIM SABBAR, AHMED SBAII** and Sahrawi political prisoners **TAUBALI EL HAFED, MOHAMED LAHBIB EL GASMI, AHMED SALEM HMAIDAT** and **ABDESSALAM LOUMADI** were expelled of the court room after chanting slogans condemning their unjust verdicts.

In their return to the Black Prison they were brutally tortured in the police vans. The trials were deferred to October 22, 2007.

October 22nd, 2007

Court of Appeal in El Aaiun, Western Sahara

The human rights defenders **BRAHIM SABBAR** and **AHMED SBAII** and the Sahrawi political prisoners **TAUBALI EL HAFED, MOHAMED LAHBIB EL GASMI, AHMED SALEM HMAIDAT** and **ABDESSALAM LOUMADI** were acquitted by the court of 1st instance.

Nov. 01st, 2007

Court of Appeal in El Aaiun, Western Sahara

The court of first degree condemned the human rights defender: **BOULAHI SADIK (ASVDH)** to 6 months imprisonment and a fine of 5.000 MDH (40 \$).

Nov. 13th, 2007

Court of Appeal in El Aaiun, Western Sahara

The court of 2nd degree decided to defer the trial of the Sahrawi political prisoners: **MOULOUD BARKOUH, KHALIHENNA DLAIMI** and **AHMED BARKOUH** to November 27, 2007.

The same court postponed the trial of the human rights defender **TAHLIL MOHAMED** to November 27, 2007.

Nov. 22nd, 2007

Court of Appeal in El Aaiun, Western Sahara

The Trial of the Sahrawi political prisoners **MOHAMED BOUTABAA, NAFAI SAH** and **MOHAMED EL BOUSATI** was referred to December 05, 2007.

Nov. 27th, 2007

Court of Appeal in El Aaiun, Western Sahara

The Sahrawi political prisoners: **MOULOUD BARKOUH** and **KHALIHENNA**

DLAIMI were condemned to 1 year imprisonment and **AHMED BARKOUH** to 1 year and a half by the court of First instance.

Dec.05th, 2007

Court of Appeal in El Aaiun, Western Sahara

The Court of Appeal reduced the imprisonment of the human rights defender **MOHAMED TAHLIL** from 3 to 2 years.

The trials statistics

From: January 1st, 2007 To: December 05th, 2007

- ✓ **Number of political trials: 236.**
- ✓ **Number of postponed trials: 142.**
- ✓ **Number of sentenced Sahrawi political prisoners: 53.**
- ✓ **Total of years sentenced: 71 years and 3 months.**

B. The Economic, Social and Cultural Rights

There is no doubt that the economic, social and cultural rights are as important as the basic rights.

The violation of the economic, social and cultural rights means that the state puts into practice a policy that neglects the people's rights as far as their standard of living, cultural identity and social conditions are concerned.

The Sahrawis live under terrible conditions characterized by poverty, unemployment, health deterioration and poor housing.

Bearing in mind all these conditions, there is a number of points that we have to highlight.

1. The right to work and workers' rights:

- Thousands of Sahrawis are denied their right to have a job. The main important group is the Sahrawi university graduates or those holding degrees from high institutes whose number is increasing by the end of every year.
- Lack of respect of the legal number of working hours and the absence of payment on overtime.
- The poor quality (or even lack of) health care services by most productive institutions.
- The ongoing process of child labor phenomenon in violation of the international human rights charters and the Moroccan labor law.
- The companies force the laborers to sign a 6 month-contract in order not to call for their tenure or other rights.
- The absence of laws to solve the work problems such as the workers' acquired rights in **Phousboucraa company**.
- The continuous dismissal of Sahrawi workers from some companies without any legal reasons (the case of **ESSAÏH MASSOUD**, 32, for example, who was laid off **Ominium Marocain de Pêche** in Tan-Tan, South Morocco, **AHMED FAL HUIDI** who was arrested, tried and dismissed of the Regional Delegation of **Waters and Forests** in 2007 because of his trade union activism.
- The Moroccan authorities tend to oblige the Sahrawis to work outside the Western Sahara territory, in the Moroccan cities. On the other hand, the Moroccan citizens are being flooded in the Western Sahara cities, given financial incentives, job and housing facilities to settle in the territory.
- The unjust inequality as far as incomes, are concerned. Some employees get hundreds of times the salary of others!!
- The Moroccan controlled part of Western Sahara is made tax-free by the Moroccan state ; a measure to encourage the Moroccan companies to settle in the Western Sahara and benefit from other incentives. This is contributing to the demographic change of the territory population.
- Here is a comparison of the number of Sahrawi and Moroccan university graduates who were recruited in 2003 and 2006 as Sahrawis from the Western Sahara and South of Moroccan cities. In fact, not all the recruited were Sahrawis, as the Moroccan authorities keep saying. This chart makes it crystal clear:

Domain	2003		2006	
	The total recruited	The proportion of the Sahrawis	The total recruited	The proportion of the Sahrawis
Justice	100	40	80	45
Health	100	45	80	35
Education	200	98	100	49
Ministry of Interior	100	38	40	18
Total	500	221	300	147

In a short, there is a great deal of the Sahrawis who are still suffering from joblessness, marginalization, poverty and terrible housing.

2. **The right to enjoy educational services:**

The school year 2006-2007 in the territory controlled by the Moroccan authorities was characterized by a great deal of chaos. The first month of the school year, there was no study for any logical reasons. This has delayed the start of the courses, which resulted in lack of time for both teachers and learners to finish the course in due time.

The educational services provided in public schools are deteriorating every year. The schools suffer from lack of teachers, the poor quality of blackboards, scarcity of libraries, impossibility of access to the internet, but mainly overcrowded classes. The average class is 45-46 but there are classes that are crammed by more than 60 learners.

The nomad families have to accept one of these choices to educate their children, either to send them to a relative in one of the Western Sahara cities or not to educate them as there are no schools in the Western Saharan desert.

On the other hand, there is a great police pressure against the Sahrawi students, especially after their demonstrations advocating self-determination and independence of the Western Sahara. This consists mainly of intimidation, dismissal of school or obliging the Sahrawi students to change the city.

Also, there are schools in which Berber Language is obliged on the Sahrawis in order to distort their identity.

3. **The right to health care:**

There are many points that we have to highlight while analyzing the health care services in the territory of the Western Sahara controlled by Morocco:

- a- The health conditions in this part of the W.S. and in the South of Morocco where the Sahrawis are living, are terrible.
- b- The poor Sahrawis, who cannot pay their medical expenses, are deprived of their right to be cured.
- c- There is lack of medicines at the hospitals and emergency centers.
- d- Scarcity of beds at the hospitals, which obliges some patients to wait for weeks in order to have the opportunity to have access to medical care.

- e- The humiliation and discriminatory practices by some Moroccan doctors against the Sahrawi patients.
- f- Scarcity of the personnel (doctors, nurses.. etc) at the hospitals in the Western Sahara cities.
- g- The death of many patients because of the carelessness at the hospitals in W.S. (**MOHAMED EDDIYAB**: August 17th, 2007, in Hassan II hospital in El Aaiun, EL **BACHIR ELOUAGHRI**: October 2007).
- h- The excessive use of corruption in hospitals

4. **The right to decent housing:**

Despite being in their own land, many Sahrawis still do not have the chance to live in decent houses. This has pushed the Sahrawis to build shabby towns inside the Saharan cities or to leave to the desert where they have to live in tents and go back to the life of nomads.

Up to December 2007, there are still many Sahrawi who are in serious need of decent housing, drinkable water, electricity and other basic necessities.

The Sahrawis who were brought by the Moroccan state from the south of Morocco to the disputed territory are still living in inhuman conditions intensified by their poverty and lack of education. They have been living for 16 years in tents or mud houses inside the so-called "modern cities": El Aaiun, Smara, Boujdour and Dakhla.

5. **The cultural rights:**

The Moroccan State is still spoiling the cultural heritage of the Sahrawi population. It is trying its best to distort the different Sahrawi culture and patrimony heritage that is obviously different from the Moroccan one.

The Moroccan state is trying its best to Moroccanize all that is Sahrawi. It has changed the names of the streets and avenues, has banned certain culturally specific Sahrawi names (such as: **MOHAMED FADEL, MOULAY MOHAMED, ALI SALEM, AHMED SALEM...**), forced the Sahrawi youth to learn Berber at primary school, banned the teaching of **HASSANIA** (the language spoken by the Sahrawis) and promoted folkloric cultural festivals in order to show that "**the Sahrawi culture is Moroccan**".

The Moroccan authorities tend, for example, to encourage the Sahrawi poetry that praises the Moroccan regime and the "territorial integrity", but would, by no means, allow that pro-independence poetry circulates among the Sahrawis. It also forbids the cultural Sahrawi associations that do not publicly state that the Sahara is Moroccan.

The Family Visits

Real human suffering and a temporary gathering of families separated by the berm

The U.N. High Commissioner for Refugees (**UNHCR**) has been taking charge for about three years of the exchange family visits between the families in the refugee camps and their relatives in the main cities of the Western Sahara.

The **UNHCR** main objectives of organizing family visits are *“to improve the protection conditions of the Sahrawi refugees. They are not linked in anyway to the political options that may be under consideration concerning the resolution of the Western Sahara conflict. The immediate objective of these measures is to allow refugees living in the camps of Tindouf in western Algeria to have additional means of communication with members of their communities of origin living in the Western Sahara Territory and vice versa . another objective is to meet the humanitarian needs of families who, because of the conflict, have been separated for a prolonged period of time.*

More over, the purpose of the Programme is to shake the long standing status quo marking this refugee situation. The CBMs are also likely to contribute to the establishment of a certain level of confidence between the parties concerned by the conflict over Western Sahara, thus facilitating a negotiated solution to the problem”.(the Western Sahara Operation UNHCR/MINURSO Confidence Building Measures , supplementary appeal, March 2005).

Sahrawi citizens are transported by plane from the airports of **EI AAIUN, SMARA** and **DAKHLA** to **TINDOUF** airport in order to be taken to the camps afterwards. Sahrawis from the refugee camps start their journey from the camps to **TINDOUF** airport and then to one of the cities mentioned above.

The **UNHCR** guarantees that the people benefitting from the visits reach their families in one of the cities or the refugee camps. Each visit consists of about 60 Sahrawi people of different sexes and ages from both sides of the berm.

The **UNHCR** had already prearranged the visits with both the Moroccan authorities and the Popular Front for Liberation of **SAGUIA ALHAMRA** and **OUED EDDAHAB**.

They all cooperated to register the citizens desiring to benefit from the visits and how to cater for specific criteria such as having a member of the family (father, mother, brother or sister) or a spouse in the other part of the berm. This is of course apart from belonging to the disputed territory , and expressing one’s willingness to respect the humanitarian perspective of the visits.

Yet, the **UNHCR** had to wait for a long time in order that the UN and both conflict parties would accomplish certain arrangements.

The Moroccan Kingdom has objected to certain measures related to the visits. Thus, the family visits have been going through delays that negatively affected the Sahrawi citizens’ psychology.

They are now more certain that although the visits are purely humanitarian, they are deeply affected by political developments of the Western Sahara issue.

The family visits are still continuing in the same way that they started at first despite the **UNHCR**’ s desire to improve them and increase the number of the beneficiaries. In fact, there have been thousands of citizens who have expressed their desire to benefit from the visits. This is due to the different registering centers in the Western Sahara and in the refugee camps.

The main remarks that the **CODESA** points out concerning the family visits supervised by the UNHCR are:

1 - The small number of the citizens benefitting from the reciprocal visits in both sides result of the use of only one plane to transport about 30 citizens from the camps to the Western Sahara cities or vice versa.

2 - The deprivation of some Sahrawi citizens of benefitting from the visits without receiving any reasons for that.

3 - The Sahrawi citizens do not receive any receipt for being registered at the **UNHCR** center to prove their registration.

4 - Many Sahrawi citizens are dissatisfied with the **UNHCR** ignorance of their applications for benefitting from the family visits despite catering for all the necessary conditions and being registered on due time.

5 - The start of a new registration operation in all the Western Saharan cities and in the refugee camps although hundreds of registered Sahrawis in the first operation were simply ignored or were unjustifiably refused.

6 - Certain Sahrawi human rights defenders and former political prisoners were prohibited by the Moroccan authorities from taking part in the visits without any obvious reasons or intervention from the **UNHCR**.

7 - The Moroccan authorities have imposed a complete police control on the host families in the Western Saharan cities. Worse is the use of violence and torture to prevent the Sahrawi citizens from celebrating their relative's arrival.

8 - Lately, some beneficiaries claim that little importance was given to their health care and security, as the **UNHCR** used to take charge of the citizens coming from or going to the refugee camps.

C. The specific Rights

I. Women's Rights:

The Sahrawi women are still living under a combination of terrible political, economic and social conditions.

They still suffer from all types of oppression, live in poverty and illiteracy, the majority of them are either unemployed or even do not have any degree that can qualify them to get a job. As far as health care services are concerned, women are the most negatively affected. A great number of women die in the Western Sahara and South of Morocco at the pregnancy stage.

Most public hospitals lack specialized doctors, suitable equipment and sufficient medicine.

a- Political oppression:

It is observed that the vast majority of the people who participate in demonstrations are women and girls. It is obvious that they would be the most targeted by Moroccan security forces.

The Sahrawi women are subjected to arrests, torture, rape, harassment and all types of ill-treatment.

It is very sufficient here to state the case of **GHLANA BARHAH**, 40 years old, who was arrested twice and interrogated for about 28 hours in the judicial police center. She was brutalized, violently tortured, which resulted in her miscarriage. She alleges that her clothes were taken off and she was taken to a toilet where the police agents came and urinated on her in turn.

Her son **ABD ENNASSER LEMAISSI** lost hearing because of the brutal beating of the police in front of her in the judicial police center in El Aaiun.

Another example is the Sahrawi student **SULTANA KHAYA**, who lost her eye because of beating in front of the university campus before being taken to the police center in Marrakesh, Morocco, on May 07th, 2007. SULTANA KHAYA was participating in a demonstration advocating independence.

All the Sahrawi female lead a politically, economically and socially miserable life.

b- Unemployment:

There is a great number of Sahrawi female graduates who still have to endure the suffering associated with joblessness and lack of survival money. Many Sahrawi girls have finished their university or high institutes studies, but still have to lose years doing nothing at all.

The women who have not had the chance to complete their studies or to study at all, have either to wait for a potential husband to get married to, or to endure the hardship of poverty and lack of resources.

For some women, the Moroccan authorities try to "buy" their loyalty by giving them a monthly grant "for doing nothing" in fact. It is about 1200 MDH (180 \$). This low salary can be alternatively received by three or four women. Every woman gets this amount of money in say three or four months.

II. Children

The Sahrawi child is also suffering as much as the Sahrawi women. The second most miserable in the Sahrawi population are children. They are subjected to daily oppression, torture, abduction, humiliation, threatening, and even rape.

It is a common practice in the Western Sahara territory under Moroccan control that children are arrested from peaceful demonstrations, from streets or their homes, from within the hands of their parents. The reason for this is principally their participation in peaceful demonstrations advocating the territory's independence, or their refusal to restate the Moroccan national chants, or their brandishing of the **Polisario** flags or writing pro-independence graffiti on the schools walls.

Nearly all the public schools are controlled by the clearly seen police vans. At least one van in which there are 8 – 10 police agents holding their truncheons, stands in front of the school while the students are there to study. However, there are schools in which the military forces live day and night (**ALMORABITIN, ZERKTOUNI and TARIQ BNOU ZAYAD primary schools**).

Since May 2005, all the schools have been controlled by security agents in plainclothes, moving from class to class, watching over what they call "trouble-makers" (= potential pro-independence demonstrators).

The schools in Western Saharan cities are characterized by the large number of students members in classes (may be more than 60 students) during the school year 2007-2008.

Most schools lack libraries, suitable stadiums for sport, convenient classes, blackboard and tables. Green areas are not sufficient and access to the internet is not possible in most schools.

All these factors as well as the daily harassment and police pressure push many Sahrawi students to leave schools, or to think of other alternatives, the easiest of which is illegal emigration.

Here is a list of the children arrested and tortured in the judicial police centers in limited period of time:

NAME OF THE VICTIM	PLACE OF THE ARREST	DATE OF BIRTH	DATE OF THE ARREST
1. ZAHRA BASSIRI	SMARA	1993	FEB. 2007
18. FREIK MOULOUD	quartier Linaâch	1993	25 /06/ 2007
19. NASSER RIDA	quartier Linaâch	1993	25 /06/ 2007
20. ELBOUSATI MOHAMED	quartier Linaâch	1993	25 /06/ 2007
21. ELFAKIR MOHAMED	quartier Linaâch	1993	25 /06/ 2007
17. SID AHMED LIICHI	Fam El Wad	1991	04 /08/ 2007
2. BOUBAKER HAMMOU	Q. Alamal	1989	20/11/2007
3. EL KHALIFI ISSA	Q.Elaawda	1989	18/11/2007
4. LAABOUD DAHA	Bd Smara	1989	18/11/2007
5. LAGHZAL EL HAFED	Bd Smara	1989	19/11/2007
6. LAAOUAR ABDALLAH	Q.Elaawda	1989	06/11/2007
7. LEMSID LEHCEN	Q.Elaawda	1990	18/11/2007
8. MOHAMED EL KHASSER	Q.Raha	1989	14/11/2007
9. EL MAMI KHALIHNA.	Q.Raha	1989	14/11/2007
10. OMAR GARMOUN.	Q. Alamal	1989	18/11/2007
11. RAHAL ADIL	Q. Alamal	1989	20/11/2007
12. BOULAHY KHALED	Q. Alamal	1989	21/11/2007
13. FAHMI LAHCEN	Elwahda Camps	1989	17/11/2007

14. NANNA SALIMA	Elwahda Camps	1990	19/11/2007
15. DAH ELAASRI	Elwahda Camps	1991	19/11/2007
16. RAOUI KAMAL	Elwahda Camps	1989	19/11/2007

III. **The rights of the disabled:**

The disabled in the Western Sahara are a category of citizens whose suffering is double. In addition to their daily physical and psychological suffering resulting from their disablement, they also have to endure complete ignorance and negligence by the Moroccan authorities.

Only very few of them have sufficient financial resources to cover their daily expenses. Even fewer enjoy enough health care services or the possibility to continue their high studies as there is no single university in the Western Sahara.

Therefore, they generally have to move to Moroccan cities such as Agadir, Marrakesh and Casablanca to be cured on their own. Besides, they rarely manage to finish their studies as they have to travel more than a thousand kilometers to benefit from university courses.

Most of the disabled have been handicapped because of landmines that are still everywhere in the Western Sahara desert. Landmine victims will be dealt with in a **separate chapter**.

The Moroccan state has created a number of associations to cater for the disabled needs, but they are still far from their integration into society, for the number of the disabled is increasing tremendously.

In Belmehdi Hospital in El Aaiun, W.S. there is a department concerned with the creation and fixing of artificial organs to replace the natural ones lost. However, the department is closed for no obvious reasons, and therefore, the Sahrawi handicapped have to move to Moroccan cities.

D. The environment in the Western Sahara

The Moroccan military forces have been destroying the environment in the Western Sahara since they seized the territory in October 1975. They have been cutting different types of trees, especially "Talh" trees to use them in cooking and other purposes.

They have been hunting desert animals, particularly for deers, rabbits and Saharan birds. As a result, both desert trees and animals are decreasing seriously. Even worse, some of the animals have already been extinct. Others are on the way to extinction.

Some Gulf notables (especially from Saudi Arabia, UAE and Kuwait) have been licensed by the Moroccan authorities to practice bird-hunting in the Western Sahara desert, where no environmental control exists in order to save the environment.

Another issue is the weapon experiencing in the desert by the Moroccan army .many arms and bombs are experimented in the desert where Sahrawi nomads are living. This has also contributed to reducing the number of many species and their extinction.

In a brief, the environment in the Western is deteriorating tragically. Therefore, if the Moroccan state does not stop the army's rapid destruction of the environment, all plants and animals are to be lost forever.

Minurso staff vandals on Sahara's prehistoric art:

The CODESA has learnt that spectacular prehistoric depictions of animal and human figures going back to 6000 years in the past were vandalized by the UN personnel in the region of LAJUAD, a Saharan area east of the berm.

A large majority of the Sahrawi citizens questions the presence of the MINURSO (*la Mission des Nations Unies pour un Referendum au Sahara Occidental*) in the Western Sahara now. The personnel recently destroyed a part of the Sahrawi (and Human) cultural heritage forever.

Thanks to the archeologist Nick Brooks, of the University of East Anglia, that the Minurso vandalism was known.

DALYA ALBERGE, The Time arts correspondent has written, **"One Croatian peacekeeper scrawled "PETAR CROARMY" across a rock face. Extensive traces of pigment from rock painting are visible underneath. Another left behind Cyrillic graffiti, and "EVGENY" from Russia scribbled AUI, the code for the Minurso base at Aguanit. "MAHMOUD" from Egypt left his mark at Rekeiz Lemgasem, and "Ibrahim" wrote his name and number over a prehistoric painting of a giraffe. "ISSA", a Kenyan major who signed his name and wrote the date, had just completed a UN course, Ethics in Peacekeeping, documents show.....**

....The extent of the damage is revealed in a report by NICK BROOKS, of the University of East Anglia, and JOAQUIM SOLER, of the University of Gerona, Spain, which was passed to The Times yesterday. It outlines the "severe vandalism", saying that it "now appears to be an essentially universal practice when Minurso staff visit rock art sites . . . Minurso staff have felt entitled to destroy elements of Western Sahara's and the Sahrawis' cultural heritage, despite being aware of UN ethics in peacekeeping, and in breach of legislation enshrined in the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict."

See:

http://entertainment.timesonline.co.uk/tol/arts_and_entertainment/visual_arts/article3280058.ece.

E. Landmines and the remains of military weapons:

The 16 years old war between the Moroccan Kingdom and the Polisario Front in the Western Sahara territory has left behind a serious daily threat to the Sahrawi citizens' lives: Landmines.

Landmines exist everywhere in the Sahara except in the overcrowded places, mainly cities. They were buried in the battlefields where many battles took place between the two armies.

Hundreds of Sahrawis have already died or have become partly or totally disabled as a result of unexpected bomb explosions.

The large majority of the victims were simple nomads who followed their herds in the desert. A large number of children have died while others have been left handicapped. Some of the victims were driving their landrovers or riding their camels while the explosion took place.

At large, the landmine victims are generally neglected by the Moroccan authorities as far as medical care is concerned. They have to look for ways to be transported to a hospital in the Western Saharan cities or in Morocco. They also rely on their own to continue their treatment, buy the medical equipment and pay their transport expenses .

Although the Moroccan authorities claim that they have disactivated a number of the landmines planted in the territory west of the berm, a great number of Sahrawi citizens are daily wounded or killed by landmine explosions in the area.

The military conflict in the Western Sahara between the Moroccan army and the Polisario Front warriors stopped in 1991 when both parties agreed upon cease-fire as a part of a general agreement under the auspices of the United Nations. But the landmines planted during the war are still killing a large number of Sahrawi civilians on a regular basis.

The year 2007 was no exception. The **CODESA** has received a number of casualties, victims of landmines in the Moroccan controlled part of the territory. All of them claim that after the explosion, only themselves or their families took charge of their medical treatment and expenses.

The Moroccan state did not even hand them a gendarmerie proceeding proving that they were victims of landmines. Despite asking for the proceeding, the Moroccan authorities always refuse to hand a copy to the victims. And therefore, they have no document showing they were victims of landmine explosions and not of a road accident for example.

One major problem of landmines issue in the Western Sahara is that the soil erosion and sand creeping is behind the movement of landmines from place to another. This is added to the fact that the Moroccan army does not put signs on the places where they are sure there is a potential danger.

Some of the Sahrawis lose their lives in remote areas where there are no healthcare centers at all, and if there exist; they lack both doctors and medical equipment. Many of the landmines victims, for example, have died mainly because they had to wait, for hours, for who may rescue them in the desert. There are no ambulances, but some LANDROVERS or LANDCRUISERS may probably pass by and take the victim to the nearest healthcare center, which maybe hours far away. Those who survive have to struggle again to be cured.

According to Landmine Monitor, **"Morocco made statements about having a stockpile of mines solely for training purposes in November 2004, September 2005 and November 2005. It has not provided any details on types or quantities of mines. Morocco previously stated in 2001 and 2002 that it had no stockpile of antipersonnel mine"**

It adds that "**Casualties decreased in Morocco but increased sharply in the Moroccan-controlled part of Western Sahara (at least 16 casualties in 2006 and 13 to May 2007)**".

Morocco admits "**extensive use of mines in the past, most notably at the berms (defensive walls) it built from 1982 to 1987 to secure the northwestern corner of Western Sahara.**"

The **CODESA** admits that it does not have neither the sufficient staff nor the adequate equipment to collect enough data on landmines and their casualties in the Western Sahara. Yet it managed to collect the following data:

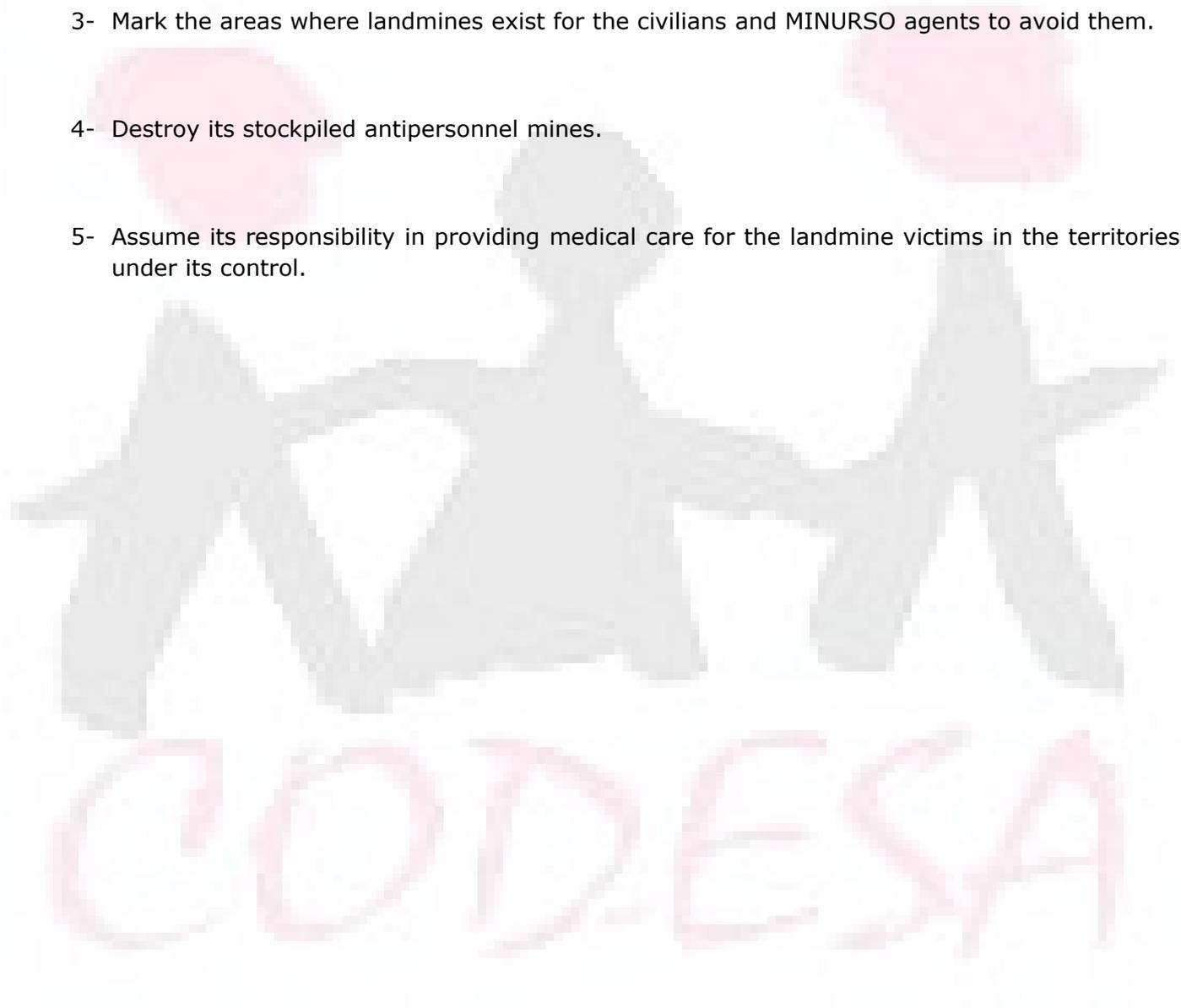
The 2007 landmine casualties in the Moroccan controlled part of the Western Sahara

Victims' Name	Date of the landmine accident	Place of the landmine accident	Effects and Observations
MOHAMED LAMINE LAAROUSSI LEMGHAIMAD (a deputy)	January 18 th , 2007	,Garat Leadaim Km northeast Dakhla 160 Western Sahara	Died
MOHAMED KHATRI SAID EJJOUANI (ex-parliamentarian)	January 22 nd , 2007	El Bagari, Bir Inzarane, Dakhla Western Sahara	Died
MOHAMED BRAHIM Lahmar	January 22 nd , 2007	,Hauza Km northeast Smara 200 Western Sahara	Different injuries on his body Taken to the hospital of Marrakesh, Morocco
FATMA BRAHIM Lahmar	January 22 nd , 2007	,Hauza Km northeast Smara 200	Died
MOHAMED M'BAREK Ahl Boubaker Mohamed Lamine	July 26 th , 2007	El Bagari, Bir Inzarane, Dakhla Western Sahara	His head and one of his legs were seriously injured
HMAIDA BOUSAIF	July 26 th , 2007	El Bagari, Bir Inzarane, Dakhla Western Sahara	Different parts of the body .seriously injured
FATMA BOUTOUMIT (years old 12)	Dec. 08 th , 2007	Labairat, Assa South of Morocco	Wounded on the hand
ANAS EL BOUAAYADI (years old 14)	January 21st, 2008	Aarairid - Zag South of Morocco	Wounded on the head and on the right arm
HAMZA HRAIDA (years old 7)	January 21st, 2008	Aarairid - Zag South of Morocco	Wounded on the neck

Although more than three-quarters of the world's states (155) have already signed the Mine Ban Treaty, the Moroccan Kingdom is still one of the 40 states which still refuse to sign the Ottawa Treaty.

All these things considered, the **CODESA** calls the Moroccan state to:

- 1- Sign the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mine and on their Destruction entered into force on March 1st, 1999, in Ottawa, Canada.
- 2- Make the casualties data public in order to show the exact annual number of the victims of landmines and Explosive Remnants of War (ERW) in the area.
- 3- Mark the areas where landmines exist for the civilians and MINURSO agents to avoid them.
- 4- Destroy its stockpiled antipersonnel mines.
- 5- Assume its responsibility in providing medical care for the landmine victims in the territories under its control.



F. The Illegal Emigration in the Western Sahara: The Disappearance of thousands of citizens in the Seas

The illegal emigration from and through the Western Sahara to Europe in particular, and different countries in general has increased during 2007.

Different people from the Western Sahara, Morocco and other African countries, emigrate to the European countries, especially Spain, mainly because of joblessness and poverty, as well as the political conflicts in the African continent.

Yet, the major reason that pushes the Sahrawis to leave their territory is the tense political situation in the Western Sahara and some south Moroccan cities especially in the period starting from May 21, 2005.

Many of the emigrants' corpses have been found in the Spanish, Moroccan and Western Saharan coasts. Yet, hundreds of the emigrants are still missing. They may have been lost in the sea.

There are smuggling gangs and their agents in different places that trade in the lives of poor people. They work in secret camps in far-of-cities areas in order not to be seen by the police. Yet, it is generally believed that some of the police officers coordinate with these human being smugglers to let smuggle "Unwanted Sahrawis" (and others!) for a share of the money gained, or simply for free.

"A dead Sahrawi is a good Sahrawi"

During 2007, the process of encouraging illegal emigration from the Western Sahara under the Moroccan control has been continuing.

After the uprising, May 2005, the Moroccan authorities launched a non declared campaign of youth emigration encouragement to Europe.

They kept an eye closed upon the activities that the emigration gangs practice, giving the pretext that the territory is too large and they cannot watch all the coasts.

They backed up these pro-Morocco Sahrawi tribes' CHEIKHS to push the young Sahrawis to leave the territory. They warn them if they had stayed, they would have been arrested by the Moroccan authorities. The Sahrawi youth are the main participants in the demonstrations advocating independence.

The Moroccan police often threatens the Sahrawi youth that if they stayed in the territory, they would torture, detain and even rape them.

Thus, the Sahrawi young people find no way to escape all this pressure other than fleeing to other countries, especially Spain.

Some of them have applied for political asylum (**BOUCHAMA NAFAA, AIT ABAILOU BRAHIM, BOUSSAOULA FAIDAL...**).

In fact, most of the Sahrawis or Africans who start out their trip to the other world never neither reach the promised paradise nor return home either. They only serve as food for the sea-fish.

"The Sahrawi 15 missing youth"

On December 25, 2005, some Sahrawi young boys decided to flee the oppressive practices that had been aggravating since May 2005. Fifteen have been declared missing.

Their families have been demonstrating since then. According to the families, the Moroccan authorities in El Ayiun, W.S. have handed them contradictory explanations of the youths' fate.

At first, they denied to have any information about them then later on they assured them that their sons would appear sooner or later.

Nonetheless, all the protest sit-ins and demonstrations have been oppressed heavily.

Any form of protest to reveal the fate of the fifteen boys would not be accepted by the Moroccan authorities. The latest of which was the crackdown of the protest demonstrations of the families in Smara Avenue, El Ayiun, W.S., that was in the second commemoration of the boys' disappearance on December 25th, 2007.

The public prosecution in the court of appeal has put the complaints into reservation, they have never been activated.

"Some statistics"

The local government authorities of the Grand Canary Islands estimated that **more than 42 000 immigrants were stopped between 2005 and 2007.**

80% of the immigrants to the Canary Islands started their journey from the Western Sahara or Tan-Tan and Tarfaya in South of Morocco coasts.

Only 2.5% to 3.5% of the immigrants, who manage to enter Spanish territory can be identified and arrested. The others manage to flee inside and continue living in Spain illegally.

More than that, some Spanish officials have pointed out that the drug smuggling from Morocco to Europe via Spain is supervised by the Moroccan state; "About 3 000 tons of HASHISH is illegally exported by Morocco to Spain every year. The Moroccan smugglers gain about 3 billion dollars of the deal".

In fact, although the number of the Sahrawi emigrants to Europe has decreased, many Sahrawi families are still suffering from this phenomenon because of the loss of their relatives now and then.

The Moroccan authorities rarely give statistics and if they do, the statistics concern the African emigrants and not those of Sahrawi origin.

Two Africans of Sub-Saharan countries were shot dead in August 2007 near the coast of El Ayun, W.S.

The Moroccan authorities put the emigrants in different centers where there is a great lack of hygiene, nourishment, blankets and other decent conditions. Some of them had to wait for a long time before they are sent to their native countries.

Thus the CODESA think that a general sustainable development, the reestablishment of peace in the African countries, as well as the respect of human rights in Western Sahara is the only solution to the illegal emigration.

The following conclusions can be drawn from what is said above:

1. Most illegal emigrants are from the Sub-Saharan African countries, where poverty and political instability prevail.
2. The illegal emigration is run by very powerful and well-organized gangs.

3. The illegal emigration has reduced in the Moroccan coasts since 2002, but increased in the Western Saharan ones.

4. The increase of the illegal emigration in the Western Sahara territory puts the Moroccan authorities' role into question. This great number of illegal emigrants cannot move freely without an ignorance of the Moroccan gendarmerie and military forces that are controlling the coasts.



G. The Equity and reconciliation commission: A distorted transitional justice

I. Introduction:

Under the pressure of the international human rights organizations and militants in the Western Sahara and Morocco, and after the failure of the Moroccan Consultative Council of Human Rights (CCHR) and the Independent Judgment Body in examining the violations of Human Rights in a transparent and just way, the Moroccan King declared the foundation of the Commission of Equity and Reconciliation "**I.E.R.**" in January 2004, in order to look into the serious violations of H.R. in Morocco and Western Sahara up to 1999.

Having sent a detailed memorandum co-signed with other human rights defenders in the Western Sahara. The CODESA expresses the following worries:

1. The I.E.R. restricts all the violations to two aspects: the forced disappearance and arbitrary arrest. Means its negligence of dangerous violations that have been taking place in W.S. since October 31st, 1975 such as the massive decimation of the Sahrawis, their abusive deportation, their burial alive in mass graves, throwing them from planes and torturing them to death.

Therefore, the Moroccan dealing with human rights is purely restrictive, and inconsistent with the International Truth Committees and the principles of Transitional Justice.

2. The I.E.R. is not independent, because it's a committee of the CCDH (Consultative Council of Human Rights) that is originally lacking the criteria of Paris Convention that shapes the establishment of the consultative bodies of human rights.
3. The non judicial treatment of the human rights abuses in the sense that the I.E.R. excludes the individual responsibilities of their committers, and then the victims' natural rights to question them. This is incompatible with the international tendency to struggle against impunity.

II. Observations upon the I.E.R. work:

- 1) The I.E.R. body has not taken into account the worries and reservations of the human rights movement in the neither Western Sahara nor Morocco.

It has not tried to look for participative forms with the humanitarian actors and the civil society in order to enrich its work, remedy for its weaknesses, and evaluate its job, to serve the Truth and to do justice to both the victims and the society.

- 2) Conversely, the I.E.R. made a vast campaign in the world capitals and in different institutions and organizations to market it self and make a propaganda for the Moroccan

state's view of the human rights abuses in the media, describing the Moroccan experience as the first one in the Arab and Muslim world.

The Moroccan diplomacy used the IER as a mean to improve the regime image abroad, and to put some make-up on political regime's reputation. In stead of taken into consideration importance to the suggestions and observations that may have enriched this experience and remove its weaknesses.

- 3) The I.E.R. has not displayed information about its work, except some leaks mass media from time to time. It tried to show that its process is going in a normal way and that all the state apparatus cooperate with it was witch not the case as it would be stated in its final report.
- 4) Some of the members of the I.E.R. gave certain declarations to the media that are incompatible with the practices of transparency, integrity and independence of Truth Committees, as far as the violations in the W.S. are concerned. The ex-president of the I.E.R. **DRISS BENZAKRI** said in a visit to El Aaiun on February 5th, 2005 that: "**our job comes in the framework of our defense of the Moroccan territorial entity.**" He also described the human rights movement as: "**mafia**".
- 5) The I.E.R. approach concerning the flagrant human rights violations in the Western Sahara has not aimed to unveil the Truth, but to hide it: Apart from ignoring the demands of the humanitarian movement and the victims, the IER has not scheduled a single hearing session in spite of the large number of violations committed. The IER has not taken into account the painful testimonies of the disappeared' s families and the witnesses.
- 6) The I.E.R dealt in an irresponsible way with the Sahrawi disappeared. Instead of unveiling the Sahrawi disappeared fate, their families have been shocked by the I.E.R. asking them to send it the death certificates of their disappeared relatives in order to complete the compensation dossiers. This is what increased these families' misery.
- 7) The investigation commissions have not examined the secret detention centers in the Western Sahara and South of Morocco, as it did with the Moroccan ones.
- 8) During the period of the I.E.R. work, the repressive campaign just intensified in most cities of the Western Sahara and the South of Morocco. A great number of houses were stormed, their furniture spoilt, the Sahrawi citizens were brutalized, abducted, human rights defenders were arbitrary arrested and many of them were forcibly muted.

Therefore, the mass media reported upon these human rights abuses that have been taking place since 2005, and the local and international rights organizations as well as political and parliamentary institutions sent their representatives to investigate into these abuses and pointed out the seriousness and great number of these violations in the W.S. In contrast, the I.E.R. has kept a closed eye upon them, which questioned its credibility and the transparency of its work. The slogan "*In order not to repeat what happened in the past*" that the I.E.R. is always holding, has no longer any credibility.

III. An unsatisfactory report

The I.E.R. report was full of generalizations and fallacies while the human rights movement and the victims have been waiting to learn about the Truth.

The I.E.R. launched a report of distorted truth, by defacing the context of these violations and minimizing the violations and the number of victims and spreading false information. The truth that the report ignored or tried to hide is the one mentioned in the victims' testimonies, witnesses' declarations and the humanitarian associations' documents.

This "conspiracy mentality" of veiling the Truth that was behind the report of the IER, is embodied in the violations of committed in the Western Sahara and South of Morocco. This confirms that the IER approached these violations from a political point of view, controlled by the Moroccan official standpoint of the W.S. The humanitarian background and the principles of transitional justice are not taken into account.

For these reasons, the IER was not considered by the Sahrawi human rights defenders, the victims and all the Sahrawi people as a committee of Truth, but the Truth-obliviation committee.

In this context, the CODESA points out the following observations:

- 1) The I.E.R. final report has not mentioned a single secret detention center in the Western Sahara and South of Morocco while it mentioned in details all the Moroccan ones.

The IER investigation groups visited many Sahrawi cities and met several victims, who confirmed in their testimonies the existence of the following **secret detention centers**:

- The PC-CMI in El Aaiun and dakhla.
- The El Bir Barracks in El Aaiun beach (25 Km away from the city).

- The gendarmerie barracks in El Aaiun , Smara, Dakhla.
 - The military barracks in El Aaiun , Smara, Dakhla.
 - The auxiliary forces barracks in El Aaiun , Smara, Dakhla and Ifni.
 - The secret part of the Black Prison in El Aaiun,
- 2) The report has not mentioned the mass graves of LEMSAID and JDAIRIYA despite the I.E.R. reception of the testimonies and the Sahrawi human rights defenders' memorandum that mentioned them.
- 3) The IER report has ignored numerous protest uprisings of the Sahrawi citizens, which were savagely repressed: Tantan 1972, Lemsayad 1997, El Aaiun 1999, Assa 1992 where arms were used by the Moroccan authorities against the demonstrators.
- 4) The report destroyed the truth of the fate of 526 Sahrawi disappeared. "The investigation of the IER led to the unveiling of the fate of 211 cases, 144 of them died during the military operations in the Western Sahara and 67 were given to the International Red Cross on October 31st, 1996. Thus, we have to point out the following observations:
- a) The demands and testimonies that were handed out to the I.E.R. by the disappeared families prove that the victims were civil individuals. They had been abducted by security and military forces from their work or houses in El Aaiun, Smara, Lbairat, Zag, Lehmaidya, Dakhla, El Hagounya, and in the presence of witnesses. The latter know the names and ranks of some of the officials who supervised these abductions.

The survivors confirm these cases existence. They met them either during their abduction or before the survivors' release.

The approach that the I.E.R. has followed deliberately mixed the civil disappeared with the prisoners of war. That was not of course innocent. The aim of this was to make things ambiguous in order to distort the Truth and help the Moroccan State to escape from its responsibility for the abduction of civil individuals and their forcible disappearance.

- b) The I.E.R. is obviously bewildering as far as the I.E.R. examination of the dossier of the Sahrawi disappeared. This bewilderment is due to the hiding of the truth of their fate. By way of illustration, the including of 66 Sahrawi prisoners of war who had been given to the International Red Cross on October 31, 1996 in the framework of exchanging the prisoners of war, as it was agreed upon in the UN settlement plan of the Western Sahara is a good example of the Moroccan attempt to deface the Truth.

The group of 66 was the prisoners of war, warriors of the Polisario Front that Morocco confessed to incarcerate and that the I.R.C. was following the different periods of their arrest, and their families were visiting them in the Southern military base in Bensergaou, near Agadir, Morocco.

On October 31, 1996, the international public learnt about and followed their release through the report of the UN Secretary General and different means of mass media.

What is then the added value that the report aimed at in including this group of prisoners of war within the list of the disappeared?

What is the goal if not to distort the truth of the forcible disappeared crime in the Western Sahara?

- c) The final I.E.R. report has only mentioned the numbers of the makes it disappeared without mentioning their names. This evacuates its conclusions of any value as it is impossible to verify the results that the I.E.R. has come up with. Even the detailed appendix that the report talked about has not been publicized up to the moment

The obliteration policy of the Truth that the IER started and is now reflected in its final report was the same that is being continued by the Moroccan state nowadays through its CCHR.

The Moroccan state, via its judicial, administrative and security institutions, is trying to obliterate the Truth of the disappearance of hundreds of Sahrawi abducted. A recent example is the way the Moroccan authorities dealt with the mass grave, discovered haphazardly by the workers of a sewage company behind the Local Prison (Black Jail) in El Aaiun, W.S. on November 20th, 2007. A more recent example is the discovery of another cemetery accidentally in a military barrack in Smara, W.S. on January 04th, 2008.

The Moroccan authorities did not open a fair and transparent examination of these human remains using forensic (legal) medicine techniques (D.N.A., etc) in order to know whether or not the remains belong to some Sahrawi disappeared during the 1970s and 1980s. instead, they tended to spread hasty prejudgments such as these remains go back to the 1930s of some Sahrawis (El Aaiun grave) or simply deny the discovery of any grave (Smara grave).

The Truth distortion was also practiced by the CCHR on February 19th, 2008 represented by its president, AHMED HARZENI, at a visit to Smara, W.S. He met six Sahrawi disappeared families: (The families of **EL HAFED HAMMA M'BAREK, ABDATI MOHAMED BRAHIM, MOHAMED FADEL EL BACHIR SIDI AHMED, MOHAMED M'BAREK LAWLAD, HMATTOU SIDI ABDALLAH, MOHAMED ALI ABDERRAHMAN**). He said he came to present his condolences to them about the

death of their relatives in military barracks. To the family of **MOHAMED ALI ABDERRAHMAN**, he said that the disappeared was shot dead in a military battle in Amgala region, W.S.

At the end, Mr. **HAREZNI** said that he will send them the death certificates of their relatives and will take charge of the families recompense.

This irresponsible approach of the CCHR represented by its president proves once again the underestimation of the Moroccan state of the victims' demands:

Not only was the information just oral statements that lack credibility, but it was also incomplete. It did not clarify the general conditions of these victims' disappearance, the names of those responsible for their disappearance, the reasons for their death, the places where they were buried, how they were identified and the families' deprivation of receiving their disappeared relatives' remains.

The Moroccan authorities sent the I.E.R. president to these families to tell them this information just because a delegation of **Amnesty International** was paying a five-day visit to the Moroccan controlled territory of the Western Sahara in order to look into the same topic, among others.

All these I.E.R. deceptive conclusions intend to hide the Truth instead of clarifying it. And thus, the worries and reservations of the Sahrawi human rights activists they expressed at the I.E.R. set-up, are therefore, very legitimate.

We, in the CODESA secretariat, are totally convinced that if there is no cooperation between the local and international human rights actors and the UN special reporter of the enforced disappearance the Moroccan state will continue to stall about the revelation of the Sahrawi disappeared. The families misery that has lasted already for three decades, will continue. The Sahrawi society, the victims' families and the international community will have to face a new ongoing crime: the concealment of the fate of hundreds of Sahrawi disappeared.

IV. The assault against the Sahrawi collective memory:

The I.E.R. approach of the human rights abuses in the Western Sahara and the South of Morocco has been an assault against the Sahrawi collective memory in an attempt to conceal a dull period of the political violence exerted, and still continues, against the Sahrawi citizens since the outburst of the political and military conflict in the area.

In this context, the I.E.R.:

- ✓ Has not organized any hearing sessions or lectures in any of the W.S. cities in order to make it possible for the human rights actors and the general public to be fully aware of the crimes against humanity perpetrated in the region.
- ✓ Has not visited the enforced disappearance centers in the Western Sahara and South of Morocco during its working period, and has not either made an exhaustive list of these centers as it has done with the ones in Morocco.

- ✓ Has not recommended preserving any of these centers as a form of collective memory protection. Now they are being destroyed.*
- ✓ Has distorted the reality of the violations of human rights perpetrated during the period of concern the I.E.R.

The Moroccan authorities has crowned the assault against the Sahrawi collective memory that was started by the IER by destroying some of the secret detention centers, namely the PC-CMI , the judicial police center in El Aaiun and the PC-CMI in Dakhla, W.S.

V. **Suspended Recommendations:**

Despite the fact that the I.E.R. has been set up in order to bury the expectations of the Sahrawi Human Rights movement, the victims and their relatives, as it has not guaranteed that these miseries will not occur in the future. Nor has it recommended that the responsible for the violations should leave be expelled of their posts.

The recommendations concerning the victims such as healthcare coverage, social integration and the legal and administrative situation amendment have not yet been put into practice although the I.E.R. report was launched a year and a half ago.

* The Moroccan authorities are trying to deface its history in the Western Sahara by destroying the traces of its crimes against humanity:

1- The secret detention center, the PC CMI (Poste de Comandement des Companies Mobile d' Intervention) in El Aaiun, W.S.

2- The secret detention center, the PC CMI in Dakhla, W.S.

3- The Judicial Police Center in 24 November Street in El Aaiun, W.S.

The **CODESA** secretariat calls the Moroccan state to stop the political arrest phenomenon, give the Sahrawis the right to express their opinion, allow them the right to demonstrate freely and to organize in associations, let in the international observers, human rights organizations, trade unions and journalists and finally to respect human rights in Western Sahara in accordance with the international law and the Universal Declaration of Human Rights.

Recommendations

At the political and civil level

- 1. The respect of the Sahrawi peoples' inalienable right to self-determination according to the UN resolutions.**
- 2. The respect of the general liberties in the territory especially the freedom of expression, assembly, organization and the establishment of associations and trade unions.**
- 3. The serious approach of the enforced disappearance phenomena and the revelation of the Sahrawi disappeared fate.**
- 4. The release of all the Sahrawi political prisoners in the Moroccan prisons.**
- 5. Lifting the military and media siege imposed on the Western Sahara and letting the foreign delegations in.**
- 6. The expansion of the MINURSO mandate to include the protection and monitoring of human rights in the territory.**
- 7. The publication of the UNHCHR report (2006) and the implementation of its recommendations.**
- 8. The allowance of the Sahrawi forcibly muted and employees to be back and reintegration of these dismissed of work.**
- 9. The Moroccan state's stopping its false accusations and warrants against the Sahrawi human rights defenders.**
- 10. The recognition, protection and support of the Sahrawi human rights defenders and humanitarian associations that try to foster human rights in the Western Sahara.**

At the economic level

- 11. The stopping of the illegal of exploitation of the natural resources of the Western Sahara (Phosphate, Fisheries..).**

At the humanitarian level

- 12. The protection of the citizens of landmine dangers that are killing people and animals on a regular basis by:**
 - a. Localizing the landmines areas through warning signs in order to make the citizens and the MINURSO agents of aware of the place of the danger.**
 - b. Making education aid programs on landmine danger and how to avoid them.**
 - c. The Moroccan state taking charge of the medical treatment and follow-up of the landmine victims.**
- 13. The expansion of the UNHCR program to give chance to all the Sahrawi families to benefit from the family visits program.**
- 14. The protection of the Sahrawi families while celebrating the arrival of their relatives from the refugee camps.**
- 15. The destruction of the Black Prison in El Aaiun that does not cater for the minimal human conditions.**

16. The respect of the children's rights by providing them with education and health care services as well as their protection of torture.



APPENDICES

APPENDIX 1



Morocco (including Western Sahara)

Country Reports on Human Rights Practices - **2007**

Released by the Bureau of Democracy, Human Rights, and Labor
March 11, 2008

Morocco claims the Western Sahara territory, with a population of approximately 383,000, according to recent UN estimates, and administers Moroccan law and regulations in the estimated 85 percent of the territory it controls; however, Morocco and the Polisario (Popular Front for the Liberation of the Saguia el Hamra and Rio de Oro), an organization seeking independence for the region, dispute its sovereignty. Since 1973 the Polisario has challenged the claims of Spain, Mauritania, and Morocco to the territory.

The Moroccan government sent troops and settlers into the northern two-thirds of the territory after Spain withdrew in 1975 and extended its administration over the southern province of Oued Ed-Dahab after Mauritania renounced its claim in 1979. Moroccan and Polisario forces fought intermittently from 1975 until the 1991 ceasefire and deployment to the area of a UN peacekeeping contingent, known by its French initials, MINURSO (the UN Mission for a Referendum in Western Sahara).

In 1975 the International Court of Justice advised that during the period of Spanish colonization, legal ties of allegiance existed between Morocco and some of the Western Saharan tribes, but the court also found that there were no ties indicating "territorial sovereignty" by Morocco. The court added that it did not find "legal ties" that might affect UN General Assembly Resolution 1514 regarding the decolonization of the territory and in particular the principle of self-determination for its persons.

Sahrawis, as the persons from the territory are called, live in the area controlled by Morocco, and live as refugees in Algeria near the border with Morocco, and to a lesser extent in Mauritania. A Moroccan-constructed sand wall, known as the "berm," separates most Moroccan-controlled territory from Polisario-controlled territory.

In 1988 Morocco and the Polisario accepted the joint Organization of African Unity/UN settlement proposals for a referendum allowing the Sahrawis to decide between integration with Morocco or independence for the territory. Disagreements over voter eligibility were not resolved, however, and a referendum has not taken place.

In 1997 then UN secretary-general Kofi Annan appointed James Baker as his personal envoy to explore options for a peaceful settlement. Baker visited the territory, consulted with the parties, offered proposals to resolve the problem, and in 2001 presented a "framework agreement," which Morocco accepted but the Polisario and Algeria rejected. In 2003 Baker proposed a peace plan, which the UN Security Council endorsed. The plan proposed that a referendum consider integration with Morocco or independence and addressed other questions agreed to by the parties, such as self-government or autonomy. Morocco ultimately rejected the plan, while the Polisario accepted it.

In 2005 Kofi Annan appointed Peter van Walsum, a former Dutch ambassador to the UN, as his personal envoy to oversee the political process.

On October 31, the Security Council adopted Resolution 1783, extending MINURSO and its 227-member military staff until April 31, 2008. In the secretary-general's October report to the Security Council, he renewed a call for all parties to engage in dialogue with the UN High Commissioner for Human Rights to ensure adequate human rights protection for all. The resolution called on Morocco and the Polisario to continue negotiations and requested that the secretary-general facilitate the talks. The first round of discussion occurred in June and the second in August. Neither session produced breakthroughs, but the parties agreed to continue meeting. Resolution 1783 also called on member states to consider voluntary contributions to the Confidence Building Measures that allow increased contact between family members separated by the dispute. The UN High Commission for Refugees (UNHCR) maintained a separate office in Laâyoune to coordinate these measures.

The Moroccan constitution and laws apply to the civilian population living in the territory under Moroccan administration. Political rights for residents remained circumscribed, and citizens did not have the right to peacefully change their government. International human rights groups and Sahrawi activists maintained that the Moroccan government subjected Sahrawis who were suspected of supporting either Western Saharan independence or the Polisario to various forms of surveillance, arbitrary arrest, prolonged detention, and in many cases torture.

Since 1977 the inhabitants of the Western Saharan provinces of Laâyoune, Smara, Awsard, and Boujdour (and Oued Ed-Dahab since 1983) have participated in Moroccan national and regional elections. In Morocco's September parliamentary elections, Sahrawis with pro-Morocco political views filled all the parliamentary seats allotted to the territory. No Sahrawis opposed to Moroccan sovereignty were candidates in the elections. According to Moroccan government statistics, the national election turnout was 37 percent, but 62 percent of registered voters in the territory participated. The international mission that observed the September elections did not monitor voting in Western Sahara, but domestic observers leveled accusations of corruption in some races.

In March 2006 King Muhammad VI appointed a new Royal Consultative Council for Saharan Affairs. The council, which met twice in 2007, was charged with developing an autonomy plan for the territory within the context of the Moroccan state.

A substantial Moroccan government subsidy aided migration to and development in the portions of the territory under its control. The government subsidized incomes, fuel, power, water, housing, and basic food commodities for residents of the territory.

During the year there were no confirmed reports of politically motivated disappearances in the territory under Moroccan administration.

On November 20, five skeletons were discovered outside the walls of Laayoune prison at the site of a construction project. The remains were transported to the local hospital, where government doctors were charged with determining the date and cause of death. The proindependence Collective of Sahrawi Human Rights Defenders (CODESA) claimed that police kept the discovery secret until November 28. The Moroccan government stated that the bodies dated to the early part of the 20th century, while many proindependence organizations claimed they dated to the early days of the Moroccan territorial administration in the 1970s and 1980s. In November the Moroccan government admitted in statements to the press that during this period activists and dissidents were secretly detained and sometimes killed but stated that the five skeletons were not of that era.

During the year the mothers of 15 Sahrawi activists, who disappeared in 2005 after departing for Spain in a boat, continued to allege that the activists were actually detained by Moroccan authorities. They further claimed that three had possibly been killed during interrogation and that the rest remained in secret custody. The government insisted that all 15 Sahrawi activists must have died at sea and denied any knowledge of their whereabouts. Neither side had produced any evidence regarding the fate of the 15 by year's end.

The Laayoune-based Sahrawi Association of Victims of Grave Human Rights Violations Committed by the Moroccan State (ASVDH) maintained a list of persons who allegedly had disappeared or been tortured since the conflict began. The list named more than 500 persons. In 1997 the Moroccan

government pledged that such activities would not recur and agreed to disclose as much information as possible on past cases.

In 2004 authorities stated that they had released information on all confirmed disappearance cases, which totaled 112. However, human rights groups and families claimed hundreds of cases remained outstanding. International human rights organizations estimated that between 1,000 and 1,500 Sahrawis had disappeared in the territory between 1975 and the early 1990s, many of whom were held for long periods in undisclosed locations. The missing persons were both Sahrawis and Moroccans who challenged the Moroccan government's claim to the territory or other government policies.

On August 10, the Consultative Council on Human Rights (CCDH), a Moroccan government organization, opened a Laayoune field office. Since 2000 the CCDH has been paying reparations, including assisting with urgent medical or financial needs, to Sahrawis or the family members of those Sahrawis who had disappeared or been detained. The Laayoune office processed and paid 1,600 claims between August and December.

Human rights activists in Western Sahara stated that physical beating and torture continued and that the use of psychological and "mental stress" interrogations increased. They also reported increased uses of certain torture methods, including many threats and one allegation of forcing victims to sit on bottles and inserting wires into orifices. Activists alleged that police sometimes beat detainees in transport vehicles rather than in stations or prisons in order to deny abusing persons in government facilities.

Numerous victims of human rights abuses repeatedly named specific police officers as either supervising or using excessive force and/or beating demonstrators, including children. During the year multiple complaints were filed with both police and judicial authorities against these specific officers, who had also had complaints filed against them in previous years. No officer was either suspended or disciplined by year's end, creating the perception of impunity.

The Moroccan government reported that the Laayoune police authorities received nine complaints of police misconduct during the year. The government stated that it had investigated the complaints and found them baseless.

In February Zahra Bassiri, a 14-year-old girl, was arrested after a peaceful demonstration of approximately 50 persons in support of Western Saharan independence, according to the Associated Press. Bassiri stated that police officers began beating her as soon as they put her into a transport van. According to her statement, four policemen threw her on the van floor in order to get a better angle for beating her with their truncheons.

Activists also reported that courts often refused to bring in experts to testify about torture.

Both Moroccan authorities and human rights activists agreed that the Laayoune prison was outdated, overcrowded, and substandard. The Moroccan government stated that the facility, built during the Spanish colonial period, was constructed to accommodate 200 inmates but housed 500 during the year. In August the government broke ground for a new prison, which was scheduled to be completed in 2009. The Moroccan Observatory of Prisons (OMP), a local nongovernmental organization (NGO) that received some financial support from the Moroccan government, had blanket permission from the government to enter all prisons, to inspect prison conditions, and to receive complaints.

The OMP regional office in Laayoune stated that a new prison director decreased overcrowding, improved security by installing metal detectors and cameras to prevent violence, improved access to health care, and created new cells for family visits.

On January 18, prominent proindependence activists, including Brahim Sabbar and Ahmed Sbai, alleged that they were handcuffed, dragged from their cell, and beaten in Laayoune prison.

On October 12, the Moroccan Ministry of Justice (MOJ) announced that it had instituted a new system by which prisoners may register complaints of abuse through the prison system or via the OMP. Complaints are then forwarded to the MOJ and presented by a government attorney to a judge. Prisoners also availed themselves of the OMP's complaint mechanism in which OMP's attorneys pursued cases through the system.

Human rights activists and NGOs claimed that the court system in Laayoune dispensed justice unfairly. Many activists claimed that although they were arrested for political activities, they were officially charged with drug offences. On April 15, Muhammad Tamek, cousin of a well-known Sahrawi activist, was arrested in Assa, allegedly as a warning to his cousin, and subsequently sentenced to four years in prison on drug smuggling charges. He denied any connection to drug smuggling. A Spanish observer at the trial claimed that the proceedings were neither fair nor transparent. According to the observer, several prosecutorial witnesses did not recognize the defendant.

On June 26, the court in Laayoune sentenced Sahrawi activists Abdesalam El-Loumadi, Abdesalam Daidda, Sidi Bahaha, Muhammad Mustapha, Zougham El-Houssein, Moulay Daddah, and Belyazid Lamine to prison terms ranging from 10 months to five years for participating in an unauthorized protest. At certain times during the trial, family members of the defendants were barred from entering the courtroom, although the restrictions were lifted following protests by defense lawyers.

According to activists, police stopped Muhammad Tahlil, president of the Boujdour branch of the ASVDH, on his way to attend the trial. He was allegedly held at a police station for a period of time, then blindfolded and driven to an unknown location where he was stripped and beaten severely. Tahlil was left on the eastern outskirts of Laayoune. The Moroccan government reported that it had investigated this and similar allegations in other cases and found them baseless.

On May 9, Boujdour-based Sahrawi activist and student Sultana Khaya participated in a proindependence demonstration in Marrakech. In the course of police attempts to disperse participants, she was injured and subsequently lost an eye. Khaya and Sahrawi human rights activists, including the Moroccan Association for Human Rights (AMDH), alleged that her injuries were a direct result of a police beating. The government maintained that she fell and injured herself on the ground.

According to Amnesty International (AI), on March 6, two Sahrawi human rights defenders, Brahim Sabbar and Ahmed Sbai, were sentenced to one year in prison on charges of inciting violent protest activities, having led demonstrations in 2005 and 2006 against the Moroccan administration of Western Sahara and for belonging to ASVDH, an unauthorized organization.

AI also reported that on March 6, three other Sahrawis--Ahmed Salem Ahmeidat, Muhammad Lehib Gasmii, and El-Hafed Toubali--were sentenced to three years in prison for forming a criminal gang and setting fire to a building during demonstrations against the Moroccan administration of Western Sahara. The conviction was based on written statements by police officers who claimed that the defendants confessed their guilt. When the men appeared before an examining magistrate, they denied the charges and stated that they were forced to sign the statements after being subjected to beatings by security force personnel.

On October 8, Sabbar and Sbai briefly appeared before a court in Laayoune and accused of "offending magistrates" because they chanted slogans advocating Sahrawi self-determination at their trial on March 6. They appeared with Ahmeidat, Gasmii, and Toubali, who faced the same charges. All five defendants were expelled from the court by order of the presiding judge shortly after the trial opened because they continued to demand self-determination for Sahrawi persons and to express support for the Polisario. When the defense request that they be brought back to court was rejected, the defense lawyers stated that they were unable to present the defense case. The prosecution asked the judge to apply the law as it stands. On December 17, Ahmed Sbai was released, while Brahim Sabbar remained in prison.

On December 14, police reportedly detained Dahha Rahmouni and Brahim al-Ansari, both members of human rights NGOs, and allegedly beat them in custody. Rahmouni and al-Ansari were released without charge on December 16 after being forced to sign statements they had not read. Police returned the activists' cell phones and car confiscated during the detention, but not al-Ansari's USB drive, which contained personal information.

During the year activists and NGOs alleged that police violated Moroccan law by holding minors for up to 72 hours without informing parents. Activists also claimed that minors were often seized and arrested for short periods of time, during which they were allegedly beaten before being released. On June 16, police arrested 17-year-old Muhammad Boutabaa following a demonstration. He spent six days in custody without being officially charged. The law states that a suspect can only be held for 48 hours, with the possibility of a 24-hour extension at the request of the public prosecutor before being arraigned in court. Boutabaa did not appear before a judge until June 21.

Youths supporting independence were reportedly detained and mistreated. Activists claimed that they were regularly taken into custody, beaten, and released, generally within 24 hours, without being formally arrested or charged.

Police reportedly used excessive force or violence to disperse some proindependence demonstrations, which continued intermittently throughout the year. On May 11, police broke up a demonstration in Laayoune's central square. Four individuals were injured and several arrested. On May 25, Moroccan police disbanded another demonstration, arrested several persons, and searched the homes of some protestors. Moroccan authorities claimed that they did not intervene in any demonstrations until demonstrators became violent and destroyed personal property.

On June 20, after an investigation carried out by the Moroccan government, two police officers responsible for the death of a Sahrawi, Hamdi Lembarki, were sentenced to 10 years in prison. Lembarki died in police custody from wounds received at a 2005 demonstration in Laayoune in support of the independence of Western Sahara.

In 2006 the Urban Surveillance Group, a security group accused of involvement in past abuses, was reorganized, eliminating a police unit and reassigning personnel. Security personnel also received new training, which included a human rights component. The retention of personnel in key roles who allegedly have perpetrated past abuses, however, highlighted continuing problems of impunity.

During a November demonstration, ASVDH and CODESA reported that police used excessive force to disperse demonstrators. Police reportedly pulled children by their hair, pushed them into vans, and kicked demonstrators. One activist reported that police tried to take off her clothes and threatened her with rape. The same activist also reported that her daughter was arrested and beaten with batons, wires, and truncheons on the soles of her feet while being transferred to jail. The police also allegedly removed the girl's veil and smock and threatened to remove her clothes.

On November 9, police allegedly beat an 18-year-old student participating in a demonstration. The student reported that approximately seven policemen also beat another boy and threatened to force him to sit on a bottle.

From January 2004 to November 2005, the Equity and Reconciliation Commission (IER), established by the king, investigated egregious human rights violations that occurred between 1956 and 1999 in Morocco and Western Sahara. The IER received approximately 22,000 allegations of violations, many of which concerned the territory. Investigative teams from the IER visited the territory on several occasions during its term.

From January 2004 to November 2005, the IER assessed 16,861 cases. It held public hearings in Morocco and planned for hearings in the territory. Due to internal IER time constraints and to demonstrations in the territory, hearings in Western Sahara did not take place. The IER mandate did not include the disclosure of names of individuals responsible for the violations nor did it include a mechanism for bringing violators to trial. The AMDH criticized the IER for its inability to refer cases to authorities for prosecution and for underreporting the numbers of victims.

During the documentation phase of its work, the Moroccan government identified approximately 63 Sahrawi graves. AMDH, however, claimed that many more Sahrawis died in detention during the years under investigation.

In January 2006 the IER published its final report, which provided a historical context, calculated compensation payments, and outlined recommendations on preventing future abuses.

Both the 1991 settlement plan and the 1997 Houston Accords called for the Polisario to release all remaining Moroccan prisoners of war (POWs) after the parties completed the voter identification process. In 2005, despite the ongoing lack of agreement on voter eligibility, the Polisario released all remaining Moroccan POWs, some of whom reportedly suffered serious physical and psychological health problems due to prolonged detention, abuse, and forced labor.

According to the Polisario, the Moroccan government continued to withhold information on approximately 150 Polisario missing combatants and supporters whom the Polisario listed by name. Morocco formally denied that any Sahrawi former combatants remained in detention. During the year the International Committee of the Red Cross (ICRC) continued to investigate such Polisario claims in addition to Moroccan claims that the Polisario had not fully divulged information on the whereabouts of 213 Moroccan citizens. In a few cases the ICRC found that individuals on the Polisario list were living peacefully in Moroccan territory or in Mauritania.

During the year the Working Group on Forced and Involuntary Disappearances of the UN Human Rights Council (UNHRC), in recognition of Morocco's cooperation in resolving cases of missing Algerian and Polisario soldiers, dropped its demand to visit the territory. The total number of unresolved cases in which Morocco was implicated decreased from 249 in 1994 to 58 in November.

Morocco and the Polisario disputed the number of persons in refugee camps. The Moroccan government continued to claim that the Polisario detained 45,000 to 50,000 Sahrawi refugees against their will in camps near Tindouf, Algeria. The Polisario and Algerian government claimed that refugee numbers at Tindouf were much higher, and the Polisario denied holding any refugees against their will.

The UNHCR and the World Food Program appealed regularly to donors for food aid and distributed it to approximately 155,000 in refugee camps. However, because Algeria would not allow a census, and partly out of concern over inflated figures, the UNHCR reduced its planning figure to 90,000 through sampling and satellite imagery analysis. The UNHCR provided supplementary rations to pregnant and lactating women, as well as malnourished children under five years of age.

The UN reported disruptions in the delivery of food aid. Cereals, which accounted for 70 percent of nutrition provided, were not distributed in July.

Local advocacy groups in Western Sahara protested against the treatment of the Sahrawi refugees in the Tindouf camps throughout the year. During a December 14 hearing before the Belgian parliament, Moroccan Sahrawi activists expressed concerns about human rights abuses in Polisario-run camps in Tindouf. Six young former residents of the camps testified that they were taught weapons handling against their will and were taken from their families and sent to Cuba to undergo military training.

On December 11, during meetings at the sixth session of the UNHRC, Moroccan Sahrawi groups accused the Polisario of keeping residents in its camps by force. They also accused the Polisario of embezzling or diverting international funds meant to assist refugees.

In 2004 the UNHCR began a program of Confidence Building Measures (CBMs), highlighted by family visits that allowed individuals to spend five days with long-separated relatives. In August 2005 the program was halted. In November 2006 the UN resumed family reunion flights after a five-month suspension, and flights were ongoing at year's end. During the year 2,109 Western Saharans participated in the family visit program.

The CBMs also included free-of-charge telephone exchanges between relatives in the territory and refugee camps in Algeria. During the year approximately 24,700 telephone calls were made.

The UNHCR reported that the CBM program, which was dependent on contributions from UN member states, was threatened by a shortage of funds.

Web sites considered controversial, such as those advocating independence, were at times inaccessible.

In October CODESA applied to the Moroccan government for recognition as an official NGO. CODESA claimed that Moroccan authorities adopted measures of pressure and harassment to impede the organization's Constitutive Conference planned for October 7. CODESA reported that the owners of the space in which they had arranged to hold the meeting were pressured by the authorities to withdraw permission. The conference was ultimately canceled. At year's end CODESA's application, sent by registered mail to the local authorities, was still pending before the government, and CODESA chose to take no further steps regarding the issue.

The ASVDH applied to register as an NGO in 2005 but was denied permission by the Moroccan government. Despite two subsequent administrative court decisions in its favor, the government continued to refuse to approve its application.

Both CODESA and ASVDH continued to operate informally, but the lack of legal status prevented them from receiving domestic and international funding and from implementing projects.

The laws and restrictions regarding religious organizations and religious freedom in the territory are the same as those in Morocco. The constitution provides that Islam is the state religion, and that the state provides the freedom to practice one's religion. The Catholic Church continued to operate and minister in the territory.

The Moroccan government and the Polisario restricted movement in areas regarded as militarily sensitive.

Some Sahrawis continued to have difficulty obtaining Moroccan passports, although the Moroccan government reissued travel documents to 11 Sahrawis whose passports were confiscated more than three years ago.

Antigovernment activists were generally able to travel internationally. Such activists, however, sometimes faced intimidation. In late 2006 a prominent activist returned to the territory after traveling overseas, whereupon, the activist's brother was beaten as an apparent message to the activist.

The Moroccan penal code imposes stiff fines and prison terms on individuals involved in or failing to prevent trafficking in persons. The territory was a transit region for traffickers of persons.

At year's end, six illegal migrants remained at the UN Bir Lahlou monitoring site, and MINURSO was coordinating with the International Organization for Migration to return them to their countries of origin.

On July 31, the Moroccan government reported that two illegal migrants were killed and two seriously injured while trying to break through a security system in Laayoune. Authorities stated that 37 sub-Saharan persons attempted to break through the surveillance system despite warning shots fired by security forces, and 26 were arrested. In July the Moroccan government launched an investigation, but at year's end the results had not been made public.

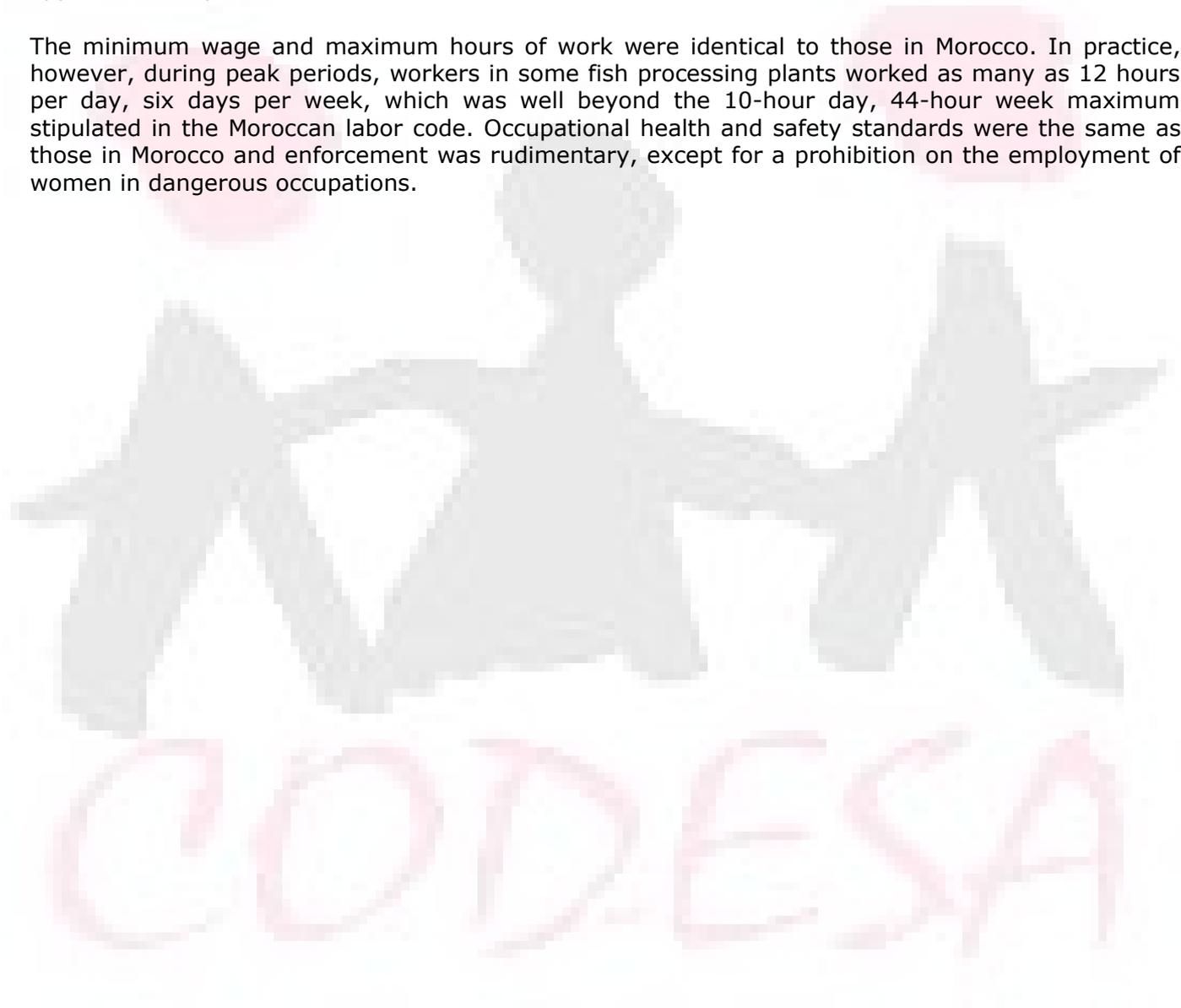
The Moroccan labor code applied in the Moroccan-controlled areas of the territory. Moroccan unions were present in those areas but were not active.

There were no known strikes, other job actions, or collective bargaining agreements during the year. Most union members were employees of the Moroccan government or state-owned organizations. These individuals were paid 85 percent more than their counterparts in Morocco as an inducement to relocate to the territory. The Moroccan government exempted workers from income and value-added taxes.

The Moroccan labor code prohibited forced or bonded labor, including by children, and there were no reports that such practices occurred.

Regulations on the minimum age of employment were the same as in Morocco. Child labor did not appear to be a problem.

The minimum wage and maximum hours of work were identical to those in Morocco. In practice, however, during peak periods, workers in some fish processing plants worked as many as 12 hours per day, six days per week, which was well beyond the 10-hour day, 44-hour week maximum stipulated in the Moroccan labor code. Occupational health and safety standards were the same as those in Morocco and enforcement was rudimentary, except for a prohibition on the employment of women in dangerous occupations.



APPENDIX 2 (French)



Maroc et Sahara occidental

Informations extraites du Rapport 2007 d'Amnesty International

Arrestations et procès de Sahraouis

Huit défenseurs des droits humains sahraouis emprisonnés en 2005 à la suite de manifestations contre l'administration marocaine au Sahara occidental ont été libérés en mars et en avril après avoir été graciés par le roi. Quelque 70 autres personnes arrêtées en 2005 et en 2006 lors de manifestations ou à la suite de celles-ci, et qui avaient été inculpées de violences, ont également été remises en liberté. En février, le ministre de la Justice a déclaré que les défenseurs des droits humains n'avaient pas été emprisonnés en raison de leurs opinions, mais à cause de leur implication dans des actes passibles de poursuites pénales. Amnesty International considérait toutefois qu'ils étaient sans doute des prisonniers d'opinion poursuivis pour avoir dénoncé les violences commises par les forces de sécurité marocaines, et pour avoir défendu publiquement l'autodétermination pour le Sahara occidental.

Les Sahraouis ont continué de manifester contre l'administration marocaine du territoire. Plusieurs centaines de personnes auraient été interpellées. La plupart d'entre elles ont été relâchées après avoir été interrogées par la police. Une vingtaine ont par la suite été déclarées coupables d'incitation ou de participation à des violences, et condamnées à des peines allant jusqu'à six années d'emprisonnement. Au moins 10 manifestants se sont plaints d'avoir été torturés ou maltraités durant leur interrogatoire par la police. Comme les années précédentes, les défenseurs des droits humains sahraouis ont subi des intimidations de la part des forces de sécurité.

- Brahim Sabbar, secrétaire général de l'Association sahraouie des victimes des violations graves des droits de l'homme commises par l'État du Maroc, a été condamné en juin à l'issue d'un procès inique à une peine de deux ans d'emprisonnement pour rébellion et violences à l'encontre d'un policier. En mai, son association a rendu public un rapport faisant état de plusieurs dizaines de cas récents d'arrestations arbitraires, de torture et de mauvais traitements. Brahim Sabbar et son collègue Ahmed Sbai étaient, par ailleurs, en instance de procès pour appartenance à une organisation interdite et incitation à des manifestations violentes, entre autres chefs d'inculpation. Tous deux étaient des prisonniers d'opinion probables.

Une mission du Haut-commissariat aux droits de l'homme [ONU] s'est rendue au Sahara occidental en mai. Son rapport confidentiel, qui a été divulgué, concluait que la situation des droits humains était profondément préoccupante. Il relevait que les Sahraouis étaient privés de leur droit à

l'autodétermination et que des restrictions sévères pesaient sur leurs autres droits fondamentaux, notamment le droit à la liberté d'expression, d'association et de réunion.

APPENDIX 3



Morocco: Allow Free Expression in Western Sahara

Talks on Disputed Region Resume in New York

New York, January 7, 2008) – Negotiations on the future status of Western Sahara should be accompanied by serious commitments by the Moroccan government to respect freedom of expression in that territory, Human Rights Watch said today. The third round of UN-brokered talks between Morocco and the Polisario Front resumes on January 7, 2008 in Manhasset, New York.

“Rabat claims the vast majority of the Sahrawi people favors Moroccan sovereignty in Western Sahara. This claim would be more convincing if Morocco stopped muzzling those who peacefully advocate for an independent Western Sahara.”

Sarah Leah Whitson, director for the Middle East and North Africa for Human Rights Watch

Human Rights Watch recently concluded a two-week mission to Western Sahara and the refugee camps in Algeria controlled by the Polisario, the independence movement of Western Sahara’s indigenous Sahrawi people, to document human rights conditions in both places. Moroccan authorities bar most activities they consider advocacy for an independent Western Sahara, invoking provisions of Moroccan law that criminalize attacks on the country’s “territorial integrity.”

“Rabat claims the vast majority of the Sahrawi people favors Moroccan sovereignty in Western Sahara,” said Sarah Leah Whitson, director for the Middle East and North Africa for Human Rights Watch. “This claim would be more convincing if Morocco stopped muzzling those who peacefully advocate for an independent Western Sahara.”

Residents of what Morocco terms “the Southern Provinces” who publicly but peacefully agitate in favor of independence for the Western Sahara, or even in favor of a referendum that includes independence as an option, face administrative and police harassment and, on occasion, torture and imprisonment after unfair trials. Authorities refuse to legalize associations or public assemblies they consider pro-independence, and the police use excessive force to break up sit-ins and rallies.

“The taboo on debating the Western Sahara issue undermines the real progress Morocco has made elsewhere on human rights,” said Whitson. “People should have the same right to call for independence that they have to advocate Moroccan sovereignty.”

Human Rights Watch takes no position for or against independence for Western Sahara or on Morocco’s autonomy plan for the region. It urges states to respect their obligations under international human rights law, including the rights to peaceful expression, assembly and association.

Morocco, which annexed most of Western Sahara in the 1970s as Spain ended its colonial administration in that vast desert territory, is proposing that the region have a measure of autonomy under Moroccan

sovereignty. The Polisario (formally known as the Popular Front for the Liberation of Saguia el Hamra and Rio de Oro) insists that a referendum for the people of the region be conducted that includes the option of independence. The United Nations classifies Western Sahara as a “non-self-governing territory.”

Moroccan authorities have said their proposed autonomy plan is a bold and generous initiative to satisfy the aspirations of the region’s population. However, in conversations with Human Rights Watch, officials made clear that under the plan, advocacy for independence (or for a referendum that includes independence as an option) will continue to be seen as an illegal attack on Morocco’s “territorial integrity.”

“Stopping people from debating one of the core issues concerning their future would overshadow any advances provided by Morocco’s autonomy plan,” said Whitson.

Human Rights Watch conducted a research mission from November 2 to November 13 to the Moroccan-administered portions of Western Sahara and to the Polisario-administered refugee camps in Tindouf, Algeria. The camps house tens of thousands of Sahrawis who fled the Moroccan-administered zone during Polisario-Moroccan fighting that lasted from 1975 until a 1991 UN-brokered ceasefire.

The researchers met in the Moroccan-administered areas with the governor of El-Ayoune and other officials, victims of human rights abuses, lawyers, human rights organizations, journalists, and victims of violence perpetrated by protesters. The Human Rights Watch delegation was able to move about freely; however, plainclothes police openly and frequently monitored their movements.

The researchers were also able to move about freely in the refugee camps in Algeria, where they interviewed Polisario officials, ordinary citizens, and representatives of nongovernmental and international organizations. They also interviewed victims of Polisario abuses.

Human Rights Watch will publish a report on the mission this year.

APPENDIX 4



Morocco : Arbitrary arrest of human rights

defender Yahya Mohamed el Hafed Aaza

Front Line is deeply concerned following the arbitrary arrest of human rights defender Yahya Mohamed el Hafed Aaza who is a member of the Moroccan Association of Human Rights (AMDH) as well as a member of the constitutive assembly of the Collectif des Défenseurs Sahraouis des Droits de l'Homme (CODESA) (Collective of Saharawi Human Rights defenders).

Further Information

Posted 06/03/2008 On 29 February 2008,

Yahya Mohamed el Hafed Aaza was arrested while working in his shop in Tan-Tan, Southern Morocco. It is believed that the arrest is related to peaceful pro-independence demonstrations that took place two days earlier in Tan-Tan. Yahya Mohamed el Hafed Aaza is currently being held in the Tan-Tan police station for interrogation and has yet to be charged. He is reportedly being denied access to his lawyer and visits from his family.

Yahya Mohamed el Hafed Aaza has previously been the subject of acts of intimidation. In 2004 and 2006 he was arrested by the Moroccan Military Intelligence, and in 2005 he was reportedly kidnapped by the Moroccan Military Intelligence for two weeks, during which time he was subjected to torture.

Front Line believes that Yahya Mohamed el Hafed Aaza has been arrested as a result of his legitimate human rights activities. Front Line is also concerned for his physical and psychological integrity while detained and fears that he may be subject to torture and ill-treatment.

Take Action

Please take action on behalf of Yahya Mohamed el Hafed Aaza, Moroccan human rights defender and head of the National Association of Human Rights.

Copy the enclosed letter and send it to the address provided.

Thank you for taking action on behalf of Yahya Mohamed el Hafed Aaza.

Target addresses:

HM King Mohammed VI
Office of the King
Palais Royal

Rabat,
Morocco

Letter:

Your Majesty,

I am deeply concerned following the arbitrary arrest of human rights defender Yahya Mohamed el Hafed Aaza who is a member of the Moroccan Association of Human Rights (AMDH) as well as a member of the constitutive assembly of the Collectif des Défenseurs Sahraouis des Droits de l'Homme (CODESA) (Collective of Saharawi Human Rights defenders).

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I believe that Yahya Mohamed el Hafed Aaza has been arrested as a result of his legitimate human rights activities. I am also concerned for his physical and psychological integrity while detained and fears that he may be subject to torture and ill-treatment.

I urge the Moroccan authorities to:

1. Grant the immediate release of Yahya Mohamed el Hafed Aaza, as it is believed that he is being detained solely on the basis of his legitimate non-violent human rights work;
2. Guarantee the physical and psychological integrity of Yahya Mohamed el Hafed Aaza while in detention and grant him access to visits from his lawyer and his family;
3. Ensure that all human rights defenders in Morocco are free to carry out their legitimate and peaceful work in defence of human rights, without fear of intimidation or reprisal.

Yours sincerely

APPENDIX 5



'Torture has not ceased under King Muhammad' - Freedom House slams Moroccan occupation of Western Sahara

10 May 2007

Little freedom exists in the Moroccan occupied Western Sahara, noted U.S. human rights organization Freedom House in a report released today. The report highlighted the fact that 'Moroccan officials restrict the ability of Sahrawis to form political organizations or assemble in public places', even though 'Demonstrations and riots are a regular occurrence in Western Saharan towns and villages'. It adds, 'Moroccan authorities often arrest those involved.' The report, [THE WORST OF THE WORST: THE WORLD'S MOST REPRESSIVE SOCIETIES 2007](#), further underscored 'Moroccan constitution guarantees press freedom but, in practice, little exists in Western Sahara.' Regarding labor rights, it said, 'Sahrawis are subject to Moroccan laws, including labor laws, but little organized labor activity takes place in the poverty-stricken region'.

Placing Moroccan occupation in a historical context, the report said 'Particularly during the 1961 at 99 reign of Morocco's King Hassan II, the current king's father, Sahrawis who opposed the regime were summarily detained, killed, tortured, and "disappeared." While thousands of Moroccan dissidents suffered under Hassan's rule, Sahrawis who defied him faced even harsher scrutiny. While the political situation is different today, Sahrawis who oppose Morocco's sovereignty are still detained, and torture has not ceased under King Muhammad.'

For this reason, 'International human rights groups have for decades criticized the behavior of Moroccan authorities in Western Sahara.' Likewise, 'A September 2006 report by the UN High Commissioner for Human Rights was highly critical of Morocco's record in the territory'.

Furthermore it notes, 'Morocco's Equity and Reconciliation Commission, founded in 2004 to examine government abuses under Hassan, did not hold scheduled public hearings in Western Sahara. Few Sahrawis had the opportunity to testify publicly before the commission.'

Read the full report

<http://www.freedomhouse.org/template.cfm?page=70&release=503>

APPENDIX 6 (Spanish)



Uso excesivo de la fuerza policial contra estudiantes saharauis en Marruecos

MAR 160507

Excesivo uso de la fuerza policial / malos tratos / tortura / detenciones arbitrarias / actos de violencia

El Secretariado Internacional de la Organización Mundial Contra la Tortura (OMCT) solicita su intervención MUY URGENTE respecto a la siguiente situación en **Sahara Occidental /Marruecos**.

El Secretariado Internacional de la OMCT ha recibido con seria preocupación informaciones sobre el uso desproporcionado de la fuerza por parte de la policía marroquí contra los estudiantes de origen saharauí que se han manifestado en varias ciudades marroquíes en particular en Agadir, Marrakech, Casablanca y Rabat.

De acuerdo con las informaciones, desde el pasado 2 de mayo de 2007 los estudiantes saharauis organizaron una sentada (sit-in) pacífica en la ciudad de Agadir, para reivindicar el derecho del pueblo saharauí a la autodeterminación y a la independencia, el respeto de los derechos humanos en los territorios de Sahara Occidental y la liberación de los presos políticos detenidos en celdas marroquíes. Consecuentemente a los primeros hechos, los demás estudiantes saharauis de universidades marroquíes iniciaron una serie de actos de protesta en varias ciudades, multiplicando las manifestaciones, las sentadas y los actos de protesta en Rabat, Marrakech y Casablanca.

El 9 de mayo de 2007 las fuerzas de seguridad de la ciudad de Marrakech, con destacamentos dirigidos por el comisario de Policía de nombre Abdelhak y por un comisario de división "alias" Burghia, intervinieron las manifestaciones pacíficas de los estudiantes utilizando de manera excesiva la fuerza, como en el caso de la estudiante **Saltana KHAYA**, natural de Bjador, donde nació en 1980, quien recibió sobre su cuerpo una granada de gas lacrimógeno.

A continuación, la estudiante Saltana Khaya fue alcanzada por un policía quien, según las denuncias, le introdujo su porra (bastón policial) en el ojo derecho ocasionándole la salida del mismo y por lo tanto su pérdida definitiva. Mientras la señora Saltana Khaya estaba tendida por el suelo, desmayada como resultado de la grave agresión policial, otros policías le gritaban "te vamos a matar, te vamos a quemar viva", arrastrándola además por el suelo.

Según las denuncias, a pesar del estado crítico en el cual se encontraba Saltana Khaya, fue detenida y llevada a la comisaría de policía donde permaneció varias horas antes de ser llevada al hospital.

Según las informaciones, ese mismo día en Marrakech, como resultado de la represión policial resultaron heridas numerosas personas, algunas de gravedad, entre ellos los siguientes.

See more :

<http://www.omct.org/index.php?>

[id=&lang=es&actualPageNumber=1&articleId=7046&itemAdmin=article](http://www.omct.org/index.php?id=&lang=es&actualPageNumber=1&articleId=7046&itemAdmin=article)

APPENDIX 7



The Western Sahara Resource Watch welcomes the fourth round of talks that is due to take place in the US on 16-18 March 2008 between the Frente POLISARIO and Morocco regarding the achievement of the decolonisation of Western Sahara.

WSRW urges the Frente POLISARIO, Morocco and the United Nations to include on the agenda of the discussion the issue of natural resources of the territories occupied by Morocco.

"The Moroccan exploitation of the natural resources in Western Sahara contributes to the perpetuation and prolonging of the colonial domination of the territory and the suffering of its population, and impeding the resolution of the conflict", recalls the International Coordinator of WSRW, Javier García Lachica.

"Therefore", declares García Lachica, "WSRW calls on all states and economic actors of the international community to abstain from contributing with their investments to maintaining the colonial situation in Western Sahara. Abstaining from carrying out investments in the occupied territory of Western Sahara is the most constructive way to support the ongoing negotiations process."

In the third round of negotiations, held in January, both parties decided to include on the agenda of the next round the discussion of a key issue in the decolonisation process: the management of the natural resources of Western Sahara.

These resources include above all fish and phosphate. The European Union and the Government of Morocco signed a fisheries agreement that allows European fishermen to fish in the occupied territories. Fertilizer producers, especially the US, Australia and Spain, import phosphate from the same place. Two oil companies—the American Kosmos Energy and the Irish Island Oil & Gas—have hydrocarbon exploration licenses.

In view of the ongoing negotiations, the WSRW requests all the countries and companies involved to stop their investments with a view to supporting the peace process, and urges the United Nations to put in place the necessary mechanisms, in conformity with international legality, that would contribute to protecting the natural resources of the territory pending a lasting solution to the conflict.

The WSRW is an international non-governmental organisation with members from more than 30 countries, which defends the respect for international law upholding the decolonisation of Western Sahara and the sovereignty of the Saharawi people over their natural resources. More on: www.wsrw.org.

the companies that have quit working for Morocco in Western Sahara after pressure from the network are:

- TGS-Nopec (oil, 2002-2003)
- Fugro (oil, 2004)
- Wessex Exploration (oil, 2004)
- Yara (phosphate imports, 2005)
- Thor Offshore (oil, 2005)
- Total (oil, 2004)
- Kerr-McGee (oil, 2006)
- Pioneer Natural Resources (oil, 2006)

- Selfa Arctic (fisheries, 2005)
- Arnesen Shipbrokers (shipping of phosphates, 2007)

<http://www.wsrw.org/index.php?cat=114&art=515>

APPENDIX 8

Western Sahara



Mine Ban Policy

The sovereignty of Western Sahara remains the subject of a dispute between the government of Morocco and the Polisario Front (the Popular Front for the Liberation of Saguía el Hamra and Río de Oro). The Polisario's Saharawi Arab Democratic Republic (SADR) is a member of the African Union, but is not universally recognized. It has no official representation in the UN, which prevents formal accession to the Mine Ban Treaty. Polisario officials have, since as early as 1999, stated that they would join the Mine Ban Treaty if permitted to do so.

On 3 November 2005 Polisario Minister of Defense Mohamed Lamine Buhali committed Polisario unilaterally to a ban on antipersonnel mines through the Deed of Commitment administered by the NGO Geneva Call.^[13] The Deed of Commitment calls for a comprehensive ban on use, production, trade and stockpiling of antipersonnel mines, and cooperation in mine action.....

Landmine and ERW Problem

The UN estimated that around 100,000 square kilometers of Western Sahara are affected by mines and unexploded ordnance (UXO) as a result of years of colonial and post-colonial conflicts.^[13] Landmine Action reported that other explosive remnants of war (ERW) posing a serious threat include artillery shells, bombs and submunition duds that were sold by the US to the Moroccan military.^[14]

Over 2,000 kilometers of berms (earthen walls of about three meters high) were built during conflict in the 1980s, and remained after the 1991 ceasefire between Morocco and by the Western Sahara independence movement, Polisario.^[15] Moroccan troops emplaced antipersonnel and antivehicle mines in and around the berms. There are also mined berms in the Moroccan-controlled zone, around Dakhla and stretching from Boujdour, including Smara, in a crescent to the Moroccan border.....

Mine Action Program

MINURSO established a small mine action cell (MAC) in January 2006 staffed with two military officers and one information technology specialist who is being trained to use the latest version of the Information Management System for Mine Action (IMSMA).^[21] The MAC coordinates, supports and monitors mine/UXO activities, in addition to collecting and disseminating information.

The MAC also seeks to promote a regional approach to mine action. According to the UN Mine Action Service (UNMAS), Mauritania and Polisario are supportive; contacts have been established with the authorities and the UN Development Programme (UNDP) in Mauritania in order to facilitate the clearance of mines along the border with Western Sahara, in particular the Nouadibu peninsula. Discussions with Morocco on this issue had not started as of May 2007.^[22] On 14 June 2007 MINURSO sent a note to the Mauritanian government supporting Landmine Action's request to be registered as an NGO in Mauritania. This was to facilitate Landmine Action's logistic support and transit options that had been conducted through Algeria.

There is no mine action legislation or 'national' standards in Western Sahara. To ensure that the national capacity operates in accordance with international mine action standards, Landmine Action trained a local team from Western Sahara in 2006.^[24]

Strategic Mine Action Planning

As of early 2007, no strategic plan for mine action in Western Sahara existed. UNMAS signed a contract with Landmine Action in April 2006 to conduct a general survey of areas under Polisario control that would provide a basis for future mine action.^[25] The survey may be extended to areas under Moroccan control west of the berm if Morocco approves and signs the Mine Ban Treaty and funding is available.^[26] MINURSO and Landmine Action used version 4 of IMSMA to obtain an accurate database of mine/UXO-affected areas in order to provide updated maps for demining.^[27]

In early 1999, Morocco and Polisario signed bilateral military agreements in which both parties agreed to cooperate with MINURSO in the exchange of mine-related information, marking of mined areas, and the clearance and destruction of mines and UXO in the presence of MINURSO observers.^[28] This agreement does not cover minefields along the berms and minefields that Morocco regards as an integral part of its defenses.^[29]

Demining

Both Polisario and the Royal Moroccan Army assist MINURSO in the marking and disposal of mines, UXO and expired ammunition.^[30] Unconfirmed reports suggest that members of the Polisario armed forces have conducted limited demolitions of explosive ordnance.^[31]

Landmine Action was contracted for mine action on the eastern side of the berm by UNMAS in 2006 and by Norway for 2007.^[32] Since October 2006, Landmine Action has undertaken the training of a national staff team of 12 demobilized Polisario army engineers in survey, battle area clearance and explosive ordnance disposal in addition to medical procedures.....

Marking and Fencing

MINURSO marks locations of mines and ERW with red metal signs; previously it used piles of red painted stones up to half a meter high. MINURSO patrols check markings routinely. Between April 2006 and April 2007 MINURSO discovered and marked 124 mines and items of UXO as well as 15 cluster bomb-contaminated areas. Landmine Action marked 112 affected locations east of the berm....

Landmine/ERW Casualties

In 2006 at least 24 new mine/ERW casualties were reported in 12 incidents, with nine killed and 11 injured; the status of four of the casualties is unknown. This is a big increase compared to 2005, when only two casualties were reported from two antipersonnel mine incidents (one killed and one injured).^[46] In 2006, most of the casualties were men (10), two were boys, one girl and one woman; the gender of the others is unknown. Antipersonnel mines caused at least five incidents and anti-vehicle mines caused at least two; the devices causing the other incidents is unknown. The most common activity at the time of the incident was driving (12 casualties); two casualties happened while herding animals. Most of the casualties (16) occurred in the Moroccan-controlled part of Western Sahara and involved at least one Moroccan soldier and six Saharawi civilians.

MINURSO recorded four mine/ERW incidents in 2006. However, casualty details were not provided, and therefore the incidents are not included in the total.^[47]

In 2007 casualties continued to be reported at an increased rate, with at least 16 new casualties as of May, including nine killed and seven injured in six incidents. At least four of the casualties were children. Two casualties were caused by cluster submunitions. Thirteen of the casualties occurred in Moroccan-controlled Western Sahara and involved 11 Moroccan citizens. Between January and April 2007, MINURSO recorded five new mine/ERW-related incidents, but failed to provide details.^[48]

The total number of mine/ERW casualties in Western Sahara is not known; many incidents may not be recorded. The Moroccan Association of Mine Victims in Smara stated that at least 360 people were killed in mine/ERW incidents and approximately 600 were injured.^[49] In November 2005, SCBL identified 347 mine/ERW survivors in the four main refugee camps. In October 2005, Polisario stated that 525 people from Western Sahara had been injured and 30 killed since 2001.^[50] The International Committee of the Red Cross (ICRC) estimates there are approximately 400 mine/ERW survivors.^[51] Between March 2000 and March 2001, Moroccan authorities registered 51 military mine/ERW casualties (seven killed and 44 injured) in Western Sahara.^[52] However, there have reportedly been more than 2,500 landmine casualties since 1975...

See more on:

http://www.icbl.org/lm/2007/western_sahara.html

APPENDIX 9 (Spanish) :

EL PAÍS.COM Internacional

Garzón abre diligencias por un delito de genocidio de Marruecos contra el Sáhara Occidental :

El juez de la Audiencia Nacional, Baltasar Garzón, ha ordenado este mediodía la apertura de diligencias previas por los delitos de genocidio y torturas contra ciudadanos saharauis cometidos presuntamente por altos cargos de la seguridad marroquí en los setenta y ochenta. Garzón admite así a trámite la querrela interpuesta en septiembre de 2006 por asociaciones de defensa de los Derechos Humanos y familiares de presos y de desaparecidos saharauis.

Estas organizaciones han contabilizado por el momento un total de 542 desaparecidos y culpan a 31 altos cargos de la seguridad marroquí (algunos de ellos ya fallecidos), de detención ilegal, torturas y asesinatos.

Entre la treintena de denunciados se encuentra el ex ministro de Interior marroquí Dris Bsri y el ex jefe de la Dirección General de Estudios y Documentación y consejero especial del rey de Marruecos Yassine Mansouri. También figuran otros responsables policiales y militares, entre otros el general mayor de las Fuerzas Armadas Reales, Husni Ben Sliman.

"Dominación extranjera"

Los hechos denunciados, se sitúan a partir del año 1975, cuando tras la firma de los Acuerdos Tripartitos de Madrid, "España se marchó de su provincia número 53, ocasionando la violenta invasión del Sahara Occidental por parte del reino de Marruecos", señala el escrito de los querellantes, según informaba Europa Press.

Éstos añaden que la invasión y masacre contra el pueblo saharauí duró 16 años, tiempo en el que sus integrantes han sido sometidos a la "dominación de una potencia extranjera" que les impide "el ejercicio del derecho a su libre determinación, reconocido por la Resolución 1514 de la Asamblea General de la ONU de diciembre de 1960, implicando con ello una denegación de los derechos humanos fundamentales".

En su querrela relatan que desde el 31 de octubre de 1975 y hasta la actualidad "el ejército marroquí ha ejercido una permanente violencia contra el pueblo saharauí" en una guerra de invasión que obligó a abandonar sus hogares a 40.000 personas, que tuvieron que huir al desierto y fueron perseguidos y bombardeados por las fuerzas invasoras con Napalm, fósforo blanco y bombas de fragmentación.

Diligencias previas

Garzón acepta la competencia de la Audiencia Nacional sobre los hechos denunciados e incoa diligencias previas. En primer lugar, llama a declarar a los querellantes para los días 11 y 12 de diciembre. Además, el juez pide a Marruecos (en comisión rogatoria) que le informe de si los hechos están siendo investigados por la justicia marroquí o si existe procedimiento penal contra los querellados y si se conoce la identidad de las víctimas y el lugar en el que están enterradas.

Dos de los acusados fueron condecorados por el Gobierno español

Dos de los investigados por el juez Garzón fueron condecorados por el Gobierno español en enero de 2005. El consejo de ministros otorgó entonces, en vísperas de la visita de los Reyes a Marruecos, la Gran Cruz de Isabel la Católica a Hamidou Lanigri, director general de la Seguridad Nacional marroquí, y Housni Ben Sliman, general de la gendarmería real. La decisión fue acogida con protestas por parte de grupos defensores de los derechos humanos.

Precisamente el pasado 21 de octubre un juez francés dictó orden de detención internacional contra Ben Sliman por el caso Ben Barak, acontecido hace ahora 42 años. Ben Barka, líder opositor al régimen de Rabat, desapareció en París en 1965. Se supone que fue asesinado, aunque su cuerpo nunca fue encontrado. Ahora Ben Sliman no podrá salir de Marruecos sin tener problemas con la justicia.

Domingo, 16/3/2008, 00:11 h

APPENDIX 10

Appel d' *AMINATOU HAIDAR*
Lauréat du prix « SILVER ROSE pour la Liberté et la Dignité
humaine » Octroyé par SOLIDAR
human rights defender and member of
the CODESA secretariat



Je suis très honorée de recevoir ce prix et je tiens à exprimer mes remerciements et ma gratitude à toutes celles et à tous ceux qui m'ont soutenu et apporté, à travers ma modeste personne, leur soutien à un peuple qui souffre, un peuple qui lutte pour recouvrer sa liberté.

En tant que femme sahraouie victime dans sa chair et sa dignité de la répression et de déni des droits les plus fondamentaux dans mon propre pays, *le Sahara occidental*, par les autorités marocaines, je veux dédier ce prix aux milliers de Femmes, de Jeunes et tous ces Hommes qui subissent le joug de l'occupation et de la répression au Sahara occidental.

La répression, mon peuple y fait face au quotidien : harcèlements, emprisonnements, torture exactions, sont le lot chaque jour de tous ceux qui expriment pacifiquement leur droit de disposer d'eux même. Dans son rapport de mission, du 15/05/06 et 19/06/06, le Haut Commissariat de l'ONU pour les droits de l'homme, rappelle que ces violations des droits de l'Homme, découlent du déni d'un droit fondamental, fondateur des Nations Unies; à savoir le droit à l'autodétermination, universellement reconnu au peuple sahraoui, mais que le Maroc refuse d'appliquer au Sahara occidental.

Outre la brutalité qui s'abat sur mes concitoyens, les autorités d'occupation empêchent aussi la moindre expression démocratique, pacifique des autochtones sahraouis ; ce 07 Octobre 2007 , les autorités marocaines ont interdit au **Collectif des Défenseurs Sahraouis des Droits de l'Homme « CODESA »**, dont je suis membre, la tenue de son congrès constitutif à El Aaiun,

capitale du Sahara occidental occupé. Nous considérons que cette mesure répressive à l'encontre de notre association s'inscrit dans le cadre de la politique menée par les autorités Marocaines pour faire taire la voix des défenseurs Sahraouis des droits de l'homme.

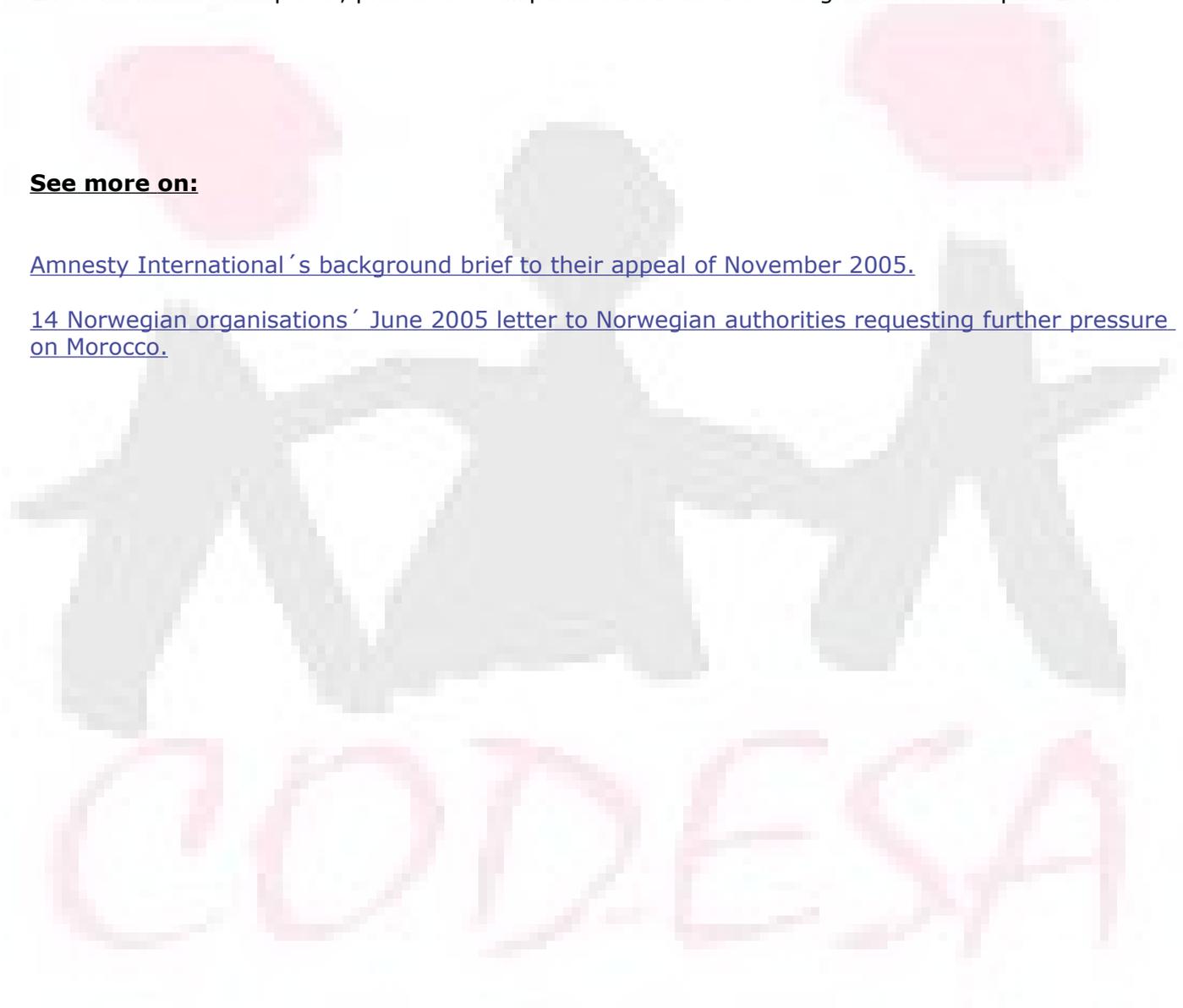
D'autres ONG sahraouies telle l' Association Sahraouie des Victimes des Violations Graves des Droits Humains l'ASVDH se voient interdire par les autorités d'occupation, d'exercer leur activité

En ce moment on déplore , plus de 500 disparus sahraouis dont on ignore le sort depuis 1976.

See more on:

[Amnesty International's background brief to their appeal of November 2005.](#)

[14 Norwegian organisations' June 2005 letter to Norwegian authorities requesting further pressure on Morocco.](#)



APPENDIX 11

Visite émotion à la section française d'Amnesty International

défenseur des droits humains sahraoui

membre du secrétariat du CODESA

ALI SALEM TAMEK



Ali Salem Tamek

© Annie Delay pour AI-France

Le 9 mars 2007, **Ali Salem Tamek** nous a rendu visite et nous a parlé droits humains, répression, torture, détention abusive au Sahara Occidental

Qui est-il ?

Ali Salem Tamek, 43 ans, est un défenseur éminent des droits humains au Sahara Occidental.

Il a connu à plusieurs reprises les prisons marocaines.

Reconnu par Amnesty International comme prisonnier d'opinion, il a fait l'objet de nombreuses actions de soutien de la part d'Amnesty International depuis 10 ans.

Ali Salem Tamek a une longue histoire en tant que défenseurs des droits humains ; il a contribué à rassembler des informations et à faire connaître les violations des droits humains dans son pays, notamment lors des opérations de maintien de l'ordre menées pendant la vague de manifestations en faveur de l'indépendance au Sahara occidental commencée en mai 2005, territoire dont l'annexion par le Maroc en 1975 est controversée.

Détenu au secret, emprisonné, torturé, **Ali Salem Tamek** a observé de très nombreuses grèves de la faim qui ont eu des conséquences graves sur sa santé.

Interdit de séjour au Sahara Occidental, il vit maintenant à Assa, dans le sud du Maroc.

Son épouse est réfugiée en Espagne, avec sa fille

Pour quoi combat-il ?

La question sahraouie

Le Sahara occidental fait l'objet d'un conflit entre le Maroc, proclamant sa souveraineté sur ce territoire qu'il a annexé en 1975, et le Front Polisario, demandant l'instauration d'un État indépendant sur ce territoire.

Le *Front Polisario* a constitué dans le sud-ouest de l'Algérie, dans des camps de réfugiés, un gouvernement en exil autoproclamé. Un plan de règlement de l'ONU a été signé en 1988 par les autorités marocaines et le *Front Polisario* avant d'être approuvé par le Conseil de sécurité des Nations unies, en 1991.

Après plus de dix années de conflit, les deux parties ont accepté que la Mission des Nations Unies pour l'organisation d'un référendum au Sahara oriental (MINURSO) organise et mène un référendum demandant à la population sahraouie de choisir entre l'indépendance et l'intégration au Maroc. Initialement prévu pour 1992, ce référendum a été reporté à plusieurs reprises.

Les militants des droits humains arrêtés, torturés ou présentés à la justice ne l'auraient été que parce qu'ils avaient parlé des violations des droits fondamentaux des personnes.

Des actes d'agression, de harcèlement et d'intimidation de défenseurs locaux des droits humains et de journalistes par des agents de l'État avaient déjà été signalés, avec même des périodes de détention pour certains d'entre eux. Les autorités marocaines ont également empêché plusieurs délégations internationales qui cherchaient à enquêter sur ce qui s'était passé de se rendre au Sahara occidental.

Nos actions récentes en faveur des défenseurs des droits humains sahraouis

[Aminatou Haidar](#), **Ali Salem Tamek**, et de nombreux autres défenseurs des droits humains ont fait l'objet d'une intense campagne en faveur de leur libération en 2005, à la suite de leur incarcération, pour la plupart au mois de juillet, et de leur procès qu'Amnesty International a considéré comme inéquitable. Des avocats ont affirmé qu'ils avaient dénoncé à l'audience le fait que les autorités judiciaires de Laayoune avaient refusé un examen médical à certains accusés qui se plaignaient d'avoir été torturés ou maltraités durant leur interrogatoire.

Ils ont ajouté que ces plaintes avaient été rejetées de façon expéditive et que des déclarations contestées avaient été utilisées pour obtenir des condamnations.

Des avocats ont également affirmé que les requêtes en vue d'obtenir la comparution de témoins de la défense pour contester les faits figurant dans les procès-verbaux de la police étaient systématiquement rejetées.

Deux autres défenseurs font actuellement l'objet d'un soutien d'Amnesty International, **Brahim Sabbar** et **Ahmed Sbai**, condamnés le 6 mars dernier à un an d'emprisonnement et pour qui la liberté immédiate et sans condition est demandée.

Ce que dit Ali Salem Tamek

Ali Salem Tamek remercie Amnesty International pour son action en faveur du droit des sahraouis à exprimer librement et pacifiquement leurs opinions et pour son action décisive en faveur des défenseurs des droits humains sahraoui récemment incarcérés.



APPENDIX 12

Testimony the human rights defender member of the secretariat of the CODESA: *EL ARBI MASSOUD*



Geneva, September 24th, 2007

By presenting this document, **The Collective of the Saharawi Defenders of Human Rights (CODESA)** intends to present an overview of all different forms of violations of Human Rights committed by Morocco in Western Sahara, in the aftermath of the peaceful demonstrations demanding self determination and respect for human rights erupted in the territory since May 21st, 2005.

1. The Peaceful nature of the uprising:

Being very close to the permanent demonstrations in many districts, streets and squares in the territory, and thanks to the hard work of daily investigation and gathering of information carried out by our activists, the **CODESA** become aware of the peaceful nature of the uprising summarized in the slogans of the people expressing their support for the Polisario and the implementation of the right to self-determination.

The Moroccan authorities, since then, have intensified their military and security presence in the territory to oppress the Saharawi civilians and deprive them from enjoying their very basic rights to freedom of speech and peaceful demonstration. While very determinant to harden their Media blackout on the territory by forcing out Organizations, Parliamentarian delegations, Trade unions and the international media from the occupied Western Sahara; the Moroccan authorities have embarked in a large internal media campaign, using all possible means, to distort, in vain, the democratic nature and objectives of the uprising.

2. Harassment of the Human Rights Activists:

After their failure to distort and silence the uprising, due to the determination of the Human rights defenders and their constant work (informing the public opinion, the international human rights organizations, and the international media about the ongoing abuses and atrocities) the Moroccan authorities launched a wide campaign of arbitrary detentions against many of them, including some who were not present in the territory at the moment the uprising erupted for the first time. Those arbitrary arrests bear witness of the dire will of the Moroccan authorities to prevent the international public opinion from being aware of the brutalities committed on a daily basis against the civilian demonstrations in the territory, expanded later, to include cities in the South of Morocco and some universities campuses.

3. The Serious violations of Human Rights committed by the Moroccan State:

a) Abduction: Since the first day of the demonstrations, many civilians were arrested and driven by the Moroccan security agents to unknown destinations to be threatened, and tortured, and later thrown, in remote places outside the cities, left in very horrific conditions.

b) Torture: Although the Moroccan state has signed and ratified the convention against torture and has penalized it in 2006, in practice Morocco does continue torturing the Saharawi citizens, aggressing them in all secret and official detention centers of the Moroccan Police.

b1- Torture in the secret detention centers: Once again, the Moroccan authorities have resorted to the abduction and torture of the Saharawi Citizens in centers of secret detention. The locations of some of those centers are not yet known to the public, despite the fact that some of the activists were kept in for more than 06 days.

Some of the victims have testified on the methods of torture used in those secret detention centers, especially Mr **LIDRI EL HOUCINE** and Mr. **NOUMRIA BRAHIM**, two human rights activists, abducted by the Judiciary police in El Aaiun and tortured in the secret centre of detention "PCCM" for more than 48 hours by the chief members of the Moroccan security service. In their testimony, both confirmed all sorts of torture psychological and physical (the aircraft position, blind folded, beatings, insulting, depriving them from sleeping, eating and drinking...).

With regard to the methods of torture against the Saharawi civilians in the police centers, we may mention the followings:

- Beatings on all parts of the body especially the most sensible ones;
- the interrogation of the victims, blind folded and hands tied all the time;
- threatening of murder or of rape;
- forcing the detainee to remain standing, not allowed to sleep, eat or drink;
- setting the detainee on fire (the case of the youngster **SAIDI SALEK**);
- the torture of the children in front of their mothers (the case of **Lemisi Abdennaser** who found himself deaf after his detention).

The Moroccan authorities are committing those atrocities with no distinction of age, gender or physical condition of the detainee. Many cases of tortured pregnant women and handicaps were reported to the CODESA.

As a result of those barbarous actions against the Saharawi civilians, some innocent civilians were murdered by the Moroccan police (**HAMDI LEMBARKI** and **ABA CHEIKH LAKHLIFI**). In addition, some activists found themselves condemned to spend the rest of their lives with physical handicaps, as was the case of the Ms. **Sultana Khaya** who lost one of her eyes on the hands of the Moroccan police, in one of the demonstrations. The abortion of Saharawi women as a result of the torture (Mrs. **Ghlana Burhah**) is also reported about frequently.

Saharawi Children under detention, as well as their families, are also subject to racist and inhumane practices that put in danger their future and extinguish the innocence from the face of every saharawi children living under Moroccan occupation. Many saharawi children go through torture, pain and other degradations, just to deprive them from education and their innocent dreams and to expose them to psychological fear and the daily sufferings of the military and security blockage imposed on the occupied territories of the Western Sahara. Many saharawi families complain that their children suffer from nightmares, fear and some urinate while sleeping, others, experience stomach and head illness and psychological instability. Such situation makes the teachers worry about the future of the students, especially, since most of them have problems memorizing lessons and they do not feel it is important to pass an examination or even to continue attending school.

Many saharawi children suffer from many serious wounds due to the torment, beatings and racial discrimination they go through in the judiciary police centers. Other physical and psychological torture inflicted to saharawi children in these centers include sleep and drinking deprivation, to make them repeat the Moroccan hymn and other Moroccan propagandist slogans and threats to their lives if they continue to participate in peaceful demonstrations.

Due to such practices, the Moroccan authorities are pushing many saharawi children to escape the political unrest in small home made boats to the Spanish coast. In this regard, since the beginning of the "independence intifada" an estimated 500 saharawi citizens, including some minors have attempted to cross to Europe, causing the death of dozens of them and the disappearance of others, whose families accuse the Moroccan authorities of being responsible of their disappearance, such is the case of the 15 saharawi children and youngsters whose disappearance has brought contradictory statements from the Moroccan security apparatus since December 25th , 2005.

Then, how can it be possible to say that the saharawi children are not targeted when there is a clear policy to target them through drug and human smuggling networks, their schools and houses are subject to regular police raids and the Moroccan security apparatus carry out usual campaigns of intimidation against them.

Political detention:

Since the beginning of the "intifada of independence" the Moroccan authorities have launched a widespread campaign of political detentions against the saharawi demonstrators that even included the human rights activists in the Western Sahara. The aim of such detentions was to tie the human rights activists to criminal activities, this maneuver, however, did not work because the international observers testified that the saharawi human right activists were arrested for their participation in the peaceful demonstrations demanding the right for self-determination for the saharawi people. The human rights activists also went on many hunger strikes to change their appalling detention conditions and their 20 to 4 years jail sentences. The Moroccan authorities finally released all of the saharawi political detainees, to soon after detain dozens of saharawi citizens for participating in peaceful demonstrations. Today, around 40 saharawi political detainees, including three minors, are held in Moroccan prisons with no respect to their rights as political prisoners. Many of these political prisoners went on a hunger strike starting on September 17th 2007 demanding their right to education and learning. **AMAIDAN EL OUALI**, one of the political prisoners was transferred, against his will, from the "Black Jail" in El Aaiun to the local jail of Tarudanet in Morocco. Penitentiary authorities inflict all kinds of torture and discrimination against the saharawi political prisoners while the Moroccan police seize the opportunity to abuse them with vengeance while escorting them to the hospital or to court.

The Moroccan state continues to detain, arbitrarily, saharawi citizens and to hold them, sometimes for over 6 days without telling their relatives about their whereabouts, just to release them afterwards without charges.

Moroccan state's violations of human rights committed against saharawi citizens violate all international human rights conventions, particularly the chapters 08, 09 and 10 of the international declaration of Human Rights and the chapters 01, 06, 07 and 09 of the international convention on civil and political rights and the principles to protect all individuals subject to any kind of detention, the declaration of the rights of the children and the convention against torture.

APPENDIX 13

The testimony of The Saharawi human rights activist, the ex-kidnapped and member of the (CODESA), Mrs. **FATMA AYACHE**

“!!!Death was better than being raped”



**Cap Town
SACP SOUTH AFRICA**

“Once out of jail, being able to coexist with the society, maintaining your principles, faith and the cause you are struggling for is a more difficult experience than prison itself.”

An Arab writer said.

My name is Fatma M’barek Mohamed Aayache, born in 1968 in El Ayun, Western Sahara [W.S.], mother of Lhalla Charafi, 19 years old, and Abdelaziz Elbachraoui, 7 years old.

I belong to a Saharawi family whose most members suffered from flagrant violations of human rights for long periods, committed by different Moroccan security torturers.

I was subject to kidnapping, forcible disappearance and systematic torture among hundreds of the Saharawis who were preparing for peaceful demonstrations in El Ayun, Western Sahara. The demonstrations were intended to call for self-determination to the Saharawi people at the arrival of a UN technical committee paying a visit to the Western Sahara in 1987.

On November 20th, 1987 at about 01:00 my family’s house, on “Alhizam Street” in El Ayun, W.S., was broken into by more than 07 Moroccan police agents in civil clothes. They destroyed everything, violently treated my family who were asleep, especially my mother, Salka Abdelfattah Elwali, 50 years old. This caused a great fright to all my family members.

I was dragged from my bedroom, facing insult, beating and kicking. You can imagine how a person would be when they were asleep to wake up and find oneself in these contradictory noises. I could not understand what was happening...I found myself obliged to lean on my knees among the boots of the torturers in a Landrover. They drove me in the city streets and roads for a long period under insult, beating and verbal abuse.

When the car stopped I thought that the suffering stopped too, but it did not. A new journey of harder and more ferocious torture just started. It was the beginning of the interrogation. That was

the welcome of those who have no mercy.... Sadism in everything, selecting the most humiliating words and the nonstop insults and painful beating on different parts of the body, the objective of which was to minimize any feeling of dignity or of being a human.

For more than 30 hours, I felt that time had stopped...I was conscious of nothing except the successive claps on my face, the pouring of dirty water on my head and body. That was their hospitality. As I got back to consciousness, I noticed some cries and groaning; those were my fellow citizens' cries, who were being tortured, I knew later.

Their only concern was to get confessions from me concerning what we were planning to do and demonstrate for. I was handcuffed to the back, eyes blindfold, suffering the pain everywhere in my body. Worse than this, I was repeatedly threatened by rape. All the suffering may be endured but rape! Death was better for me than being raped!!!

Even worse, I discovered after a long period of different types of torture that five of my family members were exposed to the same suffering. Yes, those who had been teaching me the principles of good discipline and virtuousness.

What a shame... I knew that my mother's aunts **Khwaidija** and **Salka Aayache**, the latter's son, **Mohamed Lkhalil Ayache**, my uncle **Ali Aayache** and my cousin **Laghdaf Aayache** were all together with me, enduring the same systematic inhuman torture.

The torturers and investigators were such sadistic that they took the blindfold off my eyes to make me watch my uncle **Ali Aayache** completely nude ... He was in a delicate health situation due to the savage torture he had gone through...His face swollen , he was faint and unable to speak.

They obliged me to see him naked in order to humiliate our standards and principles as Saharawis on the one hand and to frighten me on the other. As I looked around, I could see the place was dull, everything was cruel and bitter... Piles of faint people everywhere...Clothes full of vomit and blood ... and stench filled the place. The torturers' frivolity added more fear and panic to the scene. Then, I discovered the seriousness of our misery.

After these first torture sessions, a group of the kidnapped and myself were taken to different places, handcuffed and blindfold and under strict control. We were obliged to keep silent and maintain the blindfold on our eyes. We were deprived of food and denied going to the toilet during the period of interrogation. The continuous beating was the only language spoken.

A few moments later, I was taken again to be interrogated about some Polisario flags. Where I had got them from, the reason behind our demonstrations, who were the coordinators and the organizing cells, were some of their most repeated questions. After refusing to give any information, I was subjected to cruel torture: hard beating upon the sense organs, branding by cigarettes and blowing their smoke on my face. I was clapped and beaten to the extent that I could no longer feel my face.

I lost consciousness several times... As I regained it, I was interrogated again, insulted and tortured. They, from time to time, pour cold filthy water on my body. Gradually, I could not remember what I said and I completely lost consciousness.

After my second torture session, I was taken with some other kidnapped, in a landrover to a coastal place that I would later on know that it was 'Thakanat Albir' (The Barracks of the Well), a secret jail in El Ayun, W.S.

We were distributed upon rooms, where we suffered over crowdedness, were forbidden to sleep, talk or even move. We were ill-nourished and deprived of being cured. The process of interrogation and torture continued, which led most of us to delirium and consciousness loss...

I remember now what happened to my relative, **Mohamed Lkhalil Aayache**, who is still disappeared up to now. He was being tortured throughout the period we were detained, not far from us and from his mother, **Salka Aayache**, who had to endure both her and her son's torment.

We frequently heard them ordering him, 'Say Long live the King, son of the bitch...say the Sahara is Moroccan...' He persisted refusing, challenging the torturers through his patience and the strong faith in his cause. He was thrown in a place that we were using as a toilet. They trod on him, and we were obliged to do the same as a kind of revenge on him and us for sticking to our principles.

Mohamed Lkhalil Aayache continued this way.. We could do nothing for him. His mother was facing his groaning with patience. He was inspiring her and us to cling to resistance and life, until his groaning faded away... **Mohamed Lkhalil Aayache** disappeared, his fate being unknown, like hundreds of the Saharawis in the Moroccan prisons and secret jails.

Being unable to accept her son's disappearance, the poor mother has been in a serious psychological breakdown for many years, even after our release. She is still awaiting to embrace her son one day.

After spending some time in the secret jail, Thakanat Albir, we were taken back to the ill-known secret detention center, PC CMI (Poste de Commandement - Compagnie Mobile d'Intervention). We were in a terrible condition because of many days of torture. We, the women, were put in the same cell after releasing 07 of us. Among them was **Ftaima ment Saaid**, who had been kidnapped away from her a two months old baby. She tried hard to be patient enough to be back to her newborn, left to its unknown destiny. Feeling sad for her, we took turns sucking her breasts to alleviate the pain that the bursting of milk breasts were causing her. That could not happen until we begged some guards to let us do so.

Like **Ftaima ment Saaid**, our comrade, **Igga Alaalem's** suffering was even worse. She endured an illness that caused her to lose memory. She was thrown on the earth hallucinating for a long period of time. No one was there to cure her until flesh started to fall off her body. Despite our constant begging of the guards to take her to be cured, we were sadistically replied, 'You are here to die...a slow death...'

Part of the room roof was open to the air; we were subjected to extreme cold, hunger and the absence of the simplest conditions of life, such as clothes, blankets and other necessities ...during the whole period of our disappearance that lasted about four years

I was kidnapped while I was only 17 years only. I was then divorced and mother of a twelve months baby, **Lhalla Charafi**. As I was very young, how could I practice my motherhood outside prison, let alone inside?

I was constantly thinking of her, fearing that she was also subjected to abduction. The anguish was squeezing my heart. I was handcuffed, but I was embracing her in my mind, playing with her beautiful hair. My angel, Lhalla, was helping me endure the torturers' violence. But I was wondering day and night what happened to her, where she was...what she was eating...where she was sleeping ...

I usually saw her walking, trying to speak, crying, smiling, approaching me and saying, 'Mummy...Mummy...'. I was saying to myself that my daughter was still alive. I was suffering a lot while thinking of her.

Our suffering intensified by being deprived of our relatives and friends' visits, of being cured and of taking a refreshing recreation outside the cell. We ate and drank in dirty dishes, slept in filthy places, coexisted with bad smells, insects and lice that invaded our bodies. We were not given any clothes during the four year-detention but twice. We did not have access to bathing. We were usually deprived of doing our prayers. We were handcuffed, blindfold and obliged to sit squatting, our faces towards the wall.

I spent, together with more than 60 Saharawi kidnapped, about four years in detention. We were 10 women. The rest were men of different ages. Among us were minors, old people and teenagers. There were also two blind men, **Sidati Essallami**, 55, and **Chrif Elgarhi**, 22. Although they were blind, **Sidati** was dragged by his beard to the torture sessions, and **Chrif** was frequently taken to the toilet under the guard of dogs, a way to enjoy his torture.

One day, the sadistic torturers agonized my comrades, **Lghalia Djimi** and **Salka Aayache** through the trained fierce dogs. They were freed to bite **Lghalia** and **Salka**, who still have the biting traces on their bodies up to now.

This miserable situation and the ill-nourishment for about four years made us very faint. It also caused many diseases to spread among us, such as tuberculosis, rheumatism, mental illnesses, stomachaches, intestine disorders, short sight, anemia, heart diseases, severe asthma as well as different skin diseases.

I cite here the case of my comrade, **Aminatou Haidar** who was half-paralyzed and went through a serious breathing disorder, like **Ovum Almouminin Mahmoudi** and **Mohamed Khalfou**. The latter died because of tuberculosis as soon as we were released in 1991.

We spent a lot of time in the PC CMI, (in El Ayoun, W.S.) which has been destroyed now, in order to remove the traces of the atrocities committed there. We were never presented before a trial, nor sentenced to a verdict. We were never visited by families... We simply were in the unknown. We then realized that we were there to die slowly, because we were calling for our people's right to self-determination.

We were released from the PC CMI, and had to learn the art of living again. We were out-of-date. But we left behind us four of our comrades, **Mohamed Lkhalil Aayache, Salama Hania, Mohamed Ali Karroum and Aandallah Boumehdi** whose nails of both hands and toes were pulled up during the torture. Their fate, like that of hundreds of Saharawi citizens, is still unknown. We felt sorry for their relatives and all the people asking for them.

I could not dream of being released and see my little daughter, Lhalla, again. She was now five years old. She was brought up by my mother, Salka Abdelfattah Elouali (Mercy upon her) despite her old age, permanent illness and the daily worries after my abduction.

At first, I had difficulties convincing my daughter that I am her mother. As I approached her, she ran away. I went through difficult moments and hard psychological problems to persuade her. That required a lot of patience and forgetting my personal suffering to take care of her and my ill mother. Ironically, I got back the feeling of motherhood through bringing up my little sister, **Soukaina** who was then two years old, after the death of my mother in 1994.

I had to go through a totally new experience, overcoming my sorrows, coping with my mother's death and practicing the role of the mother of both my daughter, 08, and my little sister, 02.

We were released on June 19, 1991 in El Ayoun, W.S. thanks to an international campaign led by the Polisario Front and many other human rights associations and international organizations such as AFAPREDESA, Amnesty International ...etc.

We had difficulties getting used to our new environment and with our ill bodies. Our families took charge of our treatment. Some of us had to do surgical operations. We were in terrible health and psychological conditions. However, we were frequently subject to control and interrogation in order to isolate us from our society and from each other.

Yet, we were determined to challenge all the hardships and continue our path to make our voices heard by the international associations and human rights organizations. We unveiled what happened to us and to hundreds of other Saharawis in many Moroccan secret detention centers.

Thus, I joined my comrades, the defenders of human rights, pinpointing and unveiling the flagrant human rights violations daily perpetrated by the Moroccan regime in the W.S. This made me a target to more harassment such as my torture in Smara Street in El Ayoun with the human rights defenders, **Elhoucine Lidri** and **Aminatou Haidar** on June 17th, 2005. **Aminatou** was abducted the same day from the emergency room in Belmehdi Hospital, El Ayoun, by the Moroccan police led by the famous torturer, Ichi Aboulhassan.

Since then, my house has been controlled by the Moroccan secret agents. On July 20th, 2005 they broke into my house and abducted three human rights defenders, **Brahim Noumri, Lhoucine Lidri** and **Larbi Massoud**, who were later on sentenced to hard and unfair verdicts. My name has repeatedly been mentioned in the proceedings of the Judicial Police. More than this, I was several times interrogated by the Moroccan police so as to restrict my human rights activities.

The Saharawi Intifada since late May 2005 has obviously unveiled more atrocities committed by the torturers responsible for our suffering. Most of them were either promoted, or recompensed with large fortunes, while others bought lands from drugs trade.

The following list of torturers among others broke into the Saharawi citizens' houses, abducted and tormented men, women and children in the PC CMI secret jail, and even inside police cars. Then they leave them in remote areas outside the city. They also arrested minors, mainly students since the outburst of the Intifada on May 21st, 2005. The martyr **Hamdi Lembarki** was tortured until he died on October 30th, 2005 in a public street in El Ayoun.

The torturers responsible for our abduction and torment in 1987 and during our disappearance period are:

1. **Saleh Zemrag:** He was the governor of El Ayun, W.S. before he died in 1993.
2. **Mohamed Elgarouani:** An ex-pasha in El Ayun, W.S. Now in Khnifra, a city in Morocco.
3. **Brahim Bensami:** He was promoted to "Governor of Security" of El Ayun before he was moved to Settat, Morocco.
4. **Larbi Hariz:** He was promoted to the "Governor of Security" of Dakhla, W.S. He used to be the general intelligence president in El Ayun.
5. **Abdelhaq Rabii:** A police officer still working in El Ayun.
6. **Ben Hima:** A police officer moved from El Ayun to Agadir, Morocco.
7. **Abdelhafid Ben Hachem:** An official in the Moroccan ministry of Interior. He used to give orders in coordination with the former minister of interior, Driss Bassri.
8. **Aziz Elaamraoui** and **Mohamed Jtiou:** They were among the guards responsible for our torture in the PC CMI secret jail, in El Ayun.W.S.
9. **Erroumi Aayad:** A Moroccan police investigator in El Ayun, Western Sahara since December 1975.
10. **Abderrahim Taifi:** A Moroccan police investigator in El Ayun, W.S. since December 1975.
11. **Sanhaji:** A Moroccan police official who was in charge of the general intelligence in El Ayun, W.S. from December 1975 to 1996.

Finally, I think that bringing to justice those responsible for the flagrant violations of human rights in the Western Sahara, signing the international agreements banning torture and taking the case to the International criminal court is the only way to make justice and keep our collective' memory.

APPENDIX 14

**Saharawi human rights activist
Member of the Committee against torture
And member of the CODESA
*EL MAMI AAMAR SALEM***



EL MAMI AAMAR SALEM
in a speaking tour in Canaries Islands

15/07/2007

The Saharawi human rights activist, El Mami Aamar Salem, President of the Committee Against Torture in Dakhla, started a speaking tour to the Canaries Island this week to raise awareness about the serious human rights situation in the occupied zoner of Western Sahara.

The Saharawi activist starts his visit from Tenerife, where he animated some medias conferences and gave a couple interviews to the Spanish local and national newspapers, especially the Spanish national newspaper ABC, Spanish press Agencies, EFE, and Europa Press in addition to Tenerife based radio, San Bourondon.

Mr. Aamar Salem stressed in his presentations on the personal and hard experience he lived under the Moroccan colonial authorities.

The Saharawi activist was arrested by Moroccan army on February, 26, 2006 in the southern borders of Western Sahara, while he was heading to Mauritania to get medical care he could not get in his own country because of police persecution.

Moroccan soldiers confiscated all his personal documents, ID, passport and money, bashed him and forced him to cross the military wall. He could not walk because the soldiers damaged especially his knees.

He spent some 5 days in the middle of the desert between the borders of the occupied Western Sahara and Mauritania. When a passing car picked him up, and took him to the Mauritanian authorities in the borders they refused to let him in because he did not have any papers or documents.

He finally got in Mauritania once his story reached the Saharawi solidarity groups and the Saharawi government, who contacted the Mauritanian authorities to ask them to let him in.

Mr. Aamar Salem says that he is willing to stay in Mauritania and continue the struggle against the Moroccan occupation, and is campaigning from there to help his comrades inside the Western Sahara unveil the truth about the Moroccan atrocities and crimes against the Saharawi citizens.

The Saharawi activist participated on Saturday to a demonstration organised by the Canaries Islands Committee for a Referendum on Self-determination in Western Sahara.

He called on the Spanish civil society and political parties to support the Saharawi citizens in the occupied zone of Western Sahara to get their freedom back.

APPENDIX 15

The testimony of the human rights defender

member of the CODESA

and member of FRONT LINE

LAMINE SAHIL



My name is **LAMINE SAHIL**. I AM A SAHRAWI RIGHTS DEFENDER, AGED 40.

I have been working on human rights with a number of Sahrawi defenders is in the both El Aaiun and Assa for a number of years.

Consequently I was arrested on February 06th, 2006 at 08:00 p.m. in Tan-Tan Street in Guelmim, South of Morocco.

Many police agents in three vans stopped to arrest me. Handcuffed and blindfolded, I was put in one of police vans. The police took me to my house, broke the front door and destroyed all my furniture. They confiscated my personal computer, a photo camera, a video camera, a number of books, 4000 MDH (60 \$) and a small size Xeroxing-machine.

I was severely beaten while they were damaging my things. I was insulted, humiliated, tortured and interrogated about the uprising of the Sahrawis in the Western Sahara and South of Morocco. The police agents wanted to know to whom I was sending the photos and videos.

During the interrogation, I was standing on my knees, my head downward and hands to the back. The interrogation is only interrupted by beating, kicking, insulting and different forms of humiliation.

The Moroccan torturers responsible for my abuse were: the judicial police president in Guelmim, ELOUAHDANI AHMED, and QUOSSAI LARBI who personally broke into my house front door, ABD ELHAK AAMAR, ELMAZOUNI ABDELWAHED, KACHMAR MOHAMED, AIT ELHAJ ABDERRAHMANE, BELQAID MUSTAPHA, NAIM NOUREDDINE, ABOU ELFOUTOUH, HAMMOU and MOUSSA EL HASNAOUI.

I was interrogated in the judicial police center in Guelmim, South of Morocco for three days by HAMID BAHRI, the vice-wali of security in El Aaiun, Western Sahara.

On February 09th, 2006, I was taken to the Court of Appeal in Agadir, Morocco where I was interrogated again by the examining magistrate, AAIROUD, who ordered that I should be put in Inzegane Prison.

The Inzegane Local Prison (25 km away from Agadir, Morocco) is one of the most notorious jails in Morocco.

It does not cater for the minimal necessities of the inmates. Its rooms are overcrowded (more than 70 per room) and different sorts of illnesses are spread among them inmates such as asthma, tuberculosis and skin diseases. There are also other phenomena such as drugs selling and consumption, sexual harassment, malnutrition, corruption, the mistreatment of the detainees' families during their visits to the prison, lack of hygiene and the torture practice by the prison employees against the inmates.

The prison of Inzegane is a real grave for human beings who are suffering in complete ignorance of the outside world.



APPENDIX 16

Testimony of Saharawi Human Rights Activist Member of the CODESA and Former Political Prisoner *YAHDIH ETTAROUZZI*



My name is **YAHDIH ETTAROUZZI** and I am an ex-Political Prisoner and Member of the Collective of the Saharawi Human Rights Defenders (CODESA). On the 13th of April 2006 I was arrested by Moroccan police agents in the city of Tan-Tan, Southern Morocco. The agents arrested me in humiliating and repressive conditions and took me to the Judiciary Police Headquarters in El Aaiún, Western Sahara. At the Headquarters, I was interrogated and tortured by a group of Moroccan Security services who accused me of committing crimes I did not commit and enclosed me in the "Black Jail" of El Aaiún. In this jail I experienced ten months imprisonment in the most degrading and difficult conditions as a result to a sentence inflicted to me by the Second Penal Court after appealing the one-year prison verdict made by the First Court of El Aaiún, Western Sahara.

As a Former Political Prisoner, I have suffered, along with a group of Saharawi political prisoners, the lack of the simplest human living conditions and the worst mistreatment and abuses. The prison doesn't even guarantee the conditions contained in the Law 23/98 with all its goods and wrong. Along with all the suffering of the prisoners provoked by the malnutrition, the lack of drinkable water, the deficiency of medical assistance, the non-existence of ventilation or hygienic conditions as well as the over-grouping of prisoners in one cell, the prisoners, mainly the political prisoners, endure everyday the oppression of the authorities.

Despite the attempts of the Saharawi Political Prisoners to challenge the daily violations of their Human Rights and their effort to be treated as Political Prisoners, the prison administration continuously reply to their claims with tortures and wild oppression. All these savage practices exercised against the Saharawi Political Prisoners is made in coordination with Moroccan Security Services, who should normally have nothing to do with the Administration of the prisons.

The situation continued as it is until January the 19th, 2006, when the Saharawi Political Prisoners were suddenly surprised by the aggressive and violent intervention of more than forty of the special prison guards known as "Les Paras" while sleeping inside their cell. This group of guards came to the jail with the main purpose of forcing the Saharawi political Prisoners to give up their opinions expressed during the demonstrations that claim for the respect of their legal demands. The

repressive intervention of "Les Paras" was led by Abd-Lilah Az-zunfri, The Director of the "Black Jail" of El Aaiún, in Western Sahara.

The aggression of this group was not only limited to the inside of the cells but thereafter we all were taken to the visit room and tied to the chairs for about twelve hours. During all this time we were subjected to beating on all the parts of our bodies and all kind of humiliating tortures as a punishment for our political ideas.

The torturers were always enjoying our pain and torture calling us "traitors" and "enemies of the country", "enemies of the king" and so many other obscene classification. All these repressive behaviours are encouraged by the jail administration which has made of these agents its tool to torture, abuse, kill and execute innocent people.

Then, as a punishment, we were divided into separate cells and deprived from communicating with each other. Our possessions were stolen and all the area of the prison's recreation was extremely watched. The authorities imposed an emergency alert to the jail and suspended our right to health treatment, appropriate food, information, etc.

As a result of this situation and with the objective to defend our dignity, we decided to carry on a "Hunger Strike" as a warning step and then an "Open Hunger Strike" to protest against the hard conditions and the tortures all the Saharawi Political Prisoners were suffering inside the jail. Our "Open Hunger Strike" lasted more than thirty three (33) days without any positive reply from the jail administration to our demands nor the medical assistance to our deteriorating health situation. Finally, the Moroccan justice listened to our complaints which were made by our families.

Despite our agony, the jail administration continued its repressive practices, submitting our cells to constant searching. And as if all these tortures were not enough, the authorities decided to punish two of our comrades; Lehbib Al-kasimi and Al-hafed Toubali, taking them to isolated cells (known as "Al-kashu"). The Moroccan police agents use to show aggression to the Saharawi political Prisoners in their way back and forth from the jail to the court rooms or to the hospital as we witnessed with the cases of Lehbib Al-kasimi and Al-hafed Toubali, Ah'meidat Mohamed Salem, and Abd-salam Lubadi.

On July the 11th, 2007, just three days before my release, we suffered again the aggressions of a group of the jail guards who beat us and took away all our belongings. The Director of the jail ordered them to take us to the visit room, where I, along with Lehbib Al-kasimi and Al-hafed Toubali, Luali Ameidan, Dida Abd-aslalm, Bachri bin Taleb, Lubadi Abd-salam and Mahamud Al-keinnan experienced many types of tortures without mercy from torturers who work at the jail administration, the same ones who did it before under the consent of the Director of the jail.

Taking into consideration the tortures exercised against us because of our beliefs, we also consider that the suffering of our families is increasing as they also suffer the aggressions of the penitentiary authorities during their visits. Our families are treated in a repressive way that at times reaches the rape and the use of force from the Moroccan police, which also used to deprive former political prisoners and Human Rights activists visiting us or notice our miserable circumstances at this horrifying jail.

While the oppressive practices continue and just two days before my release, I was provoked and intimidated by the so called Director of the jail Abd-Lilah Az-zunfri, who said that he will open a new procedure to arrest me again. I was really scared, after being out and seeing two police cars in front of the jail gate surrounded by the main torturers; the "Police Director" Abu Hassan Ichi and the "Officer of the Police" Abd Al-hag Rabih. Despite my fears I was also happy to see some members of my family and friends from the CODESA (Al-arbi Mas'ud and Brahim Al-Ismaili) expecting my release in an environment dominated by the extreme security siege made by a several security agents who accompanied me to "Matal-la" District which was extremely guarded by security forces.

At the same time, the jail administration in El Aaiún used to obligatorily transfer all the political and opinion prisoners who show their solidarity with the struggle of the Saharawi Political Prisoners, after assigning to them false accusations, they are transferred to the regional prison of "Ait Meloul".

Among the transferred prisoners were; Ahmed Daudi, Zubeir Algarhi, Mohamed Salem Al-kasimi, Agdafna Minah as well as the Political Prisoners Alamin Badi and Larosi Shubeida. The last one was taken by force to the regional jail of Tizinit. We can't either forget the case of the Saharawi lady Mariam Ar-gueibi who was transferred to the regional jail of Ait Meloul. The Moroccan justice is still thinking about reopening on October the 1st, 2007, the cases of Saharawi Political Prisoners Brahim Sabbar, Ahmed S'bahi, Al-hafed Toubali, Lehib Al-kasimi, Ahmeidan Mohamed Salem and Abd-salam Lumadi because they chanted slogans inside the jail and in the Court Room demanding the Saharawi people's right to self-determination.

As long as the two police agents, responsible of the murder of the Saharawi martyr Hamdi Lembarki, are still spending their ten-years of prison sentences inside one of the jail offices, enjoying the 24hrs visits of their relatives and having access to telephone contact and satellite T.V. This policy proves the discrimination exercised against the Saharawi Political Prisoners, who are deprived from their most elemental rights as opinion prisoners.

After revealing a part of the sufferings I experienced together with the Saharawi Political Prisoners inside the jail, I would like to praise the efforts of the international observers who came from afar to attend our political trial. I also value the great role played by the Saharawi lawyers who defended us as well as the international and Moroccan Human Rights organizations and associations like; Amnesty International and its sections around the world, the Moroccan Human Rights Association, the International Commission Against Torture in Switzerland, United Nations High Commissioner for Human Rights, the Italian section of the International Committee for the Respect of Human Rights in Western Sahara, the Association of the Families of the Saharawi Disappeards and prisoners, the Saharawi Jurists Union, the Spanish General Council of Lawyers as well as all the humanitarian organizations, the Human Rights activists, the judges, lawyers, intellectuals, artists, writers, poets, politicians, trade-unionists and simple people who follow from very closely the critical Human Rights situation in Western Sahara. I would also like to hail the support of the Saharawi people and the Saharawi Human rights activists who depict in their reports the daily battles of our struggle. This struggle that we are carrying on along with our families and all the Saharawi people, who became our angel guard in our fight for the respect of the Human Rights in the occupied territories of Western Sahara.

I wouldn't like to miss the opportunity to record, with pride, the experience of the group of the Saharawi Political Prisoners who passed by this jail and who are known by the "Group of the 37". Thanks to their struggle, we could finally reveal a part of the atrocities committed inside this horrible detention centre. They have also succeeded in starting the phenomenon of the political imprisonments showing to the world that the "Black Jail" of El Aaiún is "a grave for alive people". This fact of the "Black Jail" of El Aaiún was evidenced by the pictures of the political prisoners spread through the internet during their 52 days of Hunger Strike.

Finally I would like to make an urgent appeal to the peaceloving people in the world to work for:

- Imposing the respect of the international legality and guarantee to the Saharawi people their right to self-determination.
- Saving the Saharawi Political Prisoners from the horrifying "Black Jail" of El Aaiún and put pressure on Morocco to release all the Saharawi Political Prisoners from the Moroccan prisons as well as starting an international campaign to close the "Black Jail" of El Aaiún.
- To open an international investigation on the brutal violations of the Human Rights committed by the Moroccan authorities against innocent people who were only expressing their opinions and protesting for respect of their rights.
- Put the light on the allegations of torture presented by the victims and bring the persons accountable for these practices before the justice no matter how high are their positions in the prison administration or at the Ministry of Justice.

- Widen the mission of the MINURSO to include the observation of the Human Rights in the occupied territories.

- Publishing the Report of the mission of the United Nations High Commissioner for Human Rights, which visited the region on May the 17th and 18th, 2006 and implementing its recommendations.

Notice:

List of the torturers and the main outstanding "lords" of the "Black Jail" of El Aaiún:

- 1- Abd-Lilah Az-zunfri: Director of the jail.
- 2- Mohamed Al-mansuri: President of the detention centre.
- 3- Mohamed Al-buhzizi: Vice-president of the detention centre.
- 4- Abd Al-ali Al-buhnani: Vice-president of the detention centre.
- 5- Abdelkader Ait Sus: Responsible for general works.
- 6- Abderrahim Al-harruchi: Responsible for construction and general work in the jail.
- 7- Abderrazag Mugtasam: Responsible for the visits and the searching of possessions.
- 8- Jamal Beiruk: President of the Section or the centre.
- 9- Abdelhag Wahbi: Searching.
- 10- Ahmed Alharrag: President of the judiciary office of the jail (director of the third level).
- 11- Yusef Al-manur: President of the judiciary office (director of the third level).
- 12- Ismail Bachari: President of a sector.
- 13- Idris Butib: Nurse.
- 14- Mustafa Al-azizi: Nurse.
- 15- Yusef Butigliidin: Nurse.
- 16- Abdelhag Fartamis: He was transferred to "Ramani Jail".
- 17- Abdelhakim: He was transferred to the central prison of Al-kinetra.

A technical presentation on the jail:

- Director of the jail: Abd-Lilah Az-zunfri.
- His office number: 24/35.
- Director of the third level. He is a former director at the central prison of Al-kenitra. He came to the "Black Jail" of El Aaiún on January the 14th, 2007. He is well known for his black record on torturing and humiliating the prisoners.
 - Number of guards: 62 guards. 13 of them are women.
 - Number of prisoners at the jail: 280.
 - Section of common delinquency (Minors): 39.
 - Section of women: 20.
 - Political Prisoners: 27.

After his release on July the 14th, 2007 from the "Black Jail" in El Aaiún, Western Sahara.

Appendix 17**The names of the torturers
in the Western Sahara:**

Through the contact of the CODESA with a lot of the victims of the violations of human rights committed by the Moroccan state in the Western Sahara, and through the complaints presented by these victims to the general prosecutor, these names are at the top of the list:

1. Ichi Aboulhassan: a high police officer in El Aaiun, W.S.
2. Mustapha Kammor: A high police officer in El Aaiun.W.S.
3. Hamid Bahri: The vice-Wali of Security in El Aaiun,W.S.
4. Brahim Ben Sami:The Wali of security in Settat, Morocco. He was the Wali of security in El Aaiun, Western Sahara during the uprising that started on May 21, 2005.
5. Abdelhaq Rabii: a police inspector in El Aaiun. W.S.
6. Omar Qaissi: The ex-president of the judicial police center in El AaiunWS.
7. Annouchi Abd El Aziz: A judicial police inspector in El Aaiun, W.S.
8. Eddairaa Mouloud: A judicial police inspector in El Aaiun, W.S.
9. Ben Zouina Abderrahim: An R.G. officer in El Aaiun, W.S.
10. Elmaati Moudrik: A security inspector in El Aaiun, W.S.
11. Lebhairi Abdellah: The police Quick intervention official in El Aaiun, W.S.
12. Hariz Larbi: The Wali of Security in Dakhla
13. Elhabib Tayafi: a Judicial Police officer center in El Aaiun.W.S.
14. Abdelqader Elaazzouzi: the president of the R.G. in Smara, Western, Sahara since 1992.
15. Hathat Abdelbasset: The president of the Regional Security in Smara, Western Sahara since 2006.
16. Mustapha Kamal Fakhri: A police officer of the CMI in Smara, WS.
17. Jdiri Abdeljabbar: A "Qaid" in the province of Smara, Western Sahara.
18. Ishaq Mohamed, a police officer in Smara, W.S.
19. Oujja Hassan: a police officer in Smara, W.S.
20. Badran Mustapha: a secret police officer in Smara, WS.
21. Ben Daoued Soulaïman: the president of the judicial police in Smara, W.S.
22. Abderrahman Elkaoui: A DST officer in Boujdour, Western Sahara.
23. Fouad: A police officer of the DST in Boujdour, WS.
24. Mohamed Jelitt: A police officer in the R.G. in Boujdour, WS.
25. Driss Echouadri: the president of the R.G. in the province of Boujdour, WS.
26. Mustapha Ghanimi: an employee in the R.G. in the province of Boujdour, WS.
27. Ahmed El ouahdani: the president of the Judicial police in Guelmim, S.M.
28. Cachmar Mohamed: A judicial police officer in Guelmim, S.M.
29. Hassan El Ghaffari: the president of the Judicial Police in Tan-Tan, S.M.
30. Ehasnaoui Moussa: A high police officer in Guelmim, S.M.

