

# AMNESTY INTERNATIONAL PRESS RELEASE

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## Morocco/Western Sahara: Increasing openness on human rights

During its latest visit to Morocco/Western Sahara, Amnesty International found greater openness on human rights, including in public debates about the legacy of past violations, and encouraging signs of progress towards greater respect for the rule of law. It remained concerned, however, about uninvestigated torture allegations, insufficient safeguards during detention and restrictions on freedom of expression on Western Sahara.

Delegates from Amnesty International visited the country between 5 and 21 January and met survivors of human rights abuses, relatives of the dead and "disappeared", human rights organizations and government officials, including Minister of Justice Mohamed Bouzoubâa.

"We have been impressed by the increasing openness and seriousness with which human rights issues are being tackled at many levels, both within civil society and the authorities," said Senior Director Claudio Cordone, who headed the Amnesty International delegation. "We hope that this climate will encourage the right approach to current and past human rights concerns."

The Minister of Justice assured Amnesty International that investigations had recently been opened into several allegations of torture raised by the organization. He said there were no illegal detentions by the Directorate for the Surveillance of the Territory in its headquarters in Témara, where detainees allege they were held in secret detention in 2002 and 2003. The Minister also shared the latest initiatives by the government to combat torture, including a new draft law reflecting international standards.

Amnesty International welcomed these steps, but is concerned that the ongoing investigations concern only a small fraction of the dozens of allegations of torture and ill-treatment reported in the context of the arrest of hundreds of suspects since 2002. It also urged a review of the 2003 law on "combating terrorism", under which detainees can be held for up to 12 days without charge and be denied access to a lawyer for the first six days. In practice, many detainees only see a lawyer after they are charged.

The Amnesty International delegates also met with the Equity and Reconciliation Commission (ERC), which is investigating grave human rights violations committed between 1956 and 1999, and is organizing public hearings broadcast on national television. The hearings began in December and are unprecedented in Morocco and the Arab world and provide an opportunity for the general public to hear and acknowledge the stories of survivors and relatives of victims.

Amnesty International supports the ERC efforts to investigate past abuses, identify the state institutions responsible and provide reparations. These are essential components of any process which aims at establishing the truth about past human rights violations. Future steps must include bringing perpetrators to justice in a reformed justice system, if the rule of law is to be fully restored and future abuses prevented.

"In a region where officials tend to simply deny that gross human rights violations have ever taken place and where those responsible usually walk free, the ERC is a refreshing and bold initiative. It can play a crucial role in ensuring justice in Morocco and encouraging similar processes in other countries still struggling with the legacy of human rights violations," said Claudio Cordone.

Regrettably, the current climate of openness does not extend to discussion of rights and freedoms in Western Sahara. During Amnesty International's visit, the Moroccan authorities refused to allow a group of human rights activists in the disputed territory to begin procedures to register their association. This is only the latest in a series of measures to suppress freedom of expression on Western Sahara, which has helped foster deep mistrust towards the authorities' approach to human rights within the territory.

Amnesty International delegates also discussed with the authorities their ongoing review of reservations Morocco has placed on a number of human rights treaties, including those dealing with torture and discrimination against women. They urged the government to ratify promptly the Rome Statute of the International Criminal Court. They reiterated their request for the organization's Moroccan Section to be granted "public utility" status, an issue now being actively considered by the Moroccan authorities.

#### Public Document

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