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Morocco/Western Sahara: New arrests and allegations of torture of Sahrawi human rights defenders

Amnesty International is concerned about the recent arrest and detention of six human rights defenders in Western Sahara in the context of politically charged protests in Laayoune and several other cities in Morocco and Western Sahara. The organization said it was particularly disturbed by reports that two of them had been tortured.

Some of those arrested are former “disappeared”, others are former prisoners of conscience. All six are long-standing human rights defenders who have been instrumental in collecting and disseminating information about human rights violations, including during the policing of a recent wave of pro-independence demonstrations in the territory of Western Sahara, which Morocco controversially annexed in 1975.

The rights activists are under investigation for allegedly participating in or promoting an armed gathering. Amnesty International fears that they have been targeted because of their human rights work during recent events or their openly held views in favour of independence of Western Sahara.

Human rights defenders Mohamed El Moutaouakil, Houssein Lidri, Brahim Noumria and Larbi Messaoud were arrested by Moroccan security forces on 20 July. They were reportedly questioned in connection with the recent unrest and their pro-independence views. On 23 July they were remanded in custody while a judicial investigation continues. Another human rights defender, Fdaili Gaudi, was detained for three days and released without charge.

Two of the men, Houssein Lidri and Brahim Noumria, were reportedly tortured by security officers in a secret detention centre in Laayoune, Western Sahara, on the day of their arrest. They allege that they were suspended in contorted positions with their hands tied and their eyes blindfolded, beaten on sensitive parts of the body and that a chemical substance was poured on them and they were burnt with cigarettes and open flames. Although both men informed the judicial authorities on 21 July that they had been subjected to torture, no investigation into these allegations is known to have been opened. Houssein Lidri was reportedly tortured again for several hours on 22 July.

On the day preceding his arrest, Houssein Lidri had given an interview to the Arabic satellite television channel, Al-Jazeera, on the arrest of another human rights activist, Ali Salem Tamek, on 18 July. Ali Salem Tamek had been arrested upon arrival at Laayoune airport after an extended stay in Europe where he had spoken publicly of recent events in Western Sahara and advocated independence for the territory. He was abroad while the demonstrations occurred, but is also under investigation with regard to his role in the protests. Another human rights defender, Aminatou Haidar, has been in detention since 17 June and is facing trial on charges including violence against public servants on duty and participation in an

armed gathering.

The recent arrests of the six human rights defenders took place in the context of repression of politically-charged demonstrations, which began in late May 2005. Reports from independent observers indicate that most of these demonstrations were peaceful. However, some demonstrations reportedly turned violent, resulting in material damage and minor injuries to several security force agents. Moroccan security forces were accused of using excessive force during the policing of the protests and of torturing and ill-treating protesters they detained. Amnesty International wrote to the Moroccan authorities on 21 June to urge them to investigate these allegations, but has not so far received a response. Twenty-one protesters have since been sentenced to suspended prison terms and prison terms of up to 20 years' imprisonment on charges of formation of a criminal gang, use of weapons, sabotage of public property and violence against public servants on duty.

Amnesty International fears that the human rights activists have been arrested, tortured and put on trial because of their reporting on recent human rights violations. There had been earlier reports that local human rights defenders and journalists had been assaulted, harassed or intimidated by officials, and in some cases briefly detained. The Moroccan authorities also prevented several international delegations, seeking to investigate what occurred during the unrest, from entering Western Sahara.

Amnesty International is urging the Moroccan authorities:

- immediately to investigate the allegations that Houssein Lidri and Brahim Noumria were tortured and ensure they obtain any medical attention they may require;
- to guarantee the right to a fair trial, including by ensuring that no statements made under duress will be used to obtain convictions;
- to ensure that any officials found to have ordered, used or condoned torture are identified and promptly brought to justice;
- to uphold the right of human rights defenders to collect and disseminate information on human rights violations without fear of reprisals.

Background

Human rights activists in Western Sahara have repeatedly been targeted for their human rights work in recent years. Some have been prevented from travelling abroad to report on human rights violations, others have been arbitrarily imprisoned. In many cases, activities deemed to be illegal relate to the right peacefully to exercise freedom of opinion and to disseminate information and views on human rights issues to outside bodies, such as international human rights organizations.

Most of those arrested were members of the Sahara branch of a human rights organization, the Forum for Truth and Justice, until it was dissolved by court order in June 2003 on the grounds that the organization had undertaken illegal activities that were likely to disturb public order and undermine the territorial integrity of Morocco. The activities described as illegal appeared to relate solely to members of the organization exercising their right to express peacefully their opinions on self-determination for the Sahrawi people and disseminate views relating to human rights issues. Although the organisation was dissolved, they have continued individually to document human rights violations in Western Sahara.