

AMNESTY INTERNATIONAL

Public Statement

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Morocco/Western Sahara: Amnesty International welcomes public hearings into past violations

Amnesty International welcomes the opening tomorrow of hearings intended to give victims and relatives of victims the opportunity to present, for the first time before the Moroccan public, testimonies of "disappearance" and arbitrary detention. The step represents an important milestone on the road to addressing grave human rights violations of the past.

The hearings, which are unprecedented in the Middle East and North Africa, are being organized by the Equity and Reconciliation Commission, the body set up by the authorities in January 2004 to look into cases of "disappearance" and arbitrary detention which occurred between 1956 and 1999. According to the Commission, they will be open to national and foreign journalists and non-governmental organizations and will be broadcast on national radio and television.

Amnesty International hopes that the hearings will help to restore dignity to survivors and families of the "disappearance" by giving some of them the opportunity to be heard in public and contribute to advancing their decades-long struggle for truth and justice.

Around 200 victims, families of victims and witnesses of violations are due to participate in the hearings, which are scheduled to take place in 10 different cities, starting in the capital, Rabat, over a period of around 10 weeks. Most are expected to have already submitted information on their case to the Commission in writing or during private hearings or both.

According to the Commission, the participants will have around 20 minutes each to present their testimony and will be allowed to use their own narrative style, speak in the language of their choosing and be accompanied by family members or friends for moral support. However, Amnesty International is concerned that participants are not permitted to identify individuals responsible for the violations on which they will testify and have to sign an agreement with the Commission to this effect before their hearing.

Background

The Equity and Reconciliation Commission was inaugurated by King Mohamed VI on 7 January 2004 to "close the file on past human rights violations". Its statutes were approved on 10 April 2004, when it was given a mandate of nine months plus a possible three-month extension to work on cases of "enforced disappearance and arbitrary detention".

One of its tasks is to complete the work already undertaken between 1999 and 2003 by the Arbitration Commission on Compensation in paying out compensation to victims and their families. The

Equity and Reconciliation Commission is also charged with providing other forms of reparation to enable victims to be rehabilitated and reintegrated into society, and with proposing measures to prevent recurrence of such human rights violations. The Commission said at the end of November that it had so far received requests for reparations concerning over 16,000 victims.

Another main task of the Commission is to establish the fate of hundreds of people who "disappearance" in previous decades and, in the case of those who died in detention, to locate their remains. It is preparing a report, due in April 2005, that will set out the reasons and institutional responsibilities for grave violations up to 1999.

However, the Commission's statutes categorically exclude the identification of individual perpetrators and reject criminal prosecutions, prompting the United Nations Human Rights Committee in November to express concern that no steps were planned to bring to justice those responsible for "disappearances".