

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

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### **Morocco/Western Sahara: Time for truth 50 years after enforced disappearance of opposition leader Mehdi Ben Barka**

Fifty years after Moroccan opposition leader Mehdi Ben Barka was abducted and forcibly disappeared in Paris, Amnesty International expresses its continuing solidarity with his family and Moroccan human rights groups in their quest for justice, truth and reparation. The organization calls on Moroccan and French authorities to spare no effort in thoroughly and impartially investigating his disappearance in light of recent revelations. Amnesty International urges French authorities to declassify all the information it holds on Mehdi Ben Barka, and Moroccan authorities to fully cooperate with the French investigation currently underway, in order to unveil the truth and put an end to impunity. In addition, Amnesty International recalls that under the International Convention for the Protection of All Persons from Enforced Disappearance, France and Morocco, as states parties, are obliged to continue the investigation until the fate of the disappeared person has been fully clarified.

On 29 October 1965, Mehdi Ben Barka was abducted outside a restaurant in Paris and forcibly disappeared. Moroccan authorities had sentenced him to death in his absence the preceding year for allegedly plotting against King Hassan II.

In June 1967, a French court had convicted several people including the Moroccan Minister of Interior at the time, General Mohammed Oufkir, for his abduction, and sentenced him in absentia to life imprisonment, without uncovering Mehdi Ben Barka's fate. A French investigation into his disappearance opened in 1975 remains pending 40 years on. It is France's longest-standing investigation.

The main stumbling blocks appear to be access to classified information held by the French authorities, as well as to witnesses and suspects in Morocco, and to the "PF3" (Point Fixe 3), a former secret detention centre located in the capital Rabat suspected to contain part of the opposition leader's remains, as suggested by retired investigating judge Patrick Ramaël's recently-published memoir. In July 2015, a French investigating judge filed a fresh request to search the location, without success to date, according to news reports. He reportedly also filed a request to question a witness in Israel who made revelations earlier this year about the Mossad's involvement in the disappearance.

Meanwhile, Moroccan authorities have yet to make an official enquiry into his fate. Even after the passing of former king Hassan II, the enforced disappearance of Mehdi Ben Barka was one of several cases that Morocco's transitional justice body, the Equity and Reconciliation Commission (Instance Équité et Réconciliation, IER), and its Follow-Up Committee, failed to solve.

Moreover, the IER fell short of identifying individual suspected of criminal responsibility for grave human rights violations in Morocco and Western Sahara that characterized the period known as the "years of lead", between Morocco's independence in 1956 and the end of King Hassan II's reign in 1999. The transitional justice body disappointingly did not call for individual suspected of responsibility to be held accountable, although it recommended a national strategy to combat impunity, which remains to be put in place 10 years on.

Following his visit to Morocco in September 2012, the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, recommended that Moroccan authorities open judicial investigations into "all cases revealed by the Equity and Reconciliation Commission of past abuses during the "years of lead" (1956–1999)". However, Morocco's courts have yet to hold

accountable officials allegedly responsible for gross human rights violations during the “years of lead”, including the enforced disappearance of Mehdi Ben Barka.

Moroccan authorities ratified the International Convention for the Protection of All Persons from Enforced Disappearance in 2013, but did not recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims or other states parties nor implemented the Convention into national law so far, although the government has proposed legislative amendments in this regard. The first state party report on the measures taken to give effect to its obligations under this Convention was due last June.

Public document

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