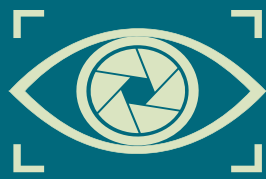


Voices breaking free from repression



**HUMAN RIGHTS VIOLATIONS IN
OCCUPIED WESTERN SAHARA
DOCUMENTED DURING 2024**



acaps

NOVACT

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The Working Group's mandate is to document and report on human rights violations and violations of international humanitarian law in the occupied territory. The Working Group is composed of both local Sahrawi human rights defenders, representing Sahrawi civil society, and international activists.

Report coordinators: ACAPS Catalunya and Novact Institute for Nonviolence (NOVACT).



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Introduction

The current scenario, the erosion of the legitimacy of the international architecture for the protection of human rights and the questioning of the effectiveness of international law, following the genocide in Palestine, also has an impact on Western Sahara. Since 1963, Western Sahara has been designated by the United Nations as a non-self-governing territory with the right to self-determination, in accordance with UN resolutions 1514 (XV) and 1541 (XV). The referendum promised in 1991 was never held and Morocco continues to occupy approximately 75% of the territory of Western Sahara. Despite the fact that organisations such as the United Nations General Assembly or the Committee on the Elimination of Racial Discrimination have made calls to respect, during this period, the commitment to the right to self-determination of the Saharawi people¹², central countries in the process of conflict resolution, such as France³, join the dynamic led by the United States, Israel and Spain, to disregard international law and openly support the illegal occupation of Western Sahara by Morocco, by force and plunder. The return of Donald Trump to the US presidency raises fears of a new turn of the screw in this dynamic, in

the heat of the economic and commercial interests that exist between this country and Morocco⁴.

This double route of occupation, military, police and administrative on the one hand, and economic on the other, has intensified in an extreme form during 2024, to the point that in a significant number of the violations of human rights that this report documents, a direct link can be established between the victimisation and the commercial interests of Moroccan and international companies, especially European. This is particularly seen in the growing dynamics of destruction of property, theft and expropriation of land from the Saharawi people, forced displacement, impoverishment and economic discrimination and cultural annihilation that has been taking place in territories such as occupied Dakhla. This report includes **around one hundred violations** of International Humanitarian Law and International Human Rights Law, committed against the Saharawi population in the territories of Western Sahara occupied by Morocco, with special emphasis on those arising from the denial of the right to self-determination, which establishes the free pursuit of their economic, social and cultural development.

The violations included in this report have not occurred as isolated events within the context of the conflict over the decolonisation of Western Sahara, which formally

1. United Nations General Assembly (11/12/2023). "Resolution adopted by the General Assembly on December 7, 2023 on the question of Western Sahara."

2. United Nations, Committee on the Elimination of Racial Discrimination. "Concluding observations on the combined nineteenth to twenty-first periodic reports of Morocco" (21/12/2023). <https://docs.un.org/es/CERD/C/MAR/CO/19-21>

3. (30/07/2024). "France reverses course to back Moroccan autonomy plan for disputed Western Sahara". *France 24*. <https://www.france24.com/en/france/20240730-france-backs-morocco-s-autonomy-plan-for-disputed-western-sahara>

4. Yade, Rama (11/25/2024). "Why Morocco could see its importance to Washington rise during Trump 2.0". *Atlantic Council*. <https://www.atlanticcouncil.org/blogs/new-atlanticist/why-morocco-could-see-its-importance-to-washington-rise-during-trump-2-0/>

began in the 1970s, but respond to the deepening and consolidation of the occupation, aggravated by the escalation of tensions in recent years between the Moroccan State and the Polisario Front. Although we intend to document with rigour and precision each of the cases, it is not possible to cover the totality of human rights violations and international humanitarian law norms inherent in the illegal military occupation of the territory, mainly due to the lack of official international human rights monitoring mechanisms in this region. This implies that, in all likelihood, the actual number of violations is significantly higher than that referred to in this report.

It is relevant to note that, in the report that the UN Secretary General presented to the General Assembly in July 2024 on the question of Western Sahara, he acknowledges that “the lack of access to direct information and of independent, impartial, comprehensive and sustained monitoring of the human rights situation undermined the possibility of making a comprehensive assessment of the human rights situation in the region. During the reporting period, OHCHR (the Office for the High Commissioner for Human Rights) continued to receive allegations of human rights violations, including acts of intimidation, surveillance and discrimination against Sahrawi individuals, especially when they were advocating for self-determination⁵”. The report strongly urges “increased cooperation with the United Nations High Commissioner for Human Rights, including by facilitating visits to the region, and reiterating the call for increased cooperation”. And it acknowledges that the government of the Kingdom of Morocco has consistently refused to facilitate OHCHR visits to the territory since 2015.

5. United Nations General Assembly (24/07/2024). “Question of Western Sahara. Report of the Secretary General”. <https://docs.un.org/es/A/79/229>

In November 2023, the Committee on the Elimination of Racial Discrimination examined Morocco’s periodic reports and expressed similar concerns⁶. Despite this, in October 2024, MINURSO’s mandate was again extended until October 2025, without including the required Human Rights monitoring chapter⁷.

There is also widespread concern about the systematic denial of asylum, the return and deportation of more than 30 Saharawi men, women and children from Spanish airports, once again flagrantly disregarding international law⁸ and despite the recommendations of the UN Agency for Refugees (UNHCR) to allow entry into Spain of those who have also requested recognition of statelessness, as is the case for most Saharawis.

In response to the international vacuum regarding the obligation to protect the population living under occupation, the Working Group on Human Rights in the Occupied Territories was created in 2021, composed of local Saharawi human rights defenders, representing Saharawi civil society, and international activists. The mandate of the Working Group is to document and report on human rights violations and violations of international humanitarian law in the Occupied Territories. International organisations such as the ACAPS Federation and the Novact Institute for Nonviolence collaborate with the Working Group in its crucial work, with the publication of this report, which is born out of the information gathered on human rights violations perpetrated during the year 2024.

6. Citation 2. Committee on the Elimination of Racial Discrimination, United Nations

7. Resolution 2756 (2024) Adopted by the Security Council at its 9771st meeting, held on October 31, 2024. [https://docs.un.org/es/S/RES/2756\(2024\)](https://docs.un.org/es/S/RES/2756(2024))

8. Sanchez, Gabriela (07/10/2024). “Interior returns 21 more Saharawis and three asylum seekers flee Barajas airport”. *ElDiario.es*. https://www.eldiario.es/desalambre/nueva-fuga-barajas-tres-solicitantes-asilo-escapan-agujero-techo-aeropuerto_1_11712988.html





Metodology

The Working Group is guided by and conducts its work in accordance with the Charter of the United Nations, the Universal Declaration of Human Rights, the core treaties of the United Nations and international humanitarian law, in particular the Fourth Geneva Convention.

The follow-up carried out by the Working Group focuses on the following issues:

1. The persecution of Saharawi human rights defenders and journalists, including arbitrary arrests, detentions, threats, reprisals, intimidation and other forms of abuse.
2. Widespread repression of Saharawi civil society.

In order to provide documentation on the human rights situation in Western Sahara, local activists prepare monthly reports on documented incidents of persecution of Saharawi activists and/or widespread repression. Incidents are included in the monthly reports after they have been properly documented, information has been verified, the consent of the victims has been obtained, and a risk assessment has been conducted by local activists together with international activists.

This report is therefore born out of the work of local activists who, exposing themselves to possible reprisals by Morocco such as arrests and other types of violence, collect and document these violations. Although it is also completed with reports published by Saharawi associations and international

organisations and with articles published in various media, the report and the violations it contains are based on the table annexed to it in which all the data collected and documented by the Working Group can be consulted.

In addition, it analyses the drift of the situation with regard to economic, social and cultural rights and its impact on the material life of the Saharawi people, including the lack of economic prospects and sustainability, obstacles in access to education and the dynamics of cultural erasure it suffers.

Once again, it is extremely difficult to collect and document abuses due to the restriction of movement, the absence of institutions to denounce them, the lack of means and the general context of lack of freedom of expression and information. This situation prevents - in many cases - being able to photograph or film these violations when they are happening, to obtain objective medical reports proving the injuries and to find witnesses willing to testify without reprisals.

Those who attempt to document human rights violations are banned from entering the territory or become targets of the state. The violations documented in this report only shed light on the reprisals to which human rights defenders are subjected in response to their work.



Legal Framework

The unresolved conflict between the Kingdom of Morocco and the Polisario Front over Western Sahara must be addressed through various legal regimes related to international law, considering that Western Sahara is a non-self-governing territory pending decolonisation under Chapter XI of the UN Charter. In accordance with UN General Assembly Resolutions 1514, as well as customary international law, as confirmed by the International Court of Justice, the Saharawi people have the international legal right to determine their political future in accordance with “their freely expressed will and desire”.

Since 1976, Morocco has exercised a military occupation in Western Sahara. The UN General Assembly confirmed Morocco’s position as an occupying power in several resolutions, notably Resolution 34/37 of 1979. In this regard, the continued presence of the Moroccan State in the territory through the application of force justifies the application of the laws governing the Non-Self-Governing Territories, as well as the instruments of International Humanitarian Law⁹, in particular the Geneva Convention relative to the Protection of Civilians in Time of War (Geneva IV) of 1949.

In turn, the Kingdom of Morocco, as the occupying - but not administering - power, is a signatory to various conventions and treaties applicable in the territory, included in International Human Rights Law (IHRL), such as the International Covenant on Civil

and Political Rights (1966), the International Covenant on Economic, Social and Cultural Rights (1966), the Convention on the Elimination of All Forms of Racial Discrimination (1965), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984), the Convention on the Rights of the Child (1989) or the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979.

The effective control exercised by Morocco outside its internationally recognised borders over most of Western Sahara and its population constitutes the starting point for the application of these conventions and treaties to the occupied territory of Western Sahara and Morocco’s international obligations as occupying power.

3.1. VIOLATIONS WITHIN THE FRAMEWORK OF THE FOURTH GENEVA CONVENTION OF 1949

With regard to the jurisdiction of the instruments of International Humanitarian Law, resolution 34/37 of the United Nations General Assembly of 1979 refers to the “persistent occupation of the territory of Western Sahara¹⁰”, while the Kingdom of Morocco is capable of fulfilling competently and fully the obligations and commitments of an occupying power, with all the legal consequences that flow from it.

Morocco has recognised the relevance of applying this Convention, specifically Chapter III, which deals with the proper treatment

9. Mundy, Jacob (2007). ‘The Legal Status of Western Sahara and the Laws of War and Occupation’. Grupo de Estudios Estratégicos GEES, Colaboraciones nº 1788. <https://www.arso.org/legalstatus-MundyGEES.html>

10. UN Resolution 34/37 of 1979. <https://documents.un.org/doc/resolution/gen/nr0/383/66/pdf/nr038366.pdf?token=gtJSSGC6iujx-99Dp73&fe=true>

of prisoners of war. This was evidenced on 22 February 2002, when Morocco invoked this chapter to demand the release of Moroccan prisoners of war held by the Polisario Front before the International Committee of the Red Cross¹¹.

Specifically, the **Fourth Geneva Convention** (1949) regulates the protection of civilians, including those in occupied territories, and defines the obligations of the occupying power towards the civilian population¹², for example, by prohibiting coercion and corporal punishment and torture and, in general, the use of any measure likely to cause physical suffering, against protected persons in the power of the occupying power. This prohibition applies not only to murder, torture, corporal punishment and mutilation, but also to degrading and inhuman treatment perpetrated by civilian or military agents (**Article 3**). In turn, **Article 33** of the Convention provides that no protected person shall be punished for offences that he or she has not committed and prohibits retaliatory measures against protected persons and their property. It also prohibits the destruction of movable or immovable property belonging - individually or collectively - to the protected population and regulates the treatment of detainees, their right to medical care and their hygienic and nutritional conditions, preventing their transfer outside the occupied territory during their preventive stay in prison or their sentencing.

On the other hand, the report 'Aspects of international law in the conflict in Western Sahara' of the advisory service of the German parliament, published in 2019, states that the Kingdom of Morocco is also violating **articles 85(4) and 49, paragraph 6**, of

the Fourth Geneva Convention on the prohibition of deportation or unjustified transfer of the protected population outside the occupied territory and of transferring part of the population of the occupying power to the occupied territories¹³. This violation has been taking place through the transfer of the settler population to Western Sahara, initially through incentives and subsidies and, especially in recent years, through 'economic development' projects planned in the Occupied Territories.

3.2. VIOLATIONS OF COVENANTS AND TREATIES RELATING TO INTERNATIONAL HUMAN RIGHTS LAW

International human rights law is a set of norms and principles that establish the obligation of governments to promote and protect the human rights and fundamental freedoms of individuals and groups. These rights are enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights, adopted by the United Nations General Assembly in 1945 and 1948, respectively.

3.2.1. INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

One of the most relevant instruments to protect human rights is the International Covenant on Civil and Political Rights, adopted in 1966 and ratified by the Kingdom of Morocco in 1979. This covenant establishes the civil and political rights that must be protected by States, such as freedom of expression, assembly, association and religion, the right to a fair trial and the right to privacy¹⁴.

In addition, the International Covenant on Civil and Political Rights establishes the right of peoples to self-determination and

11. International Committee of the Red Cross (05/02/2004). 'Morocco: ICRC meets with the families of Moroccan prisoners held by the Polisario Front'. <https://www.icrc.org/es/doc/resources/documents/misc/5vwn5k.htm>

12. ICRC, V. Geneva Convention relative to the Protection of Civilian Persons in Time of War, 1949. <https://www.icrc.org/es/doc/resources/documents/treaty/treaty-gc-4-5tdkyk.htm>

13. Original report of the Bundestag Advisory Service (2019). 'Völkerrechtliche Aspekte des Westsahara konflikts'. <https://www.bundestag.de/resource/blob/645852/ff419d961659efd-f894230ee8c07c8a2/WD-2-025-19-pdf-data.pdf>

14. Covenant on Civil and Political Rights (1966). Accessed 01/05/2024. <https://www.ohchr.org/es/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

to freely dispose of their natural wealth and resources. **The defence of these rights is one of the main catalysts for the human rights violations described in this report.**

The exercise of the human rights of the Saharawi people is thus transversely conditioned by the inability to effectively protect the population and to prevent and denounce the systematic violations due to the situation of occupation and the economic plundering to which this territory is subjected, which has already been denounced in a multiplicity of reports and documents, validated by the judgment of the Court of Justice of the European Union of 4 October 2024, which ratifies that the trade and fisheries agreements between the Kingdom of Morocco and the EU do not apply to the Occupied Territories of Western Sahara, due to the impossibility of guaranteeing that there is no trade in products originating in this territory¹⁵.

The most frequent violations of civil and political rights are related to **Article 6** on the right to life; **Article 7**, which prohibits torture or cruel, inhuman or degrading treatment or punishment; **Article 9** on arbitrary deprivation of liberty, which establishes that no one may be subjected to detention, arrest or imprisonment except on such grounds and in accordance with such procedure as are established by law, and that any person arrested must be informed, at the time of arrest, of the reasons for his arrest and notified of the charge against him, must be brought promptly before a judge or other officer authorised by law to exercise judicial power, and has the right to trial within a reasonable time or to be released.

On the treatment of prisoners, the Covenant requires that all persons deprived of their

liberty shall be treated with humanity and with respect for their dignity, as well as provisions on the rights of juvenile defendants to be brought before a court of law as speedily as possible for trial. **Article 12** provides that everyone lawfully within the territory of a State shall have the right to liberty of movement and freedom to choose his residence therein, including the right to leave any country, including his own. The right to a fair trial by a competent, independent and impartial tribunal, to be informed promptly and in a language which he understands of the nature and cause of the accusation against him, to have adequate time and facilities for the preparation of his defence, to communicate with counsel of his own choosing, and to be tried without undue delay. Moreover, **Article 17** prohibits arbitrary or unlawful interference with privacy, family, home or correspondence, as well as unlawful attacks on honour and reputation, and establishes the protection of the law against such attacks.

With regard to political rights and freedom of expression and information, **Article 19** of the International Covenant on Civil and Political Rights stipulates that no one may be subjected to interference with his or her opinions, as well as the right to freedom of expression, which includes freedom to seek, receive and impart information and ideas of all kinds, either orally, in writing or in print, in the form of art, or through any other media; **Article 21** recognises the right of peaceful assembly, which may be subject only to such restrictions as are prescribed by law and are necessary in a democratic society in the interests of national security, public safety or public order, or to protect public health or morals or the rights and freedoms of others; and **Article 22** provides transversely for freedom of association and freedom to organise. More generally, **Article 26** establishes that all persons are equal before the law and are entitled without discrimination to equal legal and institutional protection,

15. Court of Justice of the European Union, PRESS RELEASE No. 170/24 (04/10/2024) on the judgments of the CJEU in joined cases C-778/21 P and C-798/21 P (Commission and Council v. Polisario Front) and in joined cases C-779/21 P and C-799/21 P (Commission and Council v. Polisario Front). <https://curia.europa.eu/jcms/upload/docs/application/pdf/2024-10/cp240170es.pdf>

and therefore calls for the prohibition by law of all discrimination and the guarantee to all persons of equal and effective protection against any discrimination on grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

With regard to jurisdiction and domestic application of the rights set forth herein, the Kingdom of Morocco is a State party to the Covenant, and therefore has the obligation to respect and protect the right to freedom of expression and peaceful assembly, the right to physical and moral integrity, the right to a fair trial and the prohibition of torture and degrading treatment, which are also reinforced in the subsequent Convention against Torture and Other Cruel Treatment or Punishment, which the Kingdom of Morocco ratified in 1993. This Convention defines torture as “any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him a confession, punishing him for an act he has committed or intimidating and coercing him (...) when such acts are inflicted by or with the consent and acquiescence of a public official or other person acting in an official capacity¹⁶”. This rule is transferred to the domestic jurisdiction through the Moroccan Constitution of 2011, which prohibits the use of torture and, in terms of public policy, in the National Mechanism for the Prevention of Torture, created in 2018 and financed in the period 2020-2023 by 95% with funds from the European Union¹⁷. Moreover, Article 23 of the Moroccan Constitution guarantees the presumption of innocence and the right to a fair trial.

16. United Nations, Office of the High Commissioner for Human Rights (10/12/1984). Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. <https://www.ohchr.org/es/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading>

17. Conseil d'Europe, Appui au mécanisme national de prévention de la torture et au développement du rôle du Parlement au Maroc (2020-2023). <https://www.coe.int/fr/web/rabat/appui-au-mnp-et-au-parlement>

3.2.2. INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

The International Convention on the Elimination of All Forms of Racial Discrimination, adopted in 1965, defines racial discrimination as any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

This instrument is relevant as a legal framework in the case of human rights violations of the Saharawi people related to the discrimination and inequality they suffer within the territory occupied by Morocco in comparison with other groups because of their racial and cultural origin. In this convention, to which Morocco has been a signatory since 1970, the State Parties especially condemn racial segregation and apartheid and undertake to prevent, prohibit and eliminate in the territories under their jurisdiction all practices of this nature.

Article 5 stipulates that State Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, particularly in the enjoyment of civil and political rights and economic, social and cultural rights. In addition to the right to equal treatment before the courts and all other organs administering justice and the right to security of person and protection by the State against violence or bodily harm, whether inflicted by public officials or by any individual, group or institution¹⁸. In its

18. United Nations, Office of the High Commissioner for Human Rights. International Convention on the Elimination of All Forms of Racial Discrimination (1965). Accessed on 15/05/2024. <https://www.ohchr.org/es/instruments-mechanisms/instruments/international-convention-elimination-all-forms-racial>

Article 15, CERD specifies the obligation of occupying powers to enforce the convention in non-self-governing territories.

3.2.3. CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)

Women and girls are specifically protected under international law, taking into account the structural and social inequalities they suffer based on their gender - in intersection with other issues such as social class, race, sexual orientation, gender identity or abilities - and which take the form of gender and sexual violence, less access to education, work, health and justice, economic violence and wage gap, among others. The main instrument for such protection is the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which entered into force in 1979 and was ratified by the Kingdom of Morocco in 1993.

This convention, in addition to enshrining in its articles the right to physical and mental integrity, the right to own property and access to and ownership of land, the right to civil and political participation, the right to health, the right to a family and free marriage, the right to legal and juridical equality and issues related to human trafficking, extends the responsibility of States to discriminatory acts committed by private persons, companies, non-state institutions or non-governmental organisations, extends State responsibility to discriminatory acts committed by private persons, corporations, non-State institutions or non-governmental organisations, and obliges States to take concrete measures to prevent, prosecute and eliminate discrimination against women¹⁹.

On the other hand, **General Recommendation 30** on violations of women's rights in contexts of conflict and occupation stresses

19. UN (1979). Convention on the Elimination of Discrimination against Women. <https://www.ohchr.org/es/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>

that “women and girls are particularly affected by sexualised violence in conflict settings, as a method to humiliate, terrorise and dominate a particular ethnic group²⁰”. Such violence also hinders women's full participation in the public and political spheres.

This recommendation introduces into CEDAW the framework of the Women, Peace and Security Agenda, contained in UN Security Council Resolution 1325 of October 2000 on prevention, participation, protection and recovery of women in conflict and post-conflict contexts²¹.

20. UN, OHCHR (2015). 'General Recommendation No. 30 to CEDAW on women in conflict prevention, conflict and post-conflict situations'. https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/GC/30&Lang=en

21. Resolution UNSCR 1325 (2000). <https://www.acnur.org/fileadmin/Documentos/BDL/2006/1759.pdf>



Plundering of natural resources in Western Sahara

Western Sahara is rich in natural resources, including phosphates, fisheries, and possible oil and gas reserves, which are extensively exploited by Morocco, which is also rapidly expanding the use and consumption of land and water for agricultural cultivation for export and for the development of the tourism industry in areas such as Dakhla. Resource extraction in non-self-governing territories without the explicit consent of their population is **considered illegal under international law**.

Specifically, the plunder of natural resources in the Occupied Territories of Western Sahara is a serious violation of the Covenant on Civil and Political Rights and the Covenant on Economic, Social and Cultural Rights, in particular Article 1 of both instruments, which states, inter alia, that “all peoples may dispose of their natural resources” and that “under no circumstances may a people be deprived of its own means of subsistence”.

This implies that the exploitation of natural resources in territories under this status should only take place in **accordance with Free, Prior and Informed Consent (FPIC)**, and always in accordance with the wishes and interests of the indigenous population²². In this sense, the Saharawi population living in the territories occupied by Morocco sees how the exploitation of their natural resources disproportionately benefits

Moroccan companies and foreign multinationals, while their situation of poverty and dependence is perpetuated and worsened. The extraction of natural resources often entails significant environmental damage. In Western Sahara, this includes land degradation due to phosphate mining and the risks of overexploitation of fishing grounds, compromising the sustainability of these ecosystems²³.

HUMAN RIGHTS VIOLATIONS

Morocco’s exploitation of resources in Western Sahara constitutes a direct violation of the Saharawis’ right to self-determination, which is fundamental to the realisation of other human rights. By depriving the Saharawis of the ability to control and benefit from their own resources, Morocco not only undermines their economic development, but also their ability to build a sovereign and autonomous state should they choose to do so in the future. In turn, it allows Morocco to financially sustain the cost of the occupation.

In addition, Saharawi protests and mobilisations against the exploitation of their resources are often met with repression, leading to violations of human rights such as freedom of expression, assembly and association.

22. Institute for Human Rights and Business (IHRB). “What is Free, Prior and Informed Consent (FPIC)?”.

23. Western Sahara Resource Watch (09/11/2021). “The resource curse.”

Thus, the plundering of natural resources in Western Sahara is a clear example of how economic exploitation is intrinsically linked to the violation of human rights.

COMMERCIAL AGREEMENTS

Following the judgment of the General Court of Justice of the European Union (CJEU) in September 2021 that annulled the fisheries and agricultural products agreements between Morocco and the European Union due to the inclusion of Western Sahara waters, there were significant legal reactions and appeals. The main appeals were filed by the Council of the European Union and the European Commission, the parties most directly affected by the court's decision.

The appeals filed by the Council and the Commission raised several grounds, mainly focusing on legal and practical issues, arguing that the CJEU had incorrectly interpreted the provisions of international law included in the 2016 judgment regarding the necessary consent by the people of Western Sahara and underlining the negative impact that the annulment of the agreements would have on EU-Moroccan relations, as well as on the economic and political stability of the region

These appeals sought a reconsideration of the judgment, emphasising the need for a more flexible interpretation of international law that allows for a degree of political and economic pragmatism in international relations. The appeal of these decisions highlighted the complexity of applying principles of international law in geopolitically sensitive contexts and the difficulties associated with negotiating international agreements covering occupied territories.

Finally, on 4 October 2024, the Court of Justice of the European Union upheld the annulment of the 2019 EU-Morocco Trade Agreements on fisheries and agricultural products, arguing that “the people of West-

ern Sahara did not give their consent and they were concluded in violation of the principles of self-determination and of the relative effect of treaties²⁴”.

24. Citation 14. Court of Justice of the European Union

Violations and most important cases

5.1. CURRENT CONTEXT AND MAIN VIOLATIONS

The situation in Western Sahara continued to be characterized, in 2024, by the existence of a conflict with low-intensity hostilities between Morocco and the Polisario Front, which resumed at the end of 2020, after the Polisario Front announced the breaking of the ceasefire sponsored by the UN in 1991, following an aggression against the Saharawi population at the El Guerguerat pass²⁵. These hostilities have mainly taken the form of artillery fire through the separation wall, concentrated in the north of the Territory, against Moroccan military positions near Mahbes²⁶ and answered by Israeli-made automatic drone attacks²⁷ by Morocco²⁸. These highly precise automatic drone attacks have resulted, since the resumption of the armed conflict at the end of 2020, in about 300 civilian casualties, of which about 100 lost their lives, according to a report of the Saharawi Mine Action Office (SMACO) published

25. Prieto, Néstor (27/11/2020). "La brecha del Guerguerat, detonante de un conflicto condenado a la guerra". *Deciphering the war*. <https://www.descifrandolaguerra.es/la-brecha-del-guerguerat-detonante-de-un-conflicto-condenado-a-la-guerra/>

26. International Crisis Group (11/29/2024). "Managing Tensions between Algeria and Morocco". <https://www.crisisgroup.org/middle-east-north-africa/north-africa/247-algeria-morocco-western-sahara/managing-tensions-between>

27. Peregil, Francisco and Sanz, Juan Carlos (01/12/2021). "Israeli manufacturer of 'suicide drones' invoices 19.4 million euros to Morocco in the midst of the Sahara conflict". *El País*. <https://elpais.com/internacional/2021-12-01/el-fabricante-israeli-de-drones-suicidas-factura-177-millones-de-euros-a-marruecos-en-pleno-conflicto-del-sahara.html>

28. Ribeiro, Álex (07/11/2024). "Moroccan kamikaze drones at the Marrakech Air Show 2024". *Defensa.com*. <https://www.defensa.com/africa-asia-pacifico/drones-kamikazes-marroquies-salon-aeronautico-marrakech-2024>

in December 2024²⁹. Forty-nine percent of the victims were Saharawi civilians and military personnel, while 40% were Mauritanian nationals and 2.4% Algerians. Some of these reported attacks, which could constitute war crimes under the Fourth Geneva Convention, have been verified by MINURSO³⁰.

Regarding the Occupied Territories of Western Sahara, the report of the UN Secretary General to the Security Council of 1 October 2024, warns **that the situation of human rights violations is progressively worsening, "which points to a growing narrowing of civic space"**³¹, based on reports of reprisals, intimidation and harassment against Saharawi activists and human rights defenders received by the High Commissioner for Human Rights (OHCHR). This encirclement of political freedoms has a clear gender component and impacts specifically against Saharawi women who lead processes, associations and protests, in the form of sexualised violence and other forms of physical violence, defamation, attacks on integrity and the right to honour or economic deprivation³². These specific dynamics of abuse amplify the psychological and social impact that repression

29. SMACO (05/31/2024). "Drone strikes. SMACO Annual Report 2024." <https://smaco-ws.com/2024/05/31/drone-strikes-smaco-annual-report-2024/>

30. Citation 5. Report of the Secretary General

31. Report of the Secretary-General to the United Nations Security Council, resolution S/2024/707 (01/10/2024). "Situation concerning Western Sahara Report of the Secretary-General."

32. Djimi, Elghalia; Baali, Mina et al. (2024). "Resilience in resistance. The Struggle of Sahrawi Women Under Moroccan Occupation". The Norwegian Support Committee for Western Sahara. <https://www.hhri.org/wp-content/uploads/2024/11/Resilience-in-Resistance-Report.pdf>

generates on women activists and, by extension, on Saharawi civil society.

This trend is confirmed in the present report, which lists **around one hundred human rights violations perpetrated in 2024 against the Saharawi population**, with particular concern for human rights defenders and activists. Many of these are related to civil and political rights and take the form of arbitrary arrests, unfair trials, attacks on political freedoms (assembly, association, expression), coercion to free movement within and outside the territory and total suppression of freedom of information. **The death of a Saharawi activist in police custody**, in circumstances that have not been clarified, investigated or remedied, in November 2024, is particularly serious and worrying.

On the other hand, the general deterioration of the situation of Saharawi prisoners, who continue to be imprisoned despite successive opinions of the UN Working Group on Arbitrary Detention, remains an important bulk of the most serious facts recorded in the report, to the extent that it represents **almost half** of the violations reported. The Kingdom of Morocco continues to use lengthy sentences, imposed in unfair trials, as a means of punishing activists and their families. The wide scope of criminalisation also prevents grassroots associations from being legalised and from receiving any external funding for their work and, frequently, their members are punished with loss of employment and financial strangulation, jeopardising their livelihood and that of their families.

This year, the violations of economic, social and cultural rights, in the form of forced expropriation of land, destruction of homes and ways of life and forced displacement, which potentially also constitute war crimes under the Fourth Geneva Convention, take on a pressing relevance. This dynamic is closely related to the construction of large infrastructures, the transfer and sale of land to multinational com-

panies and the deepening of the economy of occupation, which Morocco has accelerated in recent years³³, under the excuse of 'developing the southern provinces'. On the one hand, the motorway from Tiznit to Dakhla, whose works started in 2017, has made it possible to increase the traffic of goods between Morocco and Mauritania, crossing the entire occupied Western Sahara, while the new mega-port Dakhla Atlantique, scheduled to be completed in five years and with a capacity of one million containers, will be dedicated to industrial transport, fishing and ship repair³⁴. Along the lines of the reconversion of Dakhla into a tourist paradise, in disregard of the reality of thousands of Saharawis, the present port will be oriented towards nautical sports, passenger transport (i.e. maritime connections with the Canary Islands) and possibly cruises.

This is in addition to the systematic dynamics of expropriation and appropriation of land - especially collective land - by the Moroccan administration in the name of economic development³⁵, which in the case of the Occupied Territories adds to racial discrimination and the violation of the Saharawi people's right to self-determination over their natural resources. The situation has worsened following the King's announcement, in 2020, to promote the '2020-2030 Generation Green' plan, which aims to mobilise one million hectares - a large part of them arable land - for green hydrogen projects, as part of the Moroccan energy strategy, which is already promoting the transfer or sale of 300,000 hectares to private investors³⁶. This phenomenon

33. Ferrer, Elías (06/01/2024). "Western Sahara Hostilities: Occupation Economy At Risk". Forbes. <https://www.forbes.com/sites/eliasferrerbreda/2024/01/06/western-sahara-hostilities-occupation-economy-at-risk/>

34. Peña, Juan (06/06/2023). "The new Atlantic port of Dakhla: the key to dynamize the region". Atalayar. <https://www.atalayar.com/articulo/economia-y-empresas/el-nuevo-puerto-atlantico-de-dakhla-la-clave-para-dinamizar-la-region/20220622223618157033.html>

35. [9] Chaudier, Julie (23/06/2023). "The forced privatisation of tribal lands in Morocco continues unabated". EqualTimes. <https://www.equaltimes.org/the-forced-privatisation-of-tribal?lang=es>

36. MASEN, "Green Hydrogen Moroccan Offer". Accessed 01/13/2025. <https://www.masen.ma/en/green-hydrogen-moroccan-offer>.

is very evident in areas of special economic interest for the Kingdom of Morocco and the multinationals that exploit the energy, mineral, agricultural and fishing resources of the Occupied Territories, as is the case of Dakhla, one of the points where there have been more cases of occupation of land of the Saharawi population, with intimidation and pressure on its inhabitants to abandon them, in the form of police persecution, burning or destruction of houses and corrals.

If, in 2023, it was warned that the alleged economic development of Western Sahara was likely to worsen the systematic situation of violation of civil rights, this report finds that there are already areas where the intensification of harassment, tourist gentrification and forced displacement of the Saharawi population may be the beginning of a dynamic of expulsion in the southern region of the Occupied Territories.

5.2. TYPOLOGY OF VIOLATIONS AND OUTSTANDING CASES

5.2.1. RIGHT TO LIFE AND ACCESS TO JUSTICE AND REDRESS

The case of Omar Abdelmajid

The celebrations on the occasion of the 49th anniversary of the Green March were one of the critical moments in terms of risk and violations of rights of the Saharawi population in the Occupied Territories. On 3 November, in Mechouar Square in El Ayoun, there were official celebrations and festivities of the Moroccan administration, which the 59 year-old **Saharawi citizen, Omar Abdelmajid**, who had already faced reprisals for speaking out in favour of the Polisario Front and against the occupation, confronted. According to eyewitnesses, Abdelmajid was beaten and arrested by four police officers and then transferred to the Security Prefecture of the police station of Skaikima³⁷. His sister, **Mbarka**

Abdelmajid (alias Soukaina), was informed at 9pm that same day of the arrest and, after appearing at the police station, was told that it was related to the fact that the activist had in his possession 8,500 Moroccan dirhams (about 800 euros), which she herself said she had given him that morning.

The following day, 4 November, Mbarka Abdelmajid went to the police station to ask for her brother, but was not allowed to have contact with him. On 6 November, the detainee was allegedly presented before the examining magistrate and the prosecutor without any notification to his family, who were subsequently informed that Omar Abdelmajid had been transferred to the Black Prison of El Ayoun, again without clarification of the reasons for his imprisonment.

After four days without contact with her brother, Mbarka Abdelmajid went to the prison on the morning of 7 November, where she tried to hand over money, clothes and blankets to the officials, who, after several hours of waiting, notified her that he had been transferred to Hassan Ben El Mehdi hospital. There, the staff of the health centre informed her that the body of her brother had arrived at the hospital already lifeless, **so the death occurred under police custody**. The hospital's forensic department acknowledged not having received any death certificate from outside the hospital to clarify the circumstances of death, as well as the date and time of death. Subsequently, his body was sent to Agadir for an autopsy, but it is not known if it was ever performed, as the results were never delivered to the family.

Subsequently, prison sources indicated that he was in preventive detention for an alleged drug trafficking offence and that he suffered a health problem for which he was admitted urgently³⁸.

37. Équipe Media (14/11/2024). "The Saharawi activist Omar Bahia Abdelmajid is assassinated in a Moroccan prison"

38. EFE (13/11/2024). "Saharawi organizations denounce the death of a prisoner activist" <https://www.swissinfo.ch/spa/organismos-saharauis-denuncian-la-muerte-de-un-activista-presos/88135150>

The case of Salim Haddi

On 27 July 2024, the death of Haddi Salim, 25 years old, was reported by a call from Ben El Mehdi hospital to his father, Cheikh Haddi. According to testimonies collected by ISACOM, Salim - a relative of one of the Gdeim Izik prisoners - had been the subject of police harassment for some time, and that day, while returning from Foug El Oued to El Ayoun, he was reportedly intercepted by a vehicle driven by plainclothes officers, who rammed his car, causing his death³⁹. The police vehicle fled without rescuing the victim, who was taken to the hospital of El Ayoun. Once there, the gendarmerie stationed themselves at the door of the hospital to prevent members of the Salim family and Saharawi activists from entering. His body was sent to Agadir for an autopsy, being returned two days later to El Ayoun. The authorities refused to give his father a copy of the autopsy report.

Other cases of deaths of Saharawi people in uninvestigated circumstances

On 7 October 2024, the death of **Oussama Mouloud Al-Mahjoub**, a 16-year-old Saharawi student, was reported during an attempt to leave from a beach in the city of Tarfaya to go to Spain⁴⁰. According to sources, agents of the Moroccan auxiliary forces shot at the whole group of people, mortally wounding Mouloud, with at least one shot in the head. The Saharawi Ministry for the Occupied Areas and the Diaspora asked for an investigation to clarify the circumstances of the alleged murder and asked the international community to take urgent measures for the protection of Saharawi civilians.

39. Facebook Équipe Media. "Occupation forces kill a Saharawi citizen in El Aaiun" (27/07/2024). <https://www.facebook.com/100068854669914/posts/791619609809854/?mibextid=wwXl-fr&rid=kbVclrevJTn4vq2F>

40. Sahara Press Service (9/10/2024). "The Ministry of the Occupied Areas and the Diaspora condemns the killing of a Saharawi minor by Morocco" <https://www.spsrasd.info/es/2024/10/08/5575.html>

CODESA's 2024 report on the human rights situation in Western Sahara also notes the deaths in strange circumstances of two Saharawis in the psychiatric wing of the Ben El Mehdi hospital in the city of El Aaiun during the month of October, as well as of the prisoner Houssain Aibid, who died of tuberculosis and may have been the victim of medical negligence⁴¹.

These unclarified deaths in a context of occupation constitute a clear violation of Article 3 of the Fourth Geneva Convention relative to the protection of civilians against (a) attacks on life and limb, in particular murder in all its forms, mutilation, cruel treatment, and torture, as well as violations of Articles 6 (right to life) and 7 (torture and inhuman or degrading treatment) of the International Covenant on Civil and Political Rights. Therefore, the opening of an independent international investigation into the circumstances and conditions of the detention and death of Omar Abdelmajid, Salim Haddi and the other persons who died in unclarified circumstances is a minimum requirement, as well as the intervention and positioning of the United Nations Committee against Torture and the International Committee of the Red Cross (ICRC) as a neutral body that monitors the conditions of prisoners of war in situations of conflict and occupation, in accordance with the right to truth, justice and reparation of the victims.

5.2.2. VIOLATIONS IN THE PRISON CONTEXT

Systematic and serious violations of the rights of prisoners again represent the bulk of the cases collected in this report, with **56 rights violations** in prison contexts over the course of 2024. The racially motivated discrimination reported by prisoners and their

41. Collective of Saharawi Human Rights Defenders (CODESA) (22/01/2025). "The perpetuation of crimes by the Moroccan occupying force in the absence of an international mechanism for the protection of Saharawi civilians and the monitoring of human rights in Western Sahara."

families manifests itself in a continuous dynamic of denial of basic rights, degrading treatment and physical, psychological and verbal abuse, from the moment of arrest and throughout the deprivation of liberty, which in some cases is perpetual.

The most serious violation is his continued imprisonment despite the opinions of the Working Group on Arbitrary Detention in favour of his release. In a **report presented at the 57th session of the Human Rights Council** (October-November 2024)⁴², the Working Group reported that the Moroccan government had not taken any effective measures to implement Opinion 23/2023⁴³, on the case of the political prisoners of Gdeim Izik: **Sidi Abdallah Ahmed Sidi Abhahah, Mohamed Elbachir Boutanguiza, Mohamed Bani, Abdeljalil Laaroussi, Abdullah Lakhfaoui, Ahmed Sbai, Sidahmed Lemjeyid, Brahim Ismaili, Mohammed Khouna Babit, Mohamed Mbarek Lafkir, Naâma Asfari, Mohamed Bouryal, Mohamed Lamin Haddi, El Houcine Zaoui, Abdellah Toubali, El Bachir Khadda, El Hassan Eddah and Mohamed Tahlil.**

In its statement issued last year, the Working Group on Arbitrary Detention ruled that the detention of these prisoners 'was arbitrary, in contravention of articles 3, 9 and 10 of the Universal Declaration of Human Rights and articles 9 and 14 of the International Covenant on Civil and Political Rights,' and urged the Kingdom of Morocco to remedy their situation by immediately releasing the prisoners, as well as to compensate them adequately, in accordance with international law. It also urged the Moroccan government to "investigate thoroughly and independently the circumstances surrounding the arbitrary deprivation of liberty

42. Annual Report of the Working Group on Arbitrary Detention to the Human Rights Council (24/07/2024). <https://docs.un.org/es/A/HRC/57/44>

43. Opinions adopted by the Working Group on Arbitrary Detention at its 96th session, 27 March-5 April 2023 : Opinion No. 23/2023. <https://digitallibrary.un.org/record/4036936?ln=es&v=pdf>

of the 18 persons and to take appropriate measures against those responsible for the violation of their rights".

Deeming the detention of the Gdeim Izik prisoners arbitrary, the UN Working Group expressed its grave concern about the number of alleged cases of arbitrary detention in Western Sahara. The case of the Gdeim Izik prisoners is also regularly mentioned by the UN Secretary General who, in his latest report of October 2024, echoed that "the appalling conditions of detention of Saharawi prisoners remain of pressing concern⁴⁴". Reports received by OHCHR refer to overcrowding and inadequate access to healthcare, education and vocational training, in addition to repeated denials of requests to transfer prisoners to prisons closer to their home towns. Members of the Gdeim Izik group continue to be dispersed and held in prisons outside Western Sahara. Continued isolation, irregular contact with family members and discriminatory treatment by the prison administration have had adverse effects on the physical and mental health of the prisoners

The opinion that the Working Group on Arbitrary Detention published warnings, citing sources in the territory, that "all persons remain detained in increasingly poor conditions, including solitary confinement, lack of contact with their families and restricted access to medical care⁴⁵". It also refers to the case of the young journalist **Khatri Dadda**, who was sentenced to 20 years in prison in 2020 and whose deprivation of liberty the Working Group considered arbitrary in opinion 67/2023⁴⁶, for contravening articles 10 and 11 of the Universal Declaration of

44. Citation 31. Report of the Secretary-General to the United Nations Security Council, resolution S/2024/707.

45. Report of the Secretary General to the United Nations Security Council, resolution S/2024/707. <https://www.ohchr.org/en/documents/thematic-reports/ahrc5744-arbitrary-detention-report-working-group-arbitrary-detention>

46. Opinions adopted by the Working Group on Arbitrary Detention at its 98th session, 13-17 November 2023 : Opinion No. 67/2023, concerning Khatri Dadda (Morocco). <https://digitallibrary.un.org/record/4042960?v=pdf>

Human Rights and article 14 of the International Covenant on Civil and Political Rights, category 3 (right to a fair trial). On the case of Khatri Dadda, the report of the Working Group issued in 2024 states that “no steps were taken by the Government to implement Opinion 67/2023”.

Once again, as stated in the 2023 report, the hunger strike has been an extreme element of protest against the violations suffered by this group, which in turn has led to reprisals. In 2024, the Saharawi prisoners carried out **13 hunger strikes**. It is worth noting the precarious medical conditions in which these hunger strikes are carried out, many of which have been initiated precisely as a method of denouncing the denial of medical care. Particularly noteworthy is the hunger strike launched by **Abdeljalil Laaroussi** on 16 October 2024, after three weeks in the Ibn Sina hospital in Rabat without medical care⁴⁷. The strike was maintained even after a surgical intervention for internal and external fourth degree hemorrhoids and irritable bowel syndrome and ended on 13 November. Due to the hunger strike and the complications of the operation, the Saharawi prisoner lost 12 kilos in 11 days. At present, he continues to have torn cruciate ligaments.

Several of the cases presented point directly to persons responsible for rights violations, such as the prison doctor at Ait Melloul prison, who is accused of deliberately excluding Saharawi prisoners from receiving treatment or being transferred to hospital, and the director of the local prison in Safi, accused of making threats.

DENIAL OF MEDICAL CARE AND TREATMENT

In relation to this type of violation, medical negligence such as denial of transfers to hospital, unjustified cancellation of medical

tests, difficult access to medication or malnutrition stand out. This issue, in parallel with the deterioration of cell conditions, with complaints of overcrowding, plagues or lack of hygiene, have resulted in infections and a general worsening of the prisoners' health conditions, which has been pointed out by the prisoners as deliberate for reasons of racial discrimination and as punishment for political activity.

The refusal to carry out medical tests and the difficult access to the necessary medication have seriously weakened the state of health of many prisoners, mainly in the form of diseases becoming chronic, abrupt weight loss, anemia and malnutrition. The deterioration of the health conditions of Saharawi prisoners in Moroccan prisons is a serious cause for alarm, especially when the international community has recognised that, according to international law, the bulk of these people should be released immediately.

In one of the most serious cases, during his stay in the local prison of Safi, the prisoner of the Gdeim Izik group **Abdelmoula El Hafidi**, who suffers from tuberculosis, was denied the treatment and medication necessary for his illness and suffered multiple episodes of asphyxia and respiratory difficulties, worsened by the overcrowded conditions in the cells. El Hafidi also complains that he did not receive any medical or hospital care following these episodes. After his transfer to Ait Melloul prison, the conditions he found himself in did not improve and he claims to be surrounded by cockroaches and insects carrying infectious diseases.

On 6 February 2024, at around 7am, **Ahmed Sbai**, honorary president of the League for the Protection of Saharawi Prisoners in Moroccan Prisons, had his hospital visit for him to be examined cancelled, citing the regulation that prisoners must wear a uniform with the word 'prisoner' on it, be handcuffed

47. Sahara Press Service (19/10/2024). “Saharawi political prisoner begins indefinite hunger strike in a Moroccan hospital”. <https://www.spsrasd.info/es/2024/10/19/5819.html>

and undergo strict surveillance⁴⁸. This situation was repeated three further times in six months. Similarly, prisoner journalist **Mohamed Lamin Haddi**, who suffers from asthma due to the terrible conditions of imprisonment he has been suffering for almost 14 years⁴⁹, reported on 6 September that he was refused transfer to a hospital, after being examined in the prison infirmary - where he was found to have an infection and a lump in his left ear - for refusing to wear a prison uniform. Gdeim Izik prisoner **Mohamed El Bachir Boutenguiza** also pointed out - in his 24-hour hunger strike on 10 December 2024, coinciding with International Human Rights Day - the consequences of the interruption without any justification of his medical treatment for rheumatism and arthritis, ailments he has been suffering from since the beginning of 2019.

Abdullah Lakhfaouni, also from the Gdeim Izik group, began a 48-hour hunger strike on 15 May to demand an explanation from the Kenitra prison authorities for the suspension of his transfer to hospital. The prisoner was due to undergo medical examinations for knee pains and these were suspended without reason. The prison administration also refused to receive notification of his hunger strike⁵⁰.

Regarding the right to know information about prescribed medication and its contraindications, **Mohamed Bani** refused - on 24 September - to take pills that were not indicated for the high blood pressure he was suffering from, but for mental health disorders and hallucinations. Bani demanded

48. Sahara Press Service (7/02/2024). "Saharawi political prisoner deprived of his right to medical treatment." <https://noteolvidesdelsaharaoccidental.org/privan-a-un-presos-politico-saharawi-de-su-derecho-al-tratamiento-medico-sahara-press-service-sps-2/>

49. Équipe Media (25/05/2024). "Sahrawi Activists Reportedly Face Continued Harassment in Moroccan Prison". https://www.facebook.com/equipemedia/photos/sahrawi-activists-reportedly-face-continued-harassment-in-moroccan-prison-equipe-976632281136265/?_rdr

50. Prensa Latina (17/05/2024) "Saharawi prisoner in Morocco completes hunger strike"

access to healthcare and effective treatment based on diagnoses, if they are made at all, as he also points out how prison medical staff systematically exclude Saharawi prisoners from relevant medical examinations⁵¹. This same situation has also been denounced by other prisoners such as **Brahim Ismaili** and **Ahmedou Lekwairi**, who claim that they are not allowed to know the results of their medical tests and analysis, and by extension their diagnosis, its severity or their treatment.

The case of Brahim Ismaili

The Gdeim Izik prisoner Brahim Ismaili, sentenced to life imprisonment, is in the local prison of Ait Melloul 1, near Agadir, where he has been denouncing for years how imprisonment has seriously deteriorated his state of health, the result not only of torture and ill-treatment received since his arrest, but also of the lack of medical treatment and assistance. The Saharawi prisoner suffers from several chronic conditions, intestinal problems, back pain, knee pain and arrhythmias, among other health problems that limit his movement and prayer, including migraines, insomnia, acute pain and psychological damage.

Due to constant refusals by the prison management to provide him with an urgent transfer to hospital, he has suffered hearing loss from an untreated perforation in his left ear⁵². Because of the potential long-term complications this may pose, urgent surgery was recommended in February 2024 and was never scheduled. On 25 December, ten months later, he had to be transferred urgently for this same operation to the Hassan II hospital in Agadir. During his convalescence, he was handcuffed hand

51. Sahara Press Service (18/10/2024). "Morocco prevents medical attention to two Saharawi political prisoners". <https://spsrasd.info/es/2024/10/18/5800.html>

52. Sahara Press Service (20/02/2024) "The health condition of Saharawi civilian prisoner Ibrahim Daddi Ismaili has deteriorated". <https://spsrasd.info/en/2024/02/20/2320.html>

and foot to the bed for two days in a room equipped with cameras and finally did not undergo any surgery. It is not known why he did not undergo the operation.

During 2024, his access to hospital care, examinations, tests and check-ups was limited, alleging that the hospital did not have the necessary medical devices, that they did not work, or that there were insufficient human resources to tend to him, which has meant his return in the same conditions. In other cases, his medical appointments were cancelled without justification and without a new date. This medical negligence has been denounced by his family as deliberate, pointing personally to the prison doctor for excluding him from the relevant medical examinations, along with the other Saharawi prisoners serving sentences in the prison of Ait Melloul 1 and 2.

In terms of access to medication, it has been difficult or impossible for him to obtain treatment for his intestinal problems, and he has been limited to one pill per day for sedatives, without medical instructions⁵³ or information on contraindications.

At the end of 2024, his family alerted to the severe worsening of Ismaili's health condition, especially related to episodes of various allergies and asphyxia due to the poor hygienic conditions of his cell, aggravated by a broken toilet that the prison management did not repair⁵⁴.

DISPERSAL, ISOLATION AND PROHIBITION OF COMMUNICATIONS

The isolation from the outside imposed on the Saharawis in Moroccan prisons is not exclusively the result of their deprivation of liberty,

53. Sahara Press Service (19/11/2024) "Family of Saharawi political prisoner expresses concern for the health of their son in jail" <https://noteolvidesdelsaharaoccidental.org/familia-de-presos-politico-saharawi-expresa-preocupacion-por-la-salud-de-su-hijo-en-la-carcel-sahara-press-service-sps/>

54. Sahara Press Service (20/12/2024) "Morocco practices negligence and avoids improving detention conditions of Saharawi political prisoners". <https://noteolvidesdelsaharaoccidental.org/marruecos-practica-la-negligencia-y-evita-mejorar-condiciones-de-detencion-de-presos-politicos-saharawis-sahara-press-service-sps/>

but also of the territorial dispersion and the systematic denial of phone calls, visits and daily walks. Territorial dispersion was denounced in the form of a hunger strike by two of the prisoners of the Gdeim Izik group, **El Houcine Zaoui** (on 23 and 24 April 2024) and **Mohamed Elbachir Boutanguiza**, on 10 December. They are both in the central prison of Kenitra, north of Rabat, 1200 km from El Ayoun.

In Tan-Tan prison, **Mohamed Mbarek Lefkir**, also from the Gdeim Izik group, has denounced the systematic refusal by the director to receive family visits, sometimes at very short notice. The refusal to receive visits has also been recorded at the Ibn Sina hospital in Rabat by **Abdeljalil Laaroussi**, whose wife could not enter to visit him on 11 October 2024, on the grounds that she arrived late, without taking into account the more than 1200km she had to travel due to the deliberate policy of dispersal. In addition to being denied entry to the hospital, he also points out the provocations and police surveillance he suffered at the door.

The refusal to make or receive calls, as well as the reduction of their duration, has been reported as a common practice in Moroccan prisons by **Mohamed Bani**, **Sidahmed Lemjayed**, **Brahim Ismaili**, **Sidi Abdallah Abbahah** and **Abdelmoula El Hafidi**, even exceeding one week of telephone isolation without justification. In addition to hindering and prohibiting communications, **Mohamed Lamin Haddi** also denounces the interception of his communications and the coercion on the content of the information he can give to the outside, pointing out that the administration of the local prison of Tiflet warned him to report neither his state of health, nor the refusals to transfer him to a hospital, to his family or to international human rights organisations.

Sidi Abdallahi Abbahah denounced the systematic limitation of telephone calls and his solitary confinement situation since 5 May 2018, when he was transferred to the

local prison of Tiflet. In addition, on 20 April 20 he denounced having suffered arbitrary prohibition to take breaks in the courtyard or to buy food in the prison canteen without justification⁵⁵.

PHYSICAL VIOLENCE, MISTREATMENT AND DEGRADING TREATMENT

In addition to the serious health problems described above, the prisoner **Brahim Ismaili** claims to have suffered constant provocations, such as the unjustified search of his cell on 3 January 2024, or his being held in a hospital bed handcuffed hand and foot for two days, from 25 to 27 December. In the latter, in addition to being restricted in his movements, he was also subjected to a violation of his privacy by being locked in a room monitored by cameras at all times. Ismaili, along with his fellow prisoners and also part of the group of Gdeim Izik **Sidahmed Lemjayed** and **Mohamed Bani**, have repeatedly denounced the selective harassment on racial and political grounds that they suffer by prison guards⁵⁶, which takes the form of deprivation of basic rights such as daily walks, incitement to other staff and prisoners to harass them or death threats. The group denounces not only the lack of intervention by the administration, but its direct collaboration.

In addition, the staff of the local prison of Safi, in particular its director, are directly accused of ill-treatment and threats against the Saharawi prisoner **Abdelmoula El Hafidi**; in the local prison of Tiflet 2 by **Abdallah Sidi Abbah**, who reports suffering harassment in the canteen and restrictions on his daily recreation; or in the local prison of Ail Melloul by **Ahmedou Lkwairi**, who claims to have suffered provocations, unjustified searches and the destruction of his personal belongings.

55. Équipe Media (25/05/2024) "Sahrawi Activists Reportedly Face Continued Harassment in Moroccan Prison." <https://emshara.com/?p=2097&lang=en>

56. Sahara Press Service (29/06/2024). "The Gdeim Izik Group of Saharawi political prisoners is subjected to harassment and provocation by Morocco". <https://spsrdsd.info/es/2024/06/29/4063.html>

RIGHT TO EDUCATION

The obstruction of access to education is another major form taken by the violation of the Saharawi prisoners' rights. One of the most extreme cases is that of **Abdelmoula El Hafidi**, who began a 48-hour hunger strike on 23 December 2024 to denounce the boycott by the Safi prison administration of the continuation of his studies⁵⁷. El Hafidi reports that, on 26 October, he was refused transfer to the entrance examination for the doctoral programme at the University of Tetouan. Despite being on the list of candidates and having completed the bureaucratic procedures within the legal deadline, El Hafidi was deliberately and discriminatorily excluded, as other candidates were able to take the exam without any problems.

Other prisoners have reported similar limitations to continue their studies and academic career. In January 2024, **El Houcine Zaoui** accused the prison administration of having pressured the Smara Faculty of Sharia to withdraw his enrollment, despite having properly registered to continue his studies. **Ahmedou Lkwairi** says that constant impediments to obtaining an identification document this year have made it impossible for him to register for the baccalaureate entrance exams.

Other prisoners also denounce suffering constant barriers in accessing educational materials and tools to facilitate study and training, such as **Abdelmoula El Hafidi** and **El Bachir Khadda**. The latter reports that the local prison of Tiflet 2, during the month of January 2024, prevented him from obtaining certain books without any justification, despite not being prohibited by any authority and having copies available in the prison's own library.

57. Sahara Press Service (23/12/2024) "Western Sahara. Morocco/Saharawi civilian prisoner denounces policy of racial discrimination and exclusion."

5.2.3. ARBITRARY DETENTION, TORTURE AND DEGRADING TREATMENT

The United Nations Working Group on Arbitrary Detention establishes that arbitrary detentions are those that take place when⁵⁸:

1. It is impossible to find any legal basis to justify the deprivation of a person's liberty.
2. Deprivation of liberty results from the exercise of civil and political rights or freedoms set forth in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.
3. The total or partial non-observance of the international norms relating to the right to a fair trial, established in the Universal Declaration of Human Rights and in the relevant international instruments accepted by the States concerned, is of such gravity that it confers an arbitrary character to the deprivation of liberty.
4. Asylum seekers, immigrants or refugees are subject to prolonged administrative detention without the possibility of administrative and judicial appeal.
5. Deprivation of liberty violates international law on the grounds of discrimination based on birth, national, ethnic or social origin, language, religion, economic status, political or other opinion, gender, sexual orientation, disability or other circumstance, and which results or may result in a violation of equal human rights.

First, it should be recalled, in relation to the opinions of the United Nations Working Group on Arbitrary Detention with respect to the prisoners of Gdeim Izik and Khatri Dadda, that, although the arbitrary detentions reported did not occur in 2024, it is considered that the systematic violation of their rights continues at this time, as their situation has not been remedied in accordance with international law.

58. Office of the United Nations High Commissioner. "On Arbitrary Detention." Accessed 12/05/2024. .

On the other hand, in the Occupied Territories of Western Sahara, arbitrary arrests and detentions have continued in 2024 to be a systematic reprisal against activists for their political activity, in many cases accompanied by violence and physical aggression against the detainees. Specifically, during this year, **14 people have been arrested or detained**, this type of repression impacts young university students most acutely, as well as Saharawi journalists. One of the most serious and worrying situations is the persecution of the prominent member of Équipe Media, Mohamed Mayara, arrested several times in 2024 for his professional practice, which is detailed in the section dedicated to the violation of freedom of information.

In September 2024, the Saharawi **citizen Sidi Brahim Elhoussaini** was arrested by the Moroccan security forces in the town of Boujdour, after lying down under a MINURSO vehicle to protest against the difficult situation he was going through. Elhoussaini was taken to the police station, where he reported being beaten and transferred to hospital for medical attention. His car was confiscated and, when he went to collect it the next day, the police refused to return it to him.

A few days later, on 9 October 2024, journalists Mohamed Mayara and Ahmed Ettanji were detained by Moroccan security forces (full case in Freedom of Information section), amid intimidation and threats against their relatives whom they were visiting in Boujdour. Another Saharawi citizen, **Ahmed Bahia**, who came to the defence of the expelled journalists, was arrested at a police checkpoint while trying to leave Boujdour. The agents also confiscated his car, which is his working tool, according to the journalists of Équipe Media⁵⁹.

Ten days later, on 18 October 2024, a Saha-

59. Carrión, Francisco (11/10 /2024). "Morocco suffocates the last Saharawi journalists in the occupied territories of Western Sahara". *El Independiente*. <https://www.elindependiente.com/internacional/2024/10/11/marruecos-asfixia-a-los-ultimos-periodistas-saharais-de-los-territorios-ocupados-del-sahara-occidental/>

rawi political prisoner and human rights defender, **Ahmed Nasiri**, president of FreedomSun, an organisation for the protection of Saharawi human rights defenders, was arrested at the same checkpoint in Boujdour. Nasiri was subjected to degrading treatment at the police station, before being released hours later⁶⁰.

The vice-president of the League for the Protection of Saharawi Prisoners, **Hassan Douihi**, was irregularly arrested on the night of 3 November 2024, leaving a café in Boujdour, after having been under surveillance all day. After three hours of abuse and ill-treatment, Douihi was put in a taxi to be returned to El Ayoun against his will. A few days later, on 8 November, the former Saharawi political prisoner **Lahbib Boutanguiza**, a member of the executive board of CODESA, was arrested in a street in occupied El Ayoun, as evidenced by a video recording released by the human rights organisation⁶¹. His wife, **Mahfuda Lefkir**, president of the organisation, and his sister, **Salha Boutanguiza**, correspondent of SADR TV, were subjected to degrading and humiliating treatment while trying to prevent his arrest.

Journalist **Hassan Zerouali** and activist **Salh Dlimi** were arrested on 15 January 2025, in the early hours of the morning and taken to a police station in the city of Dakhla, where they were subjected to physical violence and ill-treatment during interrogation⁶². In addition, they were threatened with various types of reprisals if they did not cease their protest activities. They were released around 5am the same day.

60. Collective of Saharawi Human Rights Defenders (CODESA) (22/01/2025). "The perpetuation of crimes by the Moroccan occupation force in the absence of an international mechanism for the protection of Saharawi civilians and human rights monitoring in Western Sahara". <https://porunsaharalibre.org/2025/01/27/codesa-publica-su-informe-anual-2024-denunciando-crimenes-de-guerra-y-lesa-humanidad-en-el-sahara-occidental/>

61. Images disseminated by CODESA on the social network X (08/11/2024), https://x.com/CODESA_SO/status/1854999490123473124

62. Sahara Press Service (15/01/2025). "Occupation authorities abduct two Saharawi human rights activists." <https://spsrasd.info/es/2025/01/15/7380.html>

Repression against university students

In 2024, one of the main targets of political persecution has been the Saharawi youth studying at the Ibn Zohr University of Agadir, the closest university to the Occupied Territories of Western Sahara. This wave of repression of the Saharawi student movement, which has targeted - according to Équipe Media - more than twenty young people and resulted in six arrests and judicial proceedings, is linked to student trade unionism, to public displays of support by these students for the Polisario Front, SADR and the struggle for self-determination for Western Sahara.

On 31 January 2024, 23-year-old Sahrawi activist **Mansour El Moussaoui** was arrested while trying to obtain a criminal record certificate at a police station in El Ayoun, which he was required to obtain in order to register for university exams. Without explanation, El Moussaoui was taken to the notorious Black Prison in the capital of Western Sahara. The Moroccan Court of Appeal in occupied El Ayoun postponed the activist's trial until 14 February 2024. This is not the first time that Moroccan authorities arbitrarily arrested El Moussaoui, who was already arrested on 28 October 2019 after participating in peaceful marches and protests following the victory of the Algerian national team in the Arab Cup in Qatar and again on 15 July 2022, during a raid on his home⁶³. This latest arrest is part of the ongoing harassment of the young activist.

On 27 February 2024, the 22-year-old student **Badr El-Hanani** was arrested in the town of Taznakht, near Ouarzazat, in south-eastern Morocco. This arrest took place after participating in an event with other Saharawi students in Agadir, commemorating the anniversary of the founding of SADR⁶⁴.

63. Équipe Media (07/02/2024). "بيوارح صلالة يمالع إلالا قيرفلال: Buscando educación, enfrentando represión: Juicio del activista saharauí". <https://noteolvidesdelsaharaoccidental>.

64. (07/03/2024). "Sequential arrests by the Moroccan occupation authorities at the university campuses "Site of the Martyr Bzid Abderrahim" | NR | Alternative Journalism

El-Hanani was transferred to the prison of Ait Melloul 2. On 20 March 20 an examining magistrate of the Court of Appeal of Agadir (Morocco) decided to release him on bail pending trial, after 23 days in custody.

Another Saharawi student from the same university as the above, **Salek Essalami**, was identified by a police officer on 19 May 19 2024 at the El Ayoun bus station, when he was about to travel to Agadir. Despite having his papers in order, Essalami was arrested and taken to the police premises inside the bus station, where he was physically assaulted and subjected to degrading treatment for demanding to be informed of the cause of his arrest, to the point of having to be taken to hospital. The doctor who treated him refused to provide him with a medical report of the injuries he had sustained. After leaving the hospital, the young Saharawi tried to file a complaint against the police officer at another police station, but his complaint was not accepted.

Omar Bahi, 28, also a student at Ibn Zohr University, was arrested on 28 October by Moroccan authorities in the occupied city of Smara. After several days of intense interrogation, he was transferred to the Moroccan prison of Ait Melloul, where he joined the two other student activists. The trio are accused of participating in protests to commemorate the founding of the Polisario Front and the start of the armed struggle against Spanish colonialism in 1973. Despite repeated attempts, Équipe Media was unable to access police files detailing the charges against them, which they consider a set-up to intimidate and criminalise young Saharawis for their political views.

Some of these university students are repressed for organising events to publicise the situation in occupied Western Sahara at the university, as well as for publicly defending the right to self-determination of the Saharawi people. This is the case of

Elhoucine Bourakba and **Ayman Elyatribi**, two Saharawi students arrested on 23 January and 12 March 2024 in Agadir accused of violence, attack on authority, obstruction of roads, theft and participation in a fight. After several postponements of their trial, they were each sentenced in June this year to 10 years' imprisonment⁶⁵. These charges, which the two defendants denied throughout, were based on the testimony of Moroccan nationalist students, with whom they had allegedly clashed earlier. Finally, in January 2025, the sentence handed down by the Agadir Court of Appeal was two years in prison. Despite the reduction of the initial sentence, the same charges were maintained as in the June sentence.

During the trial, Bourakba and Elyatribi assured the judge that they had suffered torture and physical violence during their detention⁶⁶, but their testimony was disregarded and no investigation was initiated. The length of the trial, the lack of evidence beyond testimony and the extreme disproportionality of the sentence are sufficient grounds to demand an investigation for arbitrary detention in category III (violation of the right to a fair trial and insufficient procedural guarantees).

Additionally, five Saharawi students continue to serve long prison sentences (10 and 12 years) in retaliation for their student activism. Their detention in 2016 was considered arbitrary by the UN Working Group on Arbitrary Detention⁶⁷.

65. Équipe Media (7/01/2025). "Two Saharawi Students Sentenced to Two Years in Prison in Moroccan Court" <https://www.facebook.com/photo.php?fbid=900901885548292&id=100068854669914&set=a.396223036016182>

66. Sahara Press Service (07/06/2024) "Morocco sentences two Saharawi students to 10 years in prison in retaliation for their activism". <https://spsrasd.info/es/2024/06/07/3813.html>

67. Opinions adopted by the Working Group on Arbitrary Detention at its eighty-sixth session, 18-22 November 2019. <https://documents.un.org/doc/undoc/gen/g20/028/92/pdf/g2002892.pdf>

5.2.4. RIGHT TO PROTEST AND FREEDOM OF EXPRESSION AND ASSOCIATION

Western Sahara has been and continues to be the scene of serious violations of the right to protest and freedom of expression, through the systematic dissolution of any demonstration, peaceful protest or even private meeting or workshop, the arbitrary detention and criminalisation of persons participating in peaceful mobilisations and the harassment and intimidation of members of political, social, cultural and human rights associations in this territory. The United Nations human rights mechanisms and international treaty bodies have already underlined, on several occasions, that Saharawis defending the right to self-determination are subjected to widespread police violence, abductions, torture and arbitrary arrest and detention⁶⁸. The UN Committee against Torture, the Special Rapporteur on Torture and the Working Group on Arbitrary Detention have stated on different occasions that the Saharawi people are “subjected to a systematic use of force to silence the call for the right to self-determination and independence⁶⁹” In this regard, the UN Committee on the Elimination of All Forms of Racial Discrimination (CERD) stressed in December 2023 that Morocco has prevented and repressed meetings in favor of the right to self-determination and Saharawi commemorations, to the detriment of the exercise of their right to freedom of expression, association and assembly (art. 5). The Committee recommends that the State party ensure that

68. Recalling also the recommendations of the Human Rights Committee (CCPR/C/MAR/CO/6) and the Committee on Economic, Social and Cultural Rights (E/C.12/MAR/CO/4).

69. CAT/C/MAR/CO/4, Committee against Torture, Consideration of reports submitted by States parties under Article 19 of the Convention, concluding observations of the Committee against torture (2011); A/HRC/22/53/Add 2, Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan E Méndez, Mission to Morocco (2013). A/HRC/27/28/Add5, Report of the Working Group on Arbitrary Detention. Mission to Morocco (2013)

Saharawi activists, human rights defenders, student movements and organisations are able to operate without undue interference and without fear of reprisals or unjustified restrictions on their activities⁷⁰.

The bulk of the violations detected consisted of the violent repression of acts of protest and rallies in the streets of the main cities, especially directed against women, due to their role as public and visible leaders of the demands, in most cases with violence and verbal abuse. To this context is added the massive surveillance of online activities and communications of people that the State conceives as a threat, through spyware and control technologies in the public space⁷¹.

On 8 January 2024, in Smara, **Maryam Iaich, Moulouda Khatri** and **Amaiziza Bouila** went to a peaceful sit-in in protest against the cut of €250 in their passbook, for having participated in the celebration of the release of the political prisoner Hmednah Abaali, on 20 December 2023. After three days of protest, on 11 January, the Moroccan police physically and verbally assaulted them in order to force them to abandon the sit-in, preventing their right to demonstrate⁷².

On the same day, a group of Saharawi activists demonstrated in El Ayoun against Morocco’s candidacy for the presidency of the UN Human Rights Council. Despite attempts to prevent the protest by restricting movement in the streets of El Ayoun, the group managed to gather on Smara Street. **Khadijatou Douih, Ghali Ajna (LPPS), Mina Baali, Huda Bagna, Salka Amar, Fala Chtouki and Jamila El Moujahid (CODESA), Salha Boutanguiza, Laarosi Tagulbout (ISACOM) and Hassan Duihi,**

70. Citation 2. Committee on the Elimination of Racial Discrimination, United Nations

71. Daza, Felip; Camps-Febrer, Dúnia et al. (2024). “Mass surveillance in the Maghreb and the Mashreq”. ODHE. <https://www.odhe.cat/es/vigilancia-masiva-en-el-maghreb-y-el-mashreq/>

72. Saharawi Committee for Employees and Workers (SCEWFA) (15/01/2024). “Le Comité sahraoui condamne la violence et la répression dans les territoires occupés du Sahara occidental”.

among other Saharawi women, as well as **Hassan Duihi**, were beaten and dragged on the tarmac⁷³, to the point that Duihi fainted. In addition, the recording of the attack by the journalists Salha Boutanguiza and Huda Bagnna was prevented.

One month later, on 22 February 2024, the Moroccan police prevented activists and journalists from accessing the home of Ali Salem Tamek in El Ayoun, where a press conference of the CODESA organisation was to be organised. The Moroccan security forces deployed several cars and motorcycles in the streets adjacent to the house to prevent by verbal and physical violence the access to the press conference of activists and journalists, including **Salha Boutanguiza** of SADR TV.

The police broke up a peaceful gathering in commemoration of the 51st anniversary of the founding of the Polisario Front on 18 May in El Ayoun, in which a group of women took part, including **Fatimatou El Hairach**, **Hadhoum Ferik** - from the peaceful movement of Gdiem Izik -, **Oum Saad Bourial** and **El kaouria Saidi**. The activists were subjected to verbal and physical aggression by the Moroccan police⁷⁴.

On the occasion of another anniversary, that of the 'Zemla uprising', a turning point in the liberation struggle of the Saharawi people, a demonstration in El Ayoun was broken up by the police, in which the defenders **Degja Lachgar**, **Fatimatou El Hairach**, **Mahfouda Lefkir**, **Salha Boutanguiza**, **Khadijatou Douih** and **Salka Amar**, among other activists, were injured. Boutanguiza denounced having suffered psychological

73. Sahara Press Service (9/1/2024) "Moroccan occupation authorities attack Saharawi human rights activists". <https://notelvidesdelsaharaoccidental>.

74. Équipe Media (18/05/2024) "Saharawi women's protest interrupted by Moroccan forces in El Aaiún" <https://emsahara.com/?p=2067&lang=en>

75. "Équipe Media (18/05/2024) "Saharawi women's protest interrupted by Moroccan forces in El Aaiún" [YouTube video] <https://www.youtube.com/watch?v=umSHoRnK5tg>

consequences due to the public humiliation endured during the attack. In addition, Lachgar and El Hairach report having been beaten with sharp objects in various parts of their bodies. Subsequently, Amar and Douih reported that, after being recklessly chased by the police in an unmarked car through the streets of El Ayoun, they tried to break the windows of the car⁷⁵.

On the other hand, the Moroccan authorities continue to prevent the creation and activity of Saharawi associations and organisations, in violation of Article 22 of the International Covenant on Civil and Political Rights, as noted in previous reports. In addition to the harassment of activists, harassment of their organisations is also spreading, hindering or preventing the right to associate and to hold meetings or general assemblies and other activities. This would be the case denounced by **the Sahrawi Association of Victims of Grave Human Rights Violations committed by the Moroccan State (ASVDH)**. This independent association was founded in 2005, but could not be officially registered due to refusal by Morocco. Although in June 2015 it was temporarily legalised after ten years operating outside official channels, the Moroccan authorities continued to pursue and prevent its activity⁷⁶ until its total blocking in May 2019⁷⁷. Since then, and throughout 2024, the association has continued to denounce the continuous closure of its headquarters in occupied El Ayoun and the major

76. CODESA (20/06/2024) "Ongoing Crimes Against Humanity Targeting Saharawi Human Rights and Political Activists in Occupied Laayoune" https://x.com/CODESA_SO/status/1803821993638109403

77. CODESA (18/06/2024) «تضييق الخناق على حرية التعبير في الصحراء الغربية» https://www.youtube.com/watch?v=xdJB_zMYdSA

78. For a free Sahara (2/08/2015). "Morocco prevents first activity of Saharawi association ASVDH which it has provisionally legalized" <https://porunsaharalibre.org/2015/08/03/marruecos-impide-primera-actividad-de-asociacion-saharawi-asvdh-que-ha-legalizado-de-manera-provisional/>

79. Front Line Defenders (17/05/2019). "Systematic harassment against Saharawi human rights organizations and defenders" <https://www.frontlinedefenders.org/es/case/systematic-harassment-saharawi-human-rights-defenders-and-organisations>

impediments for members of the association and victims of crimes, hindering its activity⁸⁰.

Harassment also affects organisations such as CODESA or AREN, whose boards of directors are constantly harassed by the authorities, as can be seen for example in the multiple violations suffered in 2024 by Ali Salem Tamek. The shock wave of the attack on associations for defending the right to self-determination of Western Sahara or the human rights of the Saharawi population also reached the Moroccan Association of Human Rights (AMDH), which was involved, at the end of 2024, in a lawsuit seeking its dissolution and which was finally dismissed in January 2025⁸¹.

5.2.5. SIEGE OF DOMICILE, SEARCH AND SEIZURE AND FREEDOM OF ASSEMBLY

House siege and house raids continue to be commonly used by Moroccan police forces to impede civil and political liberties such as the right to assembly and association. In 2022, the UN Working Group on Arbitrary Detention issued an opinion, referring to the de facto house arrest suffered by activist sisters Sultana and El Ouaara Khaya the previous year, which qualified house siege and restriction of movement as a form of arbitrary detention for being, in practice, a kind of house arrest⁸².

During 2024, the practice of siege and constant home surveillance has been carried out in **up to 17 cases**, for periods ranging from a few days to a whole month, to generate a state of intimidation and daily fear, as well as to hinder the collective life of the Saharawi population and to prevent and punish political

80. Sahara Press Service (14/08/2024). «نيديت فيوارحص في عمج». «اهرقم قلاغ يف لالتحالا تااطلس رارارمبسا» <https://spsrasd.info/ar/2024/08/14/4733.html>

81. Cabaleiro, Jesús (23/01/2025). "Morocco: AMDH lawsuit dismissed for defending the Sahara". Periodistas en Español.com <https://periodistas-es.com>

82. Human Rights Council (24/01/2023). Working Group on Arbitrary Detention. Opinions adopted by the Working Group on Arbitrary Detention at its ninety-fourth session (29 August-2 September 2022)

meetings. Although harassment is constant against the bulk of Saharawi activism, this practice is often used in a very prominent way against the same group of activists and on specific dates, preventing celebrations and private meetings (in homes) and thus violating the civil and political rights of the Saharawi population. Two of the most extreme episodes of such violations took place against **Abderrahman Zayou**, former political prisoner and president of the LPPS, and **Lahcen Dalil**, president of the Saharawi Observatory of Natural Resources (AREN), also members of the executive of ISACOM, who denounced having been under house arrest for 23 days, from 17 September to 10 October 2024.

The siege, damage to the property of the Saharawi population and housebreaking were particularly focused on the homes of certain persons, like that of the president of CODESA **Ali Salem Tamek**, who denounces having suffered siege by the Moroccan authorities to prevent private celebrations on important dates, such as the 51st anniversary of the Polisario Front in May, the anniversary of the Gdeim Izik camp on 10 October, from 7 to 10 November coinciding with the visit to his home in El Ayoun of Aziz Ghali, president of the Moroccan Association of Human Rights, and from 4 to 7 December. In addition, on 12 October, they caused damage to his home by breaking the meter that supplies electricity to his home, in an attack clearly intended to intimidate the human rights defender⁸³. On the same day, electricity was also cut off to **Khalifa Rgueibi** (CODESA) in reprisal for organising a commemoration of the Gdeim Izik camp at his home. On the same dates, from 9 to 12 October, plainclothes policemen besieged the home of SADR TV journalist **Hassan Zerouali** in Dakhla. Also in Boujdour, on 11

83. Facebook CODESA. On the 14th anniversary of the erection of the first tent in the Guedim Izik area, the Moroccan occupation forces besieged and cut the electricity to the home of the president of the CODESA. <https://www.facebook.com/watch/?v=560275309858049>

October 2024, they surrounded the house where **Zainabou Babbi, Nasratum Babbi** (member of the league for the defence of human rights and the protection of natural resources (LDHRPRN), **Fatimatu Babbi, Fatima El Hafidi, Mbarka El Hafidi, Oum Al Moumin El Kharashi** and **Karima Hubadi** (women activists from the occupied city of Boujdour) were celebrating. Subsequently, these women were followed and monitored for two days.

During the celebrations of the 51st anniversary of the Polisario Front, the Moroccan police also besieged the homes of **Khadijatou Douih, Mahfouda Lefkir, Fatimetou El Hairach, Degja Lachgar** (both CODAPSO and ASVDH), **El kaouria Saidi, Oum Saad Bourial** (members of the peaceful movement of Gdeim Izik) and **Salha Boutanguiza**. The homes of Lefkir and Boutanguiza were again under constant surveillance from 17 to 19 June, at the time of the 1970 Zemla uprising.

The family of Said Dambar, a young man killed in 2010 by a Moroccan policeman, on whom the authorities refused to perform an autopsy⁸⁴, pays tribute to him on the 22 of every month since his death to honour him and demand justice, reparation and accountability. This family denounces the siege they suffer at each private commemoration by the Moroccan police, in some cases hindering or directly preventing the access of their relatives and activists and defenders to their home, as happened on 22 August⁸⁵ and 22 December, when several people, including **Said Haddad**, another Saharawi activist, were prevented from entering the house. On 22 February, the occupying forces threw objects at people entering the home of the family of the murdered young man, accord-

84. Europa Press (24/12/2010). "A Saharawi who was shot in the face by a Moroccan policeman dies". El Mundo. <https://www.elmundo.es/elmundo/2010/12/23/internacional/1293132526.html>

85. Sahara Press Service (23/08/2024) "Morocco's crimes: 14 years after Said Dambar's murder, the crime remains unpunished". <https://spsrasd.info/es/2024/08/23/4824.html>

ing to the Saharawi Association of Victims of Grave Human Rights Violations Committed by the Moroccan State (ASVDH)⁸⁶.

On 9 June every year, the Saharawi people commemorate Martyrs' Day, coinciding with the anniversary of the death of El Ouali Mustafa Sayed, leader and founder of the Polisario Front. On this date, in order to prevent the tributes, the Moroccan authorities besieged the homes of Saharawis **Mustapha Dah, Hassan Douihi, Mina Baali** and **El Ghalia Djimi**, members of ISACOM, and assaulted **Degja Lachgar, Fatimatou El Hairach, Ildiha El Ballal** (members of CODAPSO and ASVDH), **Mahfouda Lefkir** (president of the committee of workers expelled from their work) and **Salha Boutanguiza** (SADR TV correspondent) in the middle of the street.

On 8 January, the police besieged the houses of several Saharawi activists such as **Khadijatou Douih, Mahfouda Lefkir, Jamila El-Moujahid** (vice-president of the Moroccan Association of Human Rights (AMDH), **Salka Amar** (CODESA), and **Salha Boutanguiza**, who were organising to protest against the candidacy of Morocco for the presidency of the United Nations Human Rights Council. On another occasion, on 2 October, **Akhiarhum Aliya, Oum Saad Bourial** (members of the peaceful movement of Gdeim Izik), **Hadhoum Zraiguinat, Mina Hadi** and **Hadhoum Ferik** were insulted and forced to leave the house of the Ahl Allal family in El Ayoun, where they had gone to offer their condolences on the death of Mohamed Allal. At the same time, **Salha Boutanguiza** and **Mahfouda Lefkir** were rounded up in front of the Boutanguiza home to prevent them from joining the condolences.

86. Sahara Press Service (23/02/2024). "It has been 158 months since the death of Said Dambar... and those responsible for his death remain unpunished." <https://noteolvidesdelsaharaoccidental.org/han-pasado-158-meses-desde-la-muerte-de-said-dambar-y-los-responsables-de-su-muerte-siguen-impunes-sahara-press-service-sps/>

In addition to the days or celebrations of the Saharawi people, the presence of the Moroccan police at celebrations has also been recorded at particular events of activists, such as on 24 October at the wedding of the Saharawi activist **Saleh Bougarion** in El Aaiun, where they burst in with threats and ill-treatment of the family and guests, and at the funeral of **Fatimatu Dahouar**, vice-president of the Saharawi Association of Victims of serious human rights violations (ASVDH), on 31 October in the same city. This case is a flagrant violation of civil rights, as well as of the Women's Convention (CEDAW).

It is no coincidence that this type of violation is especially recurrent in the case of women activists and activists of Saharawi human rights organisations, since it seeks to break the struggle not only in the public sphere, but also in the private sphere, repressing them in their space of security and intimacy. However, this is not the only form of attack on rights with a clear gender bias. As pointed out in a report by five Saharawi women activists published in 2024, the violations they suffer in the daily life of the occupation are multifaceted, and include arbitrary detention, physical and psychological torture and beatings, but also sexual harassment and abuse, rape, defamation and economic and social exclusion⁸⁷. Many of these women have suffered episodes of torture in police custody, as well as harassment, sexual abuse and rape. These events often occur during peaceful demonstrations and rallies, where women activists are subjected to public humiliation, such as being stripped of their traditional dress (*melhfes*). In addition to physical abuse, Saharawi women are increasingly subjected to smear campaigns on social media networks, where trolls linked to the Moroccan administration spread disinformation aimed at attacking their reputation and undermining their position within the community⁸⁸. This modern form of har-

87. Citation 32. Djimi, Elghalia; Baali, Mina et al. (2024).

88. Citation 71. Daza, Felip; Camps-Febrer, Dúnia et al. (2024).

assment, which directly affronts traditional Saharawi society, is a new frontier in the occupation's campaign to silence dissent.

In addition to violating the civil and political rights of the Saharawi people, these sexualised forms of violence and repression impede the enjoyment of all human rights by Saharawi women, in clear contradiction with the Convention on the Elimination of All Discrimination Against Women (CEDAW).

5.2.6. FREEDOM OF MOVEMENT

In a constant and evident way - even for those who are uncomfortable visitors to the territory - military, police and plain clothes vehicles constantly guard the streets, especially those near the residences of activists and human rights defenders, but also the headquarters of entities and organisations. The siege even moved to the university quarter of Agadir (in southern Morocco), where a multitude of Saharawi students live. Restrictions on freedom of movement have also materialised throughout the year in the limitations on activists to leave the Occupied Territories and to move to other cities or municipalities within the territory. Or even within the same city, through police cordons, attacks and physical aggressions and arbitrary arrests.

The Moroccan authorities have used various tactics to prevent Saharawi people, especially activists, from exercising their right to freedom of movement. The Saharawi activist **Al-Salek Al-Batal** and his son **Walid Al-Batal**, a journalist sentenced to two years in prison, denounce that they were arbitrarily and unjustifiably harassed and forced to stop their car by the Moroccan police on 23 January 2024, in the town of Boujdour⁸⁹. They had arrived three days earlier from Smara for a family celebration,

89. For a free Sahara (25/01/2024). "Expulsion of the Saharawi activist Al-Salek Al-Batal and his family from the occupied town of Boujdour" <https://porunsaharalibre.org/2024/01/25/expulsion-del-activista-saharawi-al-salek-al-batal-y-su-familia-de-la-ciudad-ocupada-de-boujdour/>

but were subjected to threats in order to make them leave the city⁹⁰. Subsequently, the police also rounded up the house of activist **Fatima El Hafidi**, who was temporarily hosting them at her home.

In addition, on 19 November, journalist **El Sabbi Yahdha** denounced Morocco's refusal to renew his passport without justification^{91,92}. This decision represents a flagrant violation of civil rights and a crude attempt to limit the flow of information.

Airports appear this year as spaces of risk for the violation of the right to freedom of movement of Saharawi people, whether in the occupied territory or, as seen in the contextualisation of the cases, in European airports. On 5 June, **Hmad Hammad**, vice-president of the Committee for the Defence of the Right to Self-Determination of the Saharawi People (CODAPSO), was insulted and rebuked by security personnel at the airport of El Ayoun⁹³. Only two days later, he was again verbally assaulted at the same airport by the Moroccan police. This was repeated in August, when 13 members of the Collective of Saharawi Human Rights Defenders (CODESA) were subjected to arbitrary searches for more than 45 minutes, despite having passed all their luggage through x-ray scanners, at the airports of El Ayoun and Dakhla⁹⁴. The other passengers

90. Horizons (24/01/2024) "Western Sahara: Le militant Al-Salek Al-Batal et sa famille expelled from occupied Boujdour" <https://www.horizons.dz/?p=72739>

91. For a free Sahara (21/11/2024) "Aggressions against Saharawi journalists continue under the Moroccan occupation regime" <https://porunsaharalibre.org/2024/11/21/continuan-las-agresiones-contra-periodistas-saharais-bajo-el-regimen-de-ocupacion-marroqui/>

92. Sahara Press Service (20/11/2024) "L'occupant marocain continue de punir sans relâche l'exercice du journalisme dans les territoires sahraouis occupés" <https://www.spsrasd.info/fr/2024/11/20/6405.html>

93. Contramutis (9/06/2024) "Mistreatment and verbal aggression against the Saharawi activist Hmad Hammad on his return from Spain to El Aaiun" <https://noteolvidesdelsaharaoccidental.org/malos-tratos-y-agresiones-verbales-al-activista-saharawi-hmad-hammad-al-regresar-de-espana-a-el-aiun-contramutis/>

94. CODESA (08/29/2024). "Targeting and harassment of members of CODESA Following Their Participation in a Human Rights Training Course in Turkey."

on the same flights were neither searched nor detained. During these searches, the 2012 UN special report on torture in Western Sahara by Morocco, the medical reports of Ali Salem Tamek and documents related to the human rights training course from which they were returning were seized.

5.2.7. FREEDOM OF INFORMATION AND HUMAN RIGHTS MONITORING. WESTERN SAHARA, A BLACK HOLE

Since its invasion in 1975, Western Sahara has been under a military and media blockade. In addition to the de facto total ban on foreign observers and journalists entering the territory, local journalists who stray from the official line are punished and persecuted, turning Western Sahara into an information black hole. In 2024, the repression already suffered by members of Équipe Media such as **Ahmed Ettanji**, **Mohamed Mayara** and **Hassan Zerouali**, as well as SADR TV correspondent **Salha Boutanguiza**, particularly intensified.

This strict wall of silence that the Kingdom of Morocco imposes against press freedom turns journalism into a profession exercised in hiding. Indeed, Article 267-5 91, introduced in the Moroccan Penal Code in 2016, criminalises any expression that may constitute a threat to the territorial integrity of the Kingdom, which, in the Moroccan judicial system, includes defending the status of the occupied territory of Western Sahara. This article implies that journalists who challenge the legal status of Western Sahara can face suspension and media blackout and prison sentences of six months to two years in prison and/or a fine of 20,000 to 200,000 dirhams⁹⁵.

In the 2024 press freedom ranking of 180 countries by Reporters Without Borders (RSF), Morocco moved from 144/180 in 2023 to 129/180⁹⁶, while Freedom House rates media freedom in Western Sahara in 2024 at 04/100,

95. Moroccan Penal Code (version 05/07/2018). Article 267-59. https://www.onousc.ma/storage/code_penal.pdf

96. Reporters Without Borders. Ranking 2024, "Morocco/Western Sahara."

labeled “Not Free”⁹⁷. For RSF, “warrantless and prolonged arrests are the order of the day for journalists in Morocco, where completely fabricated issues related to morality, such as accusations of rape, human trafficking, adultery or the illegal practice of abortion have been used against independent journalists”. Specifically, in the Occupied Territories of Western Sahara, this media shielding is exercised, according to a report the organisation published in 2019, by “relentlessly punishing the exercise of local journalism in Western Sahara and blocking access by foreign media” and through “torture, arrests, ill-treatment, persecution, harassment, harassment, slander, defamation, technological sabotage and heavy prison sentences in deplorable conditions that constitute the daily life of Saharawi journalists⁹⁸”.

One of the paradigmatic examples of the non-existence of freedom of information in the territory is the previously mentioned repression by force of the press conference of the organisation CODESA, on 22 February 2024. The blocking by the security forces of the access to the house, as well as the verbal and physical aggressions to the people who tried to enter, constitute a flagrant violation of the freedom of information.

Particularly serious during this period is the violence against journalists **Mohamed Mayara and Ahmed Ettanji**, coordinator and president of Équipe Media. On 9 November 2024, Mayara and Ettanji were held for an hour by Moroccan security forces in Boujdour, when they were about to visit Ettanji’s sister⁹⁹. Once the journalists managed to gain access to the house, after 10 minutes

97. Freedom House, Freedom in the world 2024. “Western Sahara.”

98. Reporters Without Borders (2019). Report: ‘Western Sahara: a desert for journalism’. <https://rsf.org/en/rsf-report-western-sahara-news-blackhole>

99. Carrión, Francisco (11/10/2024). “Morocco suffocates the last Saharawi journalists in the occupied territories of Western Sahara”. *El Independiente*. <https://www.elindependiente.com/internacional/2024/10/11/marruecos-asfixia-a-los-ultimos-periodistas-saharavis-de-los-territorios-ocupados-del-sahara-occidental/>

of visiting, police officers and auxiliary forces surrounded the house and threatened to arrest them if they did not leave the city immediately, subjecting them to a barrage of insults, in a clear violation of their right to free movement. The host family was also intimidated and threatened. Mayara and Ettanji were escorted by the agents, at about 7pm, to a checkpoint in the direction of El Ayoun.

A month later, on 19 November, Mohamed Mayara was the target of a violent attack at around 9 am, when he was taking his daughter to school, by plainclothes policemen on motorcycles suspected of being linked to the Moroccan intelligence and security apparatus¹⁰⁰. The aggression took place without prior warning or discussion, which points to a premeditated attack that caused the journalist several serious injuries to his head, face and mouth.

In December 2024, the Saharawi news portal ‘12 October’, created in 2019, denounced that it had been suffering internet access cuts for six months, which hinder its work, in addition to suffering constant online surveillance¹⁰¹.

The information blockade is not limited to the Saharawi population and its communicators. Since, in 2014, Morocco reinforced its control, 314 independent jurists, lawyers, academics, human rights defenders, journalists and parliamentarians have been denied access to or been deported from Morocco (21) or from occupied Western Sahara (295), for wanting to investigate violations of international humanitarian norms. Of these, at least three cases, involving five people, took place in 2024. Between January and February 2025, eight journalists, parliamentarians and activists were also expelled from Spain.

100. Editor (21/11/2024). “The Saharawi journalist Mohamed Mayara is assaulted in El Aaiún”. *Público*. <https://www.publico.es/internacional/periodista-saharawi-mohamed-mayara-agredido-aiun.html>

101. Portal 12 de octubre (16/12/2024). “Continuous surveillance is imposed on the “12 de Octubre” resistance media platform and its Internet connection is cut off.”

On 23 January 2024, Moroccan authorities expelled **Rafael Lompa**, a Portuguese photojournalist, from the Occupied Territories by breaking into his hotel for meeting with activists from the organisations CODAPSO and ISACOM¹⁰².

On 2 November, two Norwegian activists, **Ingeborg Sævik Heltne** and **Vivian Kaulen Nedenes**, were forced to leave El Ayoun by about 20 officers, after being followed by plain-clothes police, having travelled to the region to discuss the Saharawi people's perspectives on controversial renewable energy projects involving European companies¹⁰³. According to Heltne, their phones were searched, even though they questioned whether this was a legal measure and "they never identified themselves, nor cited laws or regulations, they simply told us that it was forbidden to interact with unauthorised people". The expulsion took place when the activists were meeting with former prisoner Sidi Mohammed Daddach, known as the Saharawi Mandela because of his long prison sentence.

Two more Norwegian nationals, Maja Rønningsbakk and Kevin Fossnes, activists of the youth committee of the Norwegian trade union Styrke were expelled from Norway on 4 November, after meeting with Saharawi activists at the home of ISACOM members Hassana Douihi and Mina Baali¹⁰⁴. Fossnes and Rønningsbakk were particularly interested in gathering information on the projects developed by the Spanish-German Siemens Gamesa in the Occupied Territories¹⁰⁵.

102. AraInfo (26/01/2024). "A Portuguese journalist expelled from El Ayoun for "exposing the situation of a former Saharawi political prisoner"."

103. Carrión, Francisco (04/11/2024). "Morocco expels two more Norwegian activists from Western Sahara". *The Independent*. <https://www.elindependiente.com/internacional/2024/11/04/marruecos-expulsa-del-sahara-occidental-a-otros-dos-activistas-noruegos/>

104. Facebook ISACOM (04/11/2024). https://www.facebook.com/story.php?story_fbid=1059305052872724&id=100063797161979&mibextid=wwXlfr&rdid=I3QqyVOVfjCoBylb

105. The Norwegian Support Committee for Western Sahara (04/11/2024). "Two Norwegians Are Now Being Deported from Occupied Western Sahara". <https://vest-sahara.no/en/news/two-norwegians-are-now-being-deported-from-occupied-western-sahara>

5.2.8. ENFORCED DISAPPEARANCE

Article 1 of the International Convention for the Protection against Enforced Disappearances, which Morocco ratified in May 2013, after having signed this instrument in 2007, states that "no one shall be subjected to enforced disappearance" and that "no exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other state of public emergency, may be invoked as a justification for an enforced disappearance".

The country adopted in December 2017 a National Action Plan on Democracy and Human Rights as a strategic reference document encompassing legislative and institutional measures to protect human rights from any serious violations, while - in Article 23 of the 2011 Constitution - it states that "arbitrary or secret detention and enforced disappearance are among the most serious crimes, and the perpetrators are punished in the most severe manner"; It also provides that "no one may be arrested, detained, prosecuted or convicted except in the cases and according to the procedures provided by law¹⁰⁶". Thus, it is established that enforced disappearance, as well as brief enforced disappearance, understood as the arrest of persons with or without a warrant and their transfer or retention in an unofficial or known place, then releasing them in variable periods ranging from several hours, days, weeks and even months, in many cases abandoning them in the desert, a few hours away from the city¹⁰⁷, violate both international law and the Moroccan legal architecture for the protection of human rights.

106. Committee on Enforced Disappearances. Report of Morocco due in 2015 under article 29, paragraph 1, of the Convention* [Date received: 10 September 2021]. https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CED%2FC%2FMAR%2F1&Lang=en

107. OHCHR (26/08/2016). 'Chaque minute compte- Les experts de l'ONU lancent un cri de alarme au sujet des disparitions forcées de courte durée Journée internationale des victimes de disparitions forcées'. <https://www.ohchr.org/fr/press-releases/2016/08/every-minute-counts-un-experts-raise-alarm-over-short-term-enforced?LangID=F&NewsID=20416>

Despite the fact that in 2024, as in previous years, there have been no events constituting enforced disappearances, this section includes noteworthy developments that are linked to violations of rights that began decades ago and are still not adequately remedied today. In this regard, in September 2024, the United Nations Committee on Enforced Disappearances reviewed the actions of the Kingdom of Morocco, considering the contributions made by the State and civil society. In one of these reports, provided by the Working Group on Human Rights in the Occupied Territories of Western Sahara, it is indicated that the perpetrators of enforced disappearances that occurred in the 1970s and 1980s in occupied Western Sahara continue today in positions of power in the Moroccan army and government, and in some cases even promoted in rank, “perpetuating a culture of impunity and encouraging a state of fear and terror¹⁰⁸”. In it, it is estimated that about 1000 Saharawis were victims of enforced disappearances, of which the fate of 440 of them is still unknown.

In the conclusions of its final report, the Committee regrets that enforced disappearances committed between 1956 and 1999 have still not been investigated or prosecuted, and notes with concern “that some alleged perpetrators have been allowed to remain in their functions, including in the security and justice sectors, without being investigated”. It adds: “The Committee is concerned about the State party’s statement during the dialogue that the non-prosecution of perpetrators is a deliberate policy aimed at promoting national reconciliation¹⁰⁹”.

108. Report of the Working Group on Human Rights in the Occupied Territory of Western Sahara. The Norwegian Support Committee for Western Sahara Joint report to the UN Committee on Enforced Disappearances (CED) 27th session (23 September - 4 October 2024) for the review of Morocco. https://www.ecoi.net/en/file/local/2114749/INT_CED_NGO_MAR_59362_E.pdf

109. Concluding observations on the report submitted by Morocco under article 29 (1) of the Convention. (18/10/2024). https://digitallibrary.un.org/record/4069575/files/CED_C_MAR_CO_1-EN.pdf

5.2.9. ECONOMIC, SOCIAL AND CULTURAL RIGHTS

The 2023 report warned of the possibility that the deepening of the dynamics of economic plundering in the Occupied Territories, and especially in the Dakhla area, under the guise of ‘economic development’ would aggravate the situation of impoverishment, destruction of property and livelihoods and persecution of the Saharawi people, as well as the violations of economic, social, cultural, civil and political rights that they suffer in general. In this section, it is confirmed with figures and concrete cases that this worsening of the economic, social and cultural rights of the Saharawi people living in the Occupied Territories is already evident.

On the one hand, Morocco continues to deliberately ignore the ownership of the Saharawi population over their ancestral lands, expropriating and destroying their property. The Saharawi population suffers, in addition, a much higher rate of unemployment, lack of access to economic means and repression of labour and union organisation and, in many cases, they are not allowed to work in the much-vaunted mega-projects and in the energy, agricultural or fishing sectors that exploit their resources¹¹⁰. Within this dynamic, there is an evident phenomenon of feminisation of poverty, where the unemployment rate among Saharawi women is over 50%¹¹¹. Among them, women activists and defenders of the right to self-determination and human rights, or even those who have participated in a protest, face a situation of economic strangulation and almost immediate job discrimination, in the form of dismissals, cuts in public aid or arbitrary transfers from their place of work. This situation of reprisals against defenders also

110. Aren, Federació ACAPS, Novact et al (2022). “Report to the United Nations Human Rights Council on the Universal Periodic Review of Morocco.”

111. ASVDH, The Norwegian Support Committee for Western Sahara and others (10/11/2023). “Joint Report to the UN Committee on the Elimination of Racial Discrimination on Morocco’s nineteenth to twenty-first periodic reports, 111th session.”

affects the right to education and work, consisting for example of systematically denying university scholarships after obtaining a high school diploma, especially since 2018, depriving access to jobs in the field in which they have graduated, especially in liberal professions and skilled jobs. One of the most notable cases is that of **Amhamed Hali**, who continues to be banned from practising law, despite having graduated with distinction.

BURNING AND DESTRUCTION OF PROPERTY AND LOSS OF LIVELIHOODS

In February 2024, **140 traditional Saharawi huts** were burned or destroyed by bulldozers on the coast between Boujdour and El Ayoun, 30 of them in the Aghtai Baba Ali area, 80 in Boulm'airdat and 30 in Mayara¹¹². Made of wood and corrugated iron, with a maximum surface area of 16 square meters, they symbolise the traditional nomadic lifestyle of the Saharawi people and, in some cases, had replaced the Saharawi tents, banned after the Gdeim Izik camp.

Among the houses burned in Aghtai Baba Ali on 17 February, was that of fisherman **Baba Ould Mohamed Ould Belkheir**, who had resided there since the Spanish colonial period with his wife and four children. The residents did not receive any prior notice from the gendarmerie, nor from the auxiliary forces involved in the destruction of property, and were not offered alternative accommodation, justifying that it was an operation against illegal immigration and drug trafficking. However, Équipe Media sources suspect that the real motive may be the sale of these lands for wind energy projects¹¹³.

112. Équipe Media (05/03/2024). "République Sahraouie : Les autorités marocaines démolissent des maisons sahraouies au Sahara Occidental occupé". *Áfriques en Lutte*. <https://www.afriquesenlutte.org/afrique-du-nord/republique-sahraouie/article/republique-sahraouie-les-autorites-marocaines-demolissent-des-maisons>

113. Don't forget Western Sahara (02/15/2024). "The Moroccan Gendarmerie and auxiliary forces raze Saharawi homes, along the coast between El Ayoun and Boujdour". <https://noteolvidesdelsaharaoccidental>.

Mohamed El Ghraid, another victim, said that some people, mostly fishermen, had been living in the houses for decades, fleeing - among other reasons - the daily repression and lack of economic means in the cities.

On 25 April 2024, the forced expropriation of 50,000 hectares of agricultural land in the areas of Azik and Amrsdad, south of the belt that transports phosphate from the Bukraa mine to the port of El Ayoun, was made public. The operation bypassed the right of the Saharawi people living and working in the area to prior informed consent (FPIC). The Moroccan state relied on an administrative notice published nine days before the expropriation and the original owners of the land were denied access to the administrative documents. A month earlier, the Office Chérifien des Phosphates (OCP), responsible for the mine, launched a \$14.2 million investment plan to produce 'green' fertiliser and renewable energy and develop seawater desalination projects¹¹⁴. It is not known at this time if the two events are related.

This expulsion and forced displacement due to the loss of housing and livelihood, as well as the lack of reaction to the parallel construction and legalisation of settlements to accommodate the thousands of Moroccan settler fishermen who are settling on the Saharawi coast, constitute a violation of Articles 85(4) and 49, paragraph 6, of the Fourth Geneva Convention, as well as a flagrant violation of Articles 6 and 11 of the International Covenant on Economic, Social and Cultural Rights.

The campaign of demolition and destruction of Saharawi property also extended to Oued Saguia, 15km from the city of Smara, where the authorities demolished the family home of **Salek Rachid Ould Laa**, on 15 June 2024. From 25 to 30 August, houses and agricultural shacks in the area of Lemriyat, in the districts of Laayoune, used as a place

114. Deboutte, Gwénaelle (03/21/2024). PV Magazine. "Morocco allocates land for green hydrogen projects".

of retreat and breeding of camels and goats, were demolished by force and violence. Livelihood infrastructures of the Saharawi families in the area, such as corrals and food stores, were also destroyed. It is suspected that this particular operation of expropriation of land without compensation is aimed at the expulsion of the Saharawi people in order to use the land for real estate developments for Moroccan settlers.

On 12 November the authorities vandalised a goat enclosure in the Boureka quarter of occupied El Ayoun, killing some of the animals. Three days later, the State confiscated land from the Saharawi people in the disputed zone of Assa, officially on Moroccan territory. The victims were prevented from protesting against the forced expropriation.

Saharawi homes and traditional buildings, as well as their animals and infrastructure, are not the only property damaged. Also vehicles, as in the case of the Saharawi human rights defender **Khadijatou Douih**, whose car was attacked on 4 October 2024 by Moroccan plainclothes policemen near her uncle's house in the occupied Dwirat El Ayoun district. The agents, according to eyewitnesses, slashed the front and rear tires with razors or knives, while Douih was on a family visit.

ECONOMIC AND LABOUR RETALIATION

Faced with the economic discrimination suffered by the Saharawi population, especially women, a group of activists in Smara held a peaceful protest on 1 September 2024 against their situation, demanding job opportunities and a dignified life for them and their families. This protest is part of a series of actions taking place in Smara, where job prospects are especially scarce.

There have also been cases of politically motivated dismissals and transfers affecting activists and defenders Mohamed Mayara, Hamadi Naciri, Mina Baali, Maalouma Abdalahi, Mahfouda Lefkir, Mohamed Manolo, Gabal Jauda, Idrisi Gleijilha, Nadhira Mailad,

Elhanafi Basir and Zayou Abderahman. For her part, Embarkaalina Baali (member of the AREN association) was transferred from the occupied city of El Ayoun.

The husband of activist Zahra Sahel was suspended from his job in retaliation for his political activity.

THE CASE OF AMHAMED HALI

Amhamed Hali is a Sahrawi human rights defender, a member of the League for the Protection of Sahrawi Political Prisoners (LPPS) and ASVDH. After passing his bar exams in October 2019, Hali applied to the Agadir Bar Association and with the aim of practising as a human rights lawyer. Although he met all the legal criteria necessary to practise as a lawyer in Moroccan courts, the Agadir Bar Association rejected his application in February 2020, claiming that he was in breach of Article 11 of Moroccan Law No. 28.08, which examines the ethical conduct of a candidate for the bar¹¹⁵. The investigation concluded that “he is not a fit and proper person to practise because he is a member of an organisation (ASVDH) that denies Moroccan sovereignty over Western Sahara” and that “the candidate in question is well known for his separatist and anti-territorial integrity attitudes”. Following an appeal by Amhamed Hali in 2021, the case has been stalled before the Moroccan Court of Cassation for three years, an unusually long wait, suddenly reactivating in May 2024. On 27 June 2024, the Court of Cassation upheld the decision of the Agadir Bar Association¹¹⁶

115. LawyersforLawyers(13/11/2023). “IBAHRI and L4L concerned over arbitrary lawyer license deprivation of Sahrawi human rights defender, M'hmed Hali”. <https://www.lawyersforlawyers.org/ibahri-and-l4l-concerned-over-arbitrary-lawyer-license-deprivation-of-sahrawi-human-rights-defender-mhmed-hali/>

116. Frontline Defenders (27/06/2024). “The Moroccan Court of Cassation upheld a judgment depriving human rights defender Mhamed Hali of his right to join the Agadir Bar Association”. <https://www.frontlinedefenders.org/en/case/moroccan-court-cassation-upheld-judgment-depriving-human-rights-defender-mhamed-hali-his-right>

This decision perpetuates the arbitrary deprivation of his right of access to the practice of law, on discriminatory grounds against his political opinions and affiliations. Article 10 of the United Nations Basic Principles on the Role of Lawyers states that “Governments, professional associations of lawyers and educational institutions shall ensure that there shall be no discrimination against any person with regard to access to or continued practice of the legal profession on the grounds of race, colour, sex, ethnic origin, religion, political or other opinion, national or social origin, property, birth or other status¹¹⁷”.

THE RISK OF FORCED EXPULSION IN DAKHLA

The serious situation of persecution and forced displacement in Dakhla

The harassment of the Saharawi people in general and of activists and human rights defenders in particular in the city of Dakhla, which Morocco plans to turn into a landmark of tourism, real estate and agricultural, commercial and major infrastructure development, has increased in a very serious way over the past year. So much so that it is an unacceptable level of risk to ignore the likelihood that these dynamics will lead to a covert ethnic cleansing, emptying the city of Saharawis, to prevent their existence and demands from becoming a problem for companies, multinationals and tourists operating in the territory without the consent of its legitimate users of natural and economic resources.

The destruction of housing in this region is, therefore, part of the important demographic changes that the social structure of the Dakhla area and, especially, of this city has experienced in the last decades¹¹⁸, until

117. UN Basic Principles on the Role of Lawyers. <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-role-lawyers>

118. Veguilla, Victoria. “Moroccan housing policy in Dakhla (Western Sahara).” RIPS: Journal of political and sociological research, ISSN 1577-239X, Vol. 12, N.º. 2. 2013. <https://dialnet.unirioja.es/servlet/articulo?codigo=4504798>

today, in which its urban expansion - at the cost of land plundering - is proposed as an ‘eco-city’ (another element of image whitening of the Moroccan regime), in which the design of “places for citizenship” and “eco-environmental education for the population¹¹⁹” is proposed, ignoring issues such as the repression of political protests in the public space or the use of environmental and ecological sustainability as an instrument to deepen the occupation, the so-called greenwashing.

On 5 and 6 August 2024, the Moroccan authorities pushed forward the demolition of houses of Saharawi people in the area of Esswehal, 40km from occupied Dakhla¹²⁰. At the beginning of September, there was another large-scale operation of unreported destruction of dozens of houses and huts owned by Saharawi people in this area. It is suspected that the aim of this operation was to clear the area for the construction of industrial estates associated with the activity of the new mega-port of Dakhla¹²¹.

In the midst of this process of expulsion and forced displacement of the indigenous population on the basis of their ethnic and racial origin, tour operators and airlines are announcing new routes to Dakhla. This is the case of the Almeria-based hotel group Senator Hotels & Resorts, which in January 2024 announced the opening of a 5-star hotel, 50 rooms and heated pool, under the name of Senator Babilonia Delight Collection¹²², in Dakhla, which the company describes as “a city full of leisure and restaurants and a great attraction for kitesurfers”. This resort opened in May 2024. In the news about the opening, the

119. Territory and City. Study concerning an eco-city in Dakhla, Morocco. Accessed on 01/13/2024. <https://territorioyciudad.com/estudio-para-transformacion-de-la-ciudad-de-dakhla-marruecos-en-una-ecociudad>

120. Sahara Press Service (10/09/2024). “Morocco continues to demolish houses of Saharawi families in occupied Western Sahara.”

121. Ibid.

122. AgentTravel.co.uk (01/25/2024). “Senator Hotels & Resorts to open a new hotel in Dakhla (Morocco).”

company deliberately ignores not only the right to self-determination of the Saharawi people, but the very existence of a distinct language, culture and gastronomy¹²³, which contributes to the process of assimilation and disappearance of the culture of the population protected under international law in a territory under occupation.

Also noteworthy is the case of the airline Ryanair which, in November 2024, announced its intention to operate flights between Madrid, Lanzarote and Dakhla, to take advantage of the tourist attraction of the latter¹²⁴. With regard to this case, the Saharawi Observatory for Natural Resources warned the airline that “by operating flights to occupied Dakhla, Ryanair exercises an economic activity in a territory that is not within the legal jurisdiction of Morocco, and this action would constitute a violation of international law, in particular the right of the Saharawi people to self-determination and their sovereignty over their natural resources¹²⁵”. The decision of the Irish company would also violate the decision of the CJEU to exclude Western Sahara from the European Union-Morocco aviation agreements, adopted in 2018¹²⁶. All this in a context in which thousands of tourists access the city every year, attracted by its aura of a kitesurfing mecca, while activists and human rights defenders suffer impacts on their right to freedom of movement at the airports of El Ayoun and Dakhla.

123. Senator Hotels and Resorts (24/01/2024). “SENATOR HOTELS & RESORTS’ NEW DESTINATION: SENATOR BABILONIA IN DAKHLA, MOROCCO”.

124. From Elena, Victor (11/14/2024). “Ryanair to connect Spain and Western Sahara with two new routes”. *El Economista*. <https://www.eleconomista.es/transportes-turismo/noticias/13085652/11/24/ryanair-conectara-espana-y-el-sahara-occidental-con-dos-nuevas-rutas.html>

125. Don’t Forget Western Sahara (18/11/2024). “Saharawi Observatory for Natural Resources warns Ryanair that its decision to operate commercial flights to the occupied city of Dakhla (Villa Cisneros) constitutes a clear violation of international law.”

126. European Commission (30/11/2024). Complementary Information on the written question P-633418 on EU-Morocco aviation agreement and Western Sahara. https://vest-sahara.s3.amazonaws.com/wsrw/feature-images/File/348/613bb49a947f8_20200306com_eu-moroccoaviation-ws.pdf

Repression of activism in Dakhla: the case of Hassan Zerouali

This dynamic of touristification and gentrification has brought with it an intensification of repression, especially focused on specific activists, who are under constant surveillance. Particularly relevant is the systematic harassment and persecution of *Équipe Media* journalist and human rights defender **Hassan Zerouali**, 24 years old, who was arrested in Dakhla together with activist **Salh Dleimi** on 15 January 2024, at dawn, for graffiti-ing in the street with the Saharawi flag¹²⁷. Both were taken to the police station, where they both received ill-treatment and physical violence during the interrogations to which they were subjected¹²⁸. In addition, they were threatened with various types of reprisals if they did not cease their protest activities. At the end of May, their family home in Dakhla was surrounded and guarded by the Moroccan police. The harassment and surveillance of Zerouali’s threatened has increasingly intensified since the beginning of October, when the Moroccan police again besieged the activist at the home where he resides with his family, following his participation in multiple peaceful protests in occupied Dakhla, demanding economic rights and the right to housing for the Saharawi people. Despite his youth, Zerouali had already been arrested the previous year during the visit to Dakhla of the UN Secretary General’s Special Envoy for Western Sahara, Staffan de Mistura.

The latest episode took place on 19 January 2025, when Zerouali’s family home was raided by the police to deport three Spanish journalists who had managed to enter

127. Carmona, José (01/02/2025). “Relatos desde el Sáhara ocupado por Marruecos: “Nos secuestraron cuando vino la ONU a vernos” [Stories from the Moroccan-occupied Sahara: “They kidnapped us when the UN came to see us”]. Público. <https://www.publico.es/internacional/africa/relatos-sahara-ocupado-marruecos-secuestraron-vino-onu-vernos.html>

128. Sahara Press Service (15/01/2025). “Occupation authorities abduct two Saharawi human rights activists.”

the occupied territory. During the raid, the journalist and activist and his father were assaulted¹²⁹.

129. <https://www.facebook.com/watch/?v=1510993443621121>

Recommendations

This report presents the following recommendations:

TO UNITED NATIONS

- » Redouble its efforts to ensure that the right to self-determination of the people of Western Sahara is exercised, stressing that the denial of this right is the root cause of all human rights violations. In the absence of an administering Power, the UN **Secretary General** shall collect statistical and other information of a technical nature relating to the economic, social and educational conditions in the Territory.
- » In the absence of an independent and credible mechanism to ensure full respect for human rights in Western Sahara, the UN **Secretary General** should give significant space in his report to the UN Security Council to the violation of international law, international humanitarian law and human rights (including the warnings and statements issued by the special procedures of the UN Human Rights Council) in Western Sahara.
- » The **Special Representative of the Secretary General on Sexual Violence in Conflict (SRSG-SVC)** must investigate and denounce the aggressions and sexual violence suffered by the protected population and, in particular, by women activists in this territory.
- » The UN **General Assembly** must assume its legal and political responsibilities to accelerate the decolonisation of Western Sahara, in accordance with its resolutions 1514 (XV), 1956 (XVIII), 2229 (XXI) and 34/37.
- » The **Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples** will urgently send a visit to the Non-Self-Governing Territory of Western Sahara and report to the UN General Assembly on the current situation of the Saharawi people.
- » Instead of sterile encouragement of the parties to maintain and prioritise their respective efforts to improve the promotion and protection of human rights in Western Sahara, the UN **Security Council** should include a chapter on human rights, as well as a chapter on the rule of law, in MINURSO's mandate.
- » **MINURSO**, as part of its ceasefire monitoring mandate, must protect the civilian population in the areas closest to the development of hostilities.
- » In addition, **MINURSO** must urgently take control of the buffer zone south of Western Sahara and ensure that it remains demilitarised.

- » The **Office of the High Commissioner for Human Rights** must implement the commitments made at the World Humanitarian Summit (Istanbul, May 2016) regarding the situation in Western Sahara; in particular, to consistently speak out and condemn serious violations of international humanitarian law and serious violations and abuses of international human rights law and to take concrete measures to ensure accountability of perpetrators when these acts constitute crimes under international law, as well as to monitor and report on the impact of the armed conflict on humanitarian and healthcare workers and facilities, as well as other human rights defenders with a view to ensuring the enjoyment of human rights, as part of its general report on violations of international humanitarian law.
- » The **Office of the High Commissioner for Human Rights** should immediately send an observer mission to Western Sahara.
- » The UN **Human Rights Council** should comply with the request made to it by the General Assembly in the resolution entitled Universal Realisation of the right of Peoples to Self-Determination and pay particular attention to violations of human rights, especially the right to self-determination, resulting from foreign military intervention, aggression or occupation. In particular, it should consider the creation of a mandate of Special Rapporteur on the situation in occupied Western Sahara, in order to effectively protect the rights of particularly vulnerable or protected population groups, such as women and children and adolescents.

TO THE AFRICAN UNION AND ITS MEMBER STATES

- » Respect and implement the Objectives and Principles enshrined in the Constitutive Act in relation to the illegal military occupation of the Saharawi Arab Democratic Republic; in particular those set forth in Articles 3 (b), 3 (f), 3 (h), 4 (a) and 4 (b).
- » Implement the decisions adopted by the Peace and Security Council regarding the illegal military occupation of the Saharawi Arab Democratic Republic.
- » Prevent the opening of illegal consulates or other diplomatic and economic representations in the illegally occupied Saharawi Arab Democratic Republic and close those already opened.

TO THE EUROPEAN UNION AND ITS MEMBER STATES

- » Apply the principle of non-recognition and non-assistance to unlawful international acts in the case of the illegal military occupation of the Non-Self-Governing Territory of Western Sahara by the Kingdom of Morocco.
- » To avoid any act of support for the illegal exploitation and plundering of the natural resources of Western Sahara over which the Saharawi people exercise permanent sovereignty.
- » Implement Council Regulation (EU) 2020/1998 of 7 December 2020 concerning restrictive measures against serious violations of human rights and abuses in its relations with the Kingdom of Morocco in relation to the illegal military occupation of the Non-Self-Governing Territory of Western Sahara.
- » Ensure that EU public funding to institutions such as the Moroccan National Mechanism for the Prevention of Torture is conditional on its actual implementation and monitor its results.

TO THE INTERNATIONAL COMMITTEE OF THE RED CROSS AND THE HIGH CONTRACTING PARTIES TO THE GENEVA CONVENTIONS OF 1949

- » The ICRC must be allowed to visit and assist protected persons in accordance with the relevant provisions of the Fourth Geneva Convention of 1949.
- » All High Contracting Parties to the Fourth Geneva Convention of 1949 shall comply with their imperative obligation enshrined in Article 1 and ensure respect for the Convention in Western Sahara.

TO FRANCE AND THE UNITED STATES

- » Immediately suspend all deliveries to the Kingdom of Morocco of military equipment and armaments that may be used in the illegally occupied Non-Self-Governing Territory of Western Sahara and freeze all military cooperation with the Kingdom of Morocco.
- » Include in MINURSO's mandate a chapter on human rights, as well as a chapter on the rule of law.

TO THE SPANISH STATE

- » The Government of Spain must once and for all recognise its responsibility in the decolonisation of the Non-Self-Governing Territory of Western Sahara and must participate effectively in the search for a political solution that puts an end to the illegal military occupation of Western Sahara and allows the Saharawi people to freely exercise their inalienable right to self-determination and independence, in accordance with the principle and purposes of the UN Charter and the UN General Assembly 1514 (XV).





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