

EMBARGOED FOR 28 AUGUST 1991

AI INDEX: MDE 29/22/91

Amnesty International calls on Moroccan Government to break 15-year-silence on secret detention of "disappeared" Western Saharans

#### Introduction

During the month of June 1991 the Moroccan authorities released over 300 "disappeared" civilians of Western Saharan origin (Sahrawis) who had been held in secret detention for up to 15 years. Freed Sahrawis immediately reported that dozens of their fellow inmates had died in detention, mainly as a result of atrocious prison conditions. Many of the former prisoners are said to be in poor health; some paralysed, others blind and a number insane.

Several hundred more Sahrawis remain unaccounted for. Amnesty International fears that some may have died and that others continue to be detained in secret.

Amnesty International has welcomed the releases and called on the Moroccan Government to free those still detained immediately. The organization is also calling on King Hassan II to lift the veil of secrecy surrounding the detentions by establishing a public inquiry which should seek to clarify the whereabouts of all remaining "disappeared" as well as account for those reported to have died. Any officials found to have been responsible for the "disappearance" of prisoners or related human rights violations should be brought to justice, and victims or their relations should be compensated.

The recent releases have come at the time of advanced peace negotiations under the auspices of the United Nations (UN). A referendum to determine the future of the Western Sahara is to be held early next year, to be preceded by a cease-fire which is due to come into force on 6 September. An International Jurist has been appointed by the UN Secretary-General to assist the Special Representative on the Western Sahara to ensure the release of all Western Saharan political prisoners or detainees after the cease-fire comes into force.

The recent releases and information given by those set free have

heightened concern that many more people of Western Saharan origin remain in secret captivity. The Moroccan Government has for years denied that there were any Sahrawis held in secret detention - "disappeared" - and the releases are the first official confirmation that any existed. The releases themselves have been kept low-key in Morocco. A Royal Amnesty for Saharan prisoners was announced on 12 June but did not specify who the beneficiaries would be. Those set free are reported to have been instructed to keep silent about what they have gone through and not to celebrate their homecoming in public. This is in keeping with the virtual cult of secrecy about the "disappeared" which has been fostered in Morocco for a decade and a half. This official attitude and the confirmation of what has been reported for so many years, in addition to the accounts given by some of those released, strengthens Amnesty International's fears that reports of the continued incarceration of hundreds more "disappeared" Sahrawis are well-founded.

Amnesty International has recently sought permission to send a team to Morocco to obtain information about the human rights situation, including that of the Sahrawi "disappeared". The organization has been denied access to Morocco to carry out research since March 1990, when a research team was asked to leave the country.

### The "disappeared"

"Disappearances" of Sahrawis into secret detention centres began in November 1975 when Morocco first took control of the former colony of the Spanish Sahara. They have included people from all age and professional groups, among them children and elderly people. The victims were reported to have been detained and to have "disappeared" because they or their relatives were known or suspected supporters of the Polisario Front (Frente Popular para la liberación de Saguia el-Hamra y Rio de Oro, Popular Front for the Liberation of Saguia el-Hamra and Rio de Oro). In February 1976 the Polisario Front proclaimed an independent Sahrawi Arab Democratic Republic (SADR) and has since been fighting for independence.

Amnesty International has never been able to establish the true number of "disappeared". Investigations of "disappearances" have been especially difficult because relatives and other sources fear for their own safety. The subject is virtually taboo in Morocco. However, hundreds of Sahrawis were believed to be unaccounted for and Amnesty International has for many years been pressing the Moroccan Government to clarify the fate of those missing.

The "disappeared" Sahrawis have never been charged or tried; it appears that those detained and now released were held unlawfully for up to 15 years.

### Prison conditions

The Sahrawi "disappeared" are said to have been released from secret detention centres at Qal'at M'gouna and Laayoune.

Over 260 Sahrawi prisoners were being held at Qal'at M'gouna and all have now been released. Forty-three detainees are said to have died in captivity there.

All 60 Sahrawi prisoners, 50 men and 10 women, were reported released from a secret detention centre in the military barracks in Laayoune, which was not part of the official Laayoune prison. The prisoners held there were those remaining from the approximately 200 arrested in 1987, at the time of a UN technical mission to the Western Sahara.

The detention of Sahrawi prisoners at these two centres has been reported for years in the face of the Moroccan Government's continued refusal to acknowledge their existence. (They were mentioned in Amnesty International's report Morocco: "Disappearances" of people of Western Saharan origin - AI Index: MDE 29/17/90, November 1990).

It has now been revealed that detention conditions were very harsh, and those who did not survive are thought to have perished from untreated illnesses brought on by the poor conditions. For years food and clothing was generally insufficient. Until the mid-1980s prisoners in Qal'at M'gouna were kept apart from each other in different groups in the large building that served as a detention centre. Even after conditions improved the prisoners remained completely cut off from the outside world.

The conditions in the secret detention centre in Laayoune were said to be much harsher. During the whole of the first year after arrest prisoners were kept handcuffed and blindfolded and were forbidden to speak. They were forced to sleep on the concrete floor and not given enough blankets. As a result, many former prisoners of this centre are said to be suffering from rheumatism and tuberculosis. Some are reported to have become insane.

The health of many of those released is said to have been seriously affected by bad conditions during their long detention. Some are said to have become blind, others paralysed; many are mentally disturbed.

It is now strongly suspected that the remaining "disappeared" may be held in other secret detention centres in Morocco or the Western Sahara, or in official prisons within Morocco but isolated from the outside world.

## The victims

Among the first to "disappear" were four brothers and a cousin of the Mayara family. They were all retired servicemen of the Moroccan army, the Forces Armées Royales. Towards the end of 1975 Ali-Bouyaould Omarould Mayara, the eldest of the brothers, was asked to join in the Green March, a government-organized march of thousands of Moroccan civilians across the border into the Western Sahara which preceded Morocco's military occupation of the region in November 1975. On the grounds of old age (he was born in 1910) and ill health (he had an ulcer) he declined. On 17 November 1975, a Landrover appeared at his house in Tan Tan and three men in gendarme uniform entered. They were met by Ali-Bouya's small daughter, Mahjouba, who told them that her father was at evening prayer. Ali-Bouya was told that he and his brothers were wanted by the Governor. He was then taken away, together with his brothers Cheikh, Seidah and Heiba.

Within 24 hours a friend visiting her son in prison in Agadir, some 250 kilometres to the north, spotted Heiba despite his very changed appearance - she was told the brothers had been ill-treated by being

immersed in dirty, scalding water on arrival at the prison. The remaining family kept asking after them at several different police stations, without ever finding out what happened to them. Another member of the family, Abdiould Labbatould Mayara, "disappeared" less than three months later.

Heiba, the youngest of the four brothers, who was only 39 years old at the time of his "disappearance", is reported to have died in detention on 28 September 1977. He left behind a wife and eight children. The four other men of the family are said to be among those released from Qal'at M'gouna. Ali-Bouya, now 81 years of age, survived 15 years of detention, but his bones apparently are now so brittle that he is said to have become very bent and small.

Among those "disappeared" for 15 years are also the Leili family, relatives of the first Prime Minister of the SADR, Mohamed Lamine. Eleven members of the family were arrested in early 1976. The first was Mohamed Lamine's sister, Fatma Ghalia ment Moulayould Leili. Then 24 years old, she worked in the Ministry of Youth and Sports in Tan Tan and was in charge of a local women's group there. She was stopped in the street by four men in civilian clothes at 6.00pm on 8 January 1976 as she was going home from work. They forced her into a black Renault 16 and she was never seen again until her release 15 years later.

On 2 February 1976 police broke down the door of the family's house and took away the parents, Nouna ment Abdellahiould Mohamed Lamine and Moulay Ahmedould Mohamed el-Hassan Leili, although the father was confined to bed with asthma. The detention of other members of the family followed, including that of another son, 19 year-old Mohamed Fadel, who was arrested in the middle of the night at an uncle's house at Kenitra, where he was studying modern literature.

On 21 June 1991, the family was freed. One day after their release, the father, Moulay Ahmedould Leili, died, aged 72. He had spent the last 15 years of his life in detention, without ever being charged or tried for any offence - the only apparent reason for his detention was that he was his son's father. In the secret detention centre of Qal'at M'gouna where the family was held, Moulay Ahmedould Leili had assumed the role of the Imam, washing and saying the prayers for the dead before burying them.

Sebbaha ment Mohamedould Lehib was one of five women arrested in a wave of arrests on 3 March 1985 in Laayoune, less than two weeks before a much-publicized visit by King Hassan II. At the time of her arrest she was 31 years old and pregnant. Her child was born in detention. Both have now been released. At the age of six her child is now experiencing the world outside prison walls for the first time.

Cheikhould Bachirould Hammadi is one of the 43 who are reported to have died in Qal'at M'gouna. He was seized by Moroccan police agents from the municipal garage at Tan Tan, where he was a driver and mechanic, on 14 January 1976. Born in 1948 in Tiris, in the southwest of the Western Sahara, he left behind a wife, M'barka ment Sidi Mohamedould Barbouchi, two young sons, and the family of his parents-in-law which he was looking after. His brother-in-law Baidari "disappeared" at the same time. Cheikhould Hammadi is now said to have died in detention on 23 September 1978. A witness wrote: "Cheikh's wife and children and the family of his parents-in-law lived in extreme poverty from the time of Cheikh's abduction."

Those still reported "disappeared"

Although getting precise details about the "disappeared" in Morocco has always been difficult, Amnesty International has the names of scores of Sahrawis who remain unaccounted for. How many have died and how many are still in captivity is not known.

Among the cases on which Amnesty International has information is that of Fatimatou ment Baad, a grandmother of about 65 when she was arrested on 4 April 1984 in Agadir. Three members of the criminal police (police judiciaire) came to the family home at around 3pm. They searched the house in the presence of her grand-daughter Ghalia ment Abdellahi and a daughter-in-law. The latter asked permission to bring Fatimatou ment Baad some food after evening prayers as she was fasting, but when the two women arrived at the police station they were told no-one by that name was held there. There has been no news of her since.

Reports suggest that she was arrested because two girls had stayed at her house on their way to Algeria. In March these girls had made a broadcast on the Polisario Front radio station. The security forces in Laayoune, where they came from, apparently reconstructed their route and arrested Fatimatou ment Baad.

Ghalia ment Abdellahi was arrested on 20 November 1987; she was one of many arrested at the time of a UN technical mission to Laayoune. She was then 26 years old and an agricultural engineer working on various government and non-government agricultural projects.

Ghalia ment Abdellahi is among the 10 women and 50 men released from the secret detention centre in Laayoune. Nothing is now known of her grandmother - where she is held or whether indeed she is still alive.

Baidari ould Sidi-Mohamed ould Berbouchi, the brother-in-law of Cheikh ould Hammadi, also remains "disappeared". He was born in 1943 in Oued-Saguia and was a student at the time of his arrest on 29 February 1976 in Tan Tan.

Others who are still unaccounted for include two brothers, Hamma ould Bellal ould Hadda and Lahbib ould Bellal ould Hadda, both arrested on 5 June 1976 in Tan Tan; Salma ment Sidi el Mokhtar ould Ismail, a housewife arrested on 20 May 1983 in Laayoune; Bahaha ould Breika ould El-Hussein, born in 1900 in Mijek and "disappeared" since 2 April 1976; Mestahya ment Ali Salem ould Hainouda, a 23-year-old housewife and mother of one son, arrested in Laayoune on 25 January 1981, and her sister Yahdiha ment Ali Salem ould Hainouda, arrested at the same time.

Amnesty International is now calling on the Moroccan Government to take the following steps:

Immediately release all Sahrawi prisoners who are still held unlawfully in secret detention.

Break their 15 years' silence and account for all "disappeared" prisoners; to set up an independent and impartial public inquiry to investigate and clarify the fate and whereabouts of all those alleged to have "disappeared".

As a first step the names of all unacknowledged detainees and those recently released should be made public.

All deaths in custody should be investigated and the findings be made public.

Officials found responsible for the "disappearances" of prisoners or related human rights violations should be brought to justice and victims or their relatives compensated.

In order to prevent "disappearances" occurring in the future, the commission of inquiry should also recommend safeguards, and its findings should be made public at the earliest opportunity.

Amnesty International is also calling on the authorities to allow the organization to visit Morocco again to obtain more information about the Sahrawi "disappeared".