

TORTURE AND DISCRIMINATION IN WESTERN SAHARA

The conflict in Western Sahara is one of the longest running and most forgotten in the world. Known as Africa's last colony, Western Sahara was sold to Morocco and Mauritania by the Spanish when they withdrew in 1976. The Mauritians pulled out soon after and the Moroccans annexed much of the remaining territory in defiance of a ruling from the International Court of Justice. A sixteen-year war ensued between the Moroccans and the Sahrawi independence movement, the POLISARIO Front. Under the terms of a 1991 UN ceasefire agreement, a referendum for self-determination was promised, but has yet to be carried out.

Stefan Simanowitz, co-chair of the Free Western Sahara Network, sent to The Equal Rights Trust abundant testimony and background information documenting the torture and discrimination of Sahrawi activists during the period August-October 2009, some of which is publicised below.¹



Since the occupation of Western Sahara by Morocco in 1975 the indigenous Sahrawi population who remained in the territory have suffered from discrimination, arbitrary arrest and torture. Over the years, with the failure to hold the referendum on self-determination in the territory, the native Sahrawis from the occupied zone have demonstrated their defiance through a non-violent civil struggle, and have suffered repression as a result. Despite the repression, the uprising (or Intifada) built in its intensity in May 2005 and still continues.

Serious concerns about human rights violations against the Sahrawis who have remained in Western Sahara have been raised

by UN High Commissioner for Human Rights and numerous human rights organisations. A 2008 report by Human Rights Watch found that Morocco violated the rights to expression, association, and assembly in Western Sahara.² An Amnesty International report of the same year found that "politically motivated administrative impediments have been used to prevent human rights groups obtaining legal registration and curtailing their scope of activities".³ There is also widespread evidence of the use of torture. As signatory to the International Convention for the Protection of All Persons from Enforced Disappearance Morocco should, according to campaigners, reveal the truth about the hundreds of disappeared Sahrawis. Over

the past three decades more than 500 indigenous Sahrawis who have challenged the Moroccan occupation of Western Sahara have “disappeared”.

The Process of Moroccanisation

Morocco has engaged in a massive campaign aimed at the Moroccanisation of Sahrawi culture and identity. Throughout the disturbing narratives of struggle and resistance, the nation-building policies promoted by the Moroccan regime or the politics of Moroccanisation are denounced and fought by the Sahrawi activists. Despite the Sahrawi culture being threatened by these efforts at Moroccanisation, says one Sahrawi:

“we have coexisted, not integrated with the Moroccan culture (...) we have the complicity of the Sahrawis in the refugee camps because they have preserved 95% pure our cultural practices.”

The first harmful strategy highlighted by all Sahrawi activists is the official language policy. French, classic Arabic and Moroccan dialects are used in schools, administration, market shops, military bodies and in the media. The use of Hassanyia has become limited to the Sahrawis’ social life. Mohamed Daddach, victim of forcible disappearance

for 24 years (of which he spent 14 years on death-row) and the President of the Sahrawi Committee for the Right of Self-Determination, says with bitterness that the young people who were born and grew up under occupation start to lose command of the Hassanyia language.

The rules for immigration and naturalisation show the racial discrimination that the Sahrawi community faces within the administration and military regime bodies. Sahrawis have Moroccan identification cards, but are marked differently in order to warn about their Sahrawi origins. On the other side, the only available passport is the Moroccan one and this fact is yet another source of much anger. This situation suffocates those exiled Sahrawis who have to deal with the Moroccan documentation when they proceed to legalise their situation, for instance in Spain. An exile who prefers to remain anonymous expresses his resentment that:

“[[I]n my Spanish documentation they wrote that I am Moroccan because of my passport and this is dreadful. I want to dispose of it because it hurts so much.”

The third policy associated with the process of Moroccanisation is the enforcement of a national core curriculum in schools, along



with the fact that the majority of the teachers are immigrant settlers from Northern provinces. Mayara, for instance, explains that she has:

“learnt about her history and her culture only through personal efforts, through the internet, with Sahrawi people, militants and family.”

According to Bada (an Intifada activist):

“[T]he school staff coordinate with the security services and during the national Sahrawi festivities our traditional dress is forbidden.”

There is no university in Western Sahara. This is another strategy which highlights the attempts at the Moroccanisation of the Sahrawi. The Moroccan authorities are aware, according to Brahim Elansari, that *“universities are normally politicised and could generate civil movements among the students”*. This is, indeed, what has happened with the Intifada, *“where Sahrawi students and teachers in Moroccan universities and schools have played a courageous role in supporting their compatriots through pacific demonstrations”*.

National symbols and holidays associated with Moroccan history are imposed by the

Moroccan regime. According to Thobhani, throughout the occupied territories Moroccan national festivities are marked with *“demonstrations and manifestations and declaration of loyalty to the king”*. However, as El Gahlia explains:

“[D]uring the king throne festivity on the 30th of July, the Sahrawi poor people who enjoy the ‘National Promotion’ [a programme providing social support] are forced to wear their traditional dressing and go to demonstrations to show their allegiance to the king if they do not want to lose [their social support].”

These are the kinds of tools used by Morocco to co-opt the Sahrawi identity and create an illusionary image of happiness among the Sahrawis. In similar fashion, renaming geographical and cultural features according to the Moroccan dialect is harmful for the native people. One illustration of the discrimination practiced by the Moroccan regime is its drive to register the Sahrawi people with Moroccan names.

Another deeply harmful, old and visible Moroccanisation practice is the settlement strategy which has been used as a tool for demographic change. With approximately 90,000 Sahrawis living on the occupied side, they have become a minority within their



homeland. On the streets, in the coffee-bars, markets and administration bodies, the majority are settlers from the North. The Northern settlers are employed in administration and military bodies and are paid 85% more than their counterparts outside the territory. Further, incentives are offered to Northern settlers through exemption from income tax and subsidised fuel and food.

Discriminatory practices at all levels of employment result in widespread unemployment for native Sahrawis, a situation which is worsened by the region's economic underdevelopment in comparison to Morocco. The Moroccan government has also actively "encouraged" increased employment opportunities for Western Saharans inside Morocco, as a means of diluting the Sahrawi population and their identity. This has, however, not only proven ineffective but has reinforced the Sahrawi identity.

The family, activists, relatives, friends and new forms of communication technology are used as a means to struggle against the Moroccan claim of a "one identity, one culture, one history and one territory" *Marroquinité* of the Sahara. Even though the Sahrawi identity and culture are threatened by exposure to Moroccan culture and identity, this has become a powerful force fuelling the flames of resistance and reinforcing Sahrawi identity. The Sahrawis' preservation of their culture and identity is not just a struggle against the Moroccan aggression but against the cultural values that accompany the process of modernisation and globalisation. Originally a nomadic people, since the Spanish colonisation they have adopted a sedentary lifestyle. Nevertheless, their traditional nomadic way of life is still being preserved through their intermittent, but permanent, periods spent at the Atlantic coast near the occupied El Ayoune, and in the *badia* (desert) in the liberation zone.

The Politics of Terror

The politics of terror which were pursued during the so-called "Years of Lead", which were promoted by King Hassan II and his aides, have had lasting effects on the current situation. This has occurred, perhaps most significantly, through a notorious military presence in the territory (around 100,000 soldiers). According to Sahrawi human rights activists, during the last 30 years more than 260,000 people have been displaced; more than 20,000 arbitrary detentions have taken place; there have been more than 500 victims of forcible disappearances; more than 120 murders; and various forms of torture have been suffered by thousands of Sahrawis.

Fatma and Mamia Salek, who have been exiled in Tenerife since 1999 and have been victims of forcible disappearance for sixteen years, explain:

"[W]hen we were released, we were like two dead bodies because of the tortures and ill-treatment. After our liberation, we passed almost nine years in the occupied zone, in 'freedom', but within a larger prison as we were persecuted all time."

All testimonies described their experience as a nightmare, permanent threats, nights without sleeping due to the fear of police harassment, physical and psychological torture. As a result, most of them have left the country on clandestine "pateras".

Since the second half of 1999, along with the passive demonstrations, the opposition has been developing Sahrawi civil society. Nowadays, the only legal civic organisations working in the territory are those that respect the "fact" of a Sahrawi *Marroquinité*.

In spite of some achievements, activists continue to denounce the increasing obstacles

posed by the Moroccan authorities. Their committees and associations have not been legalised even though they fulfil all the legal requirements for the establishment of civic organisations under Moroccan law, consequently they have to work clandestinely. The activists, working primarily without funding and on a voluntary basis, and in some cases their relatives, frequently suffer persecution, harassment and detention.

The troubling narratives of violence suffered by the Sahrawi illustrate how violence is formative of people's perceptions of who they are and what values they adhere to. Moroccan violence and discrimination at all levels, deployed against the whole Sahrawi community, have strengthened its struggle for a separate identity.

The "Oxford Six" Group of Students

On the evening of 5 August 2009, six Sahrawi students were due to fly to the UK after they were invited to take part in a course on conflict resolution organised by the British organisation Talk Together and jointly funded by the British Council and the EU Youth Together Program. The course was scheduled to run from 6 to 18 August at St Edward's School, Oxford. The students were stopped in Agadir airport and told that they could not travel. Although their tickets and visas were all in order and they had already checked in, the Moroccan authorities refused to let them board their plane. No reasons were given and the students, who had been preparing for this trip for many months, staged a hunger-strike protest in the airport terminal. That evening

Moroccan police arrived, beat the students and drove them to police stations where they suffered further beatings and interrogation. Owing to the swift action of human rights organisations, including Amnesty International, the six students, dubbed the "Oxford Six", were released within 36 hours, at approximately 4 a.m. on Friday 7 August 2009. The students returned to their homes in occupied Western Sahara only to experience further harassment by Moroccan authorities. Some of their stories are described below.

Since his release on 7 August 2009, Mohamed Daanoun, Member of the "Oxford Six" Group of Students, has subsequently been picked up by the police on several occasions, beaten and threatened. On one occasion he was forced to lie naked in front of a police car while a police man revved the engine. In September 2009, he was excluded from school and not allowed to complete his final year. On 15 September 2009 there were several demonstrations against the occupation in Western Sahara in which all his friends were detained and imprisoned. Since then he has been subjected to a constant stream of harassment by police and security officers who follow and threaten him each time he leaves his house. On 5 October 2009, he along with another member of the "Oxford Six", fled to England to claim asylum.



Following her release on 7 August 2009 Nguia El Haouasi, 19, was picked up by police in El Aaiun on 27 August 2009. She was blindfolded, beaten, stripped naked and threatened with rape. Two police officers, Khalid Barakt and Aziz Anouch, blind-folded and subjected her to physical and psychological torture. These two police officers were then joined by additional Moroccan security agents who began interrogating her and removed her clothes. They asked her about her political affiliations and her views regarding the Morocco-Western Sahara conflict, and questioned her reasons for wanting to participate in a youth conflict resolution programme being run in Oxford, England earlier in Au-



gust. Nguia's ordeal was videotaped with the threat that she would be exposed naked on the internet if she revealed her ordeal and did not cease her human rights activities. Nguia states that she was also threatened with rape if she did not answer the questions, and one that of the high-ranking officers, part of the Moroccan DIAG secret service, threatened to kill her next time they caught her. She was then abandoned at around 2 a.m. in the dark and left naked on the outskirts of Laayoune. She was able to find refuge with another Sahrawi family who clothed her and helped her reach her family.

In Her Own Words

"My name is Nguia El Haouasi.

I was arrested several times, and the latest abduction took place on August 27th, 2009. Last Thursday, I was on a visit to Hasanna Aliya, a Sahrawi activist, who was tortured by Moroccan police in the city of Tantan. I left the house along with my friends Hayat Rguibi and Sadani Aliya. After we got out of the house, a police car stopped nearby. The officers in the car, Aziz Anouch and his colleague officer Khalid Barakt, forced me into the car and then drove me to the bank river of Sakia El Hamra near the middle school Allal ben abdalla. They handed me over to other police officers in plain clothes who joined us soon after my abduction. They blindfolded my eyes, and began to beat me brutally while using verbal abuse, cursing. Many other police agents joined the existing police gang, namely agents belonging to Moroccan secret services. I did not see them, but I distinguished their voices and they asked me many questions such as: What are the dialogues that take place amongst the Sahrawis on the return of the Sahrawi Ould Suelem from the refugee camps? I told him I was not in the city of Laayoune at this time. I was in the city of Agadir.

Then they asked me: What do you think regarding this subject of defectors, such as Ould Suelem? I told them that the Polisario was very democratic, and they do not know any form of dictatorship, and that Polisario gives everyone the right to go wherever they like and not like you Moroccans who prevented us from travelling

to Britain, and kept us at the airport in el Masira in Agadir. We were going to join the program *Talk Together* on behalf of the young Sahrawi generations in the occupied territory, and you the Moroccans, you showed the world that you are dictators. You did not let us travel, and traveling is a human right. After I told them these answers, they went mad. They said that the Sahrawi human rights activists are the ones who incite us to engage in peaceful demonstrations, and they are the ones who support us and who give us national flags to raise during the demonstrations. I replied that nobody incites us, and we do all this only for the defence of our cause and our right and we simply express our views and that it is spontaneous.

Then they asked me about the peaceful demonstrations that I supposedly organised in the neighbourhood of Matallah district in Laayoune and who was in it. The officers beat me more in an attempt to make me tell them the names of persons involved.

I told them that all the Sahrawi people take part in the uprisings, and I do not know any one of them. There are young people, children and women and I was there to express my opinion and I had my flag like all the Sahrawis. He told me that they will now record a video, and we need you to say that it is the Sahrawi human rights activists who incite you to participate and organise these demonstrations and that they are just a group of separatists.

After refusing to say these lies, I was asked to strip off my clothes and I refused. They

took me down from the car and tore down my clothes leaving me naked in front of their ferocious eyes. All this was done while they were video-taping everything. They beat me in every part of my body. Under this psychological and physical torture I agreed to what I was asked to say. They only gave me my *malhfa* [Sahrawi women cloth - editor's note], and blindfolded me again and more torture followed.

Whilst they were filming me, there was a man who asked me all these questions while hiding his face, and they called him by his alias name so that I could not identify him, I am sure he was a VIP government servant. They say that they were filming me to show the world that they maintain security. They threatened me saying they would publish the video on the internet, exposing my body to the entire world so as to scandalise me.

I call upon international organisations to intervene to stop violations that occur daily in the occupied territories of Western Sahara (...) Morocco has violated human rights in many ways, Moroccan forces film sessions of Sahrawi citizens under torture and pressure. We do not want to bear all this and we are being watched in every place and our houses are besieged and controlled. We cannot tolerate this situation anymore. The MINURSO [the United Nations Mission for the Referendum in Western Sahara - editor's note] are there but they are doing nothing at all to help us. They do nothing to stop the ongoing violations of human rights, and we urge the United Nations to intervene to stop the torture exerted on our people.

We need international monitoring and protection. The international community is doing nothing so far to stop this drama. We ask all civil societies in the world and all defenders of human rights to help us and to stop the mass violations committed by the Moroccan occupation forces towards the people of Western Sahara."



¹ Photo credits: Courtesy of the Free Western Sahara Network

² Human Rights Watch, *Human Rights in Western Sahara and in the Tindouf Refugee Camps*, 19 December 2008, available at: <http://www.hrw.org/sites/default/files/reports/wsahara1208web.pdf>.

³ Amnesty International, *Challenging Repression: Human Rights Defenders in the Middle East and North Africa*, 2008, available at: <http://www.amnesty.org/en/library/asset/MDE01/001/2009/en/3fe5c240-d77d-4e15-8957-5928387d1093/mde010012009eng.pdf>.