

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

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### **Morocco/Western Sahara: Sahrawi activists targeted for Tindouf visit**

Amnesty International is concerned about the arrest and incommunicado detention of seven Sahrawi activists who are under threat of facing trumped-up charges. The organization calls for their immediate release as they are feared to be prisoners of conscience detained solely for peacefully expressing their support for the self-determination of the Sahrawi people.

Ahmed Alansari, Brahim Dahane, Yahdih Ettarouzi, Saleh Labihi, Dakja Lashgar, Rachid Sghir and Ali Salem Tamek were arrested at about 1:30 pm on 8 October at the Mohamed V airport in Casablanca upon their return from Algeria, where they were visiting the Tindouf camps between 26 September and 8 October. They are reported to have been arrested immediately after disembarking the plane. The seven belong to a number of human rights organizations and other civil society groups including Western Saharan branches of the Moroccan Association of Human Rights (Association Marocaine des Droits Humains, AMDH), the Sahrawi Association of Victims of Grave Human Rights Violations Committed by the Moroccan State (Association sahraouie des victimes des graves violations des droits de l'homme commises par l'état du Maroc, ASVDH) and the Collective of Sahrawi Human Rights Defenders (Collectif des défenseurs sahraouis des droits de l'homme, CODESA); and several have long track records of monitoring of and reporting on human rights violations in Western Sahara. At least two of the seven are former victims of enforced disappearance including Dakja Lashgar, the only woman detained, and Brahim Dahane, who was forcibly disappeared in the 1980s until his release in 1991. Four have previously been imprisoned, including Ali Salem Tamek, who had been adopted by Amnesty International as a prisoner of conscience.

A statement from the Moroccan official news agency dated 8 October 2009 disclosed that the Crown Prosecutor of the Court of Appeal of Casablanca ordered the transfer of the seven Sahrawi activists to the judicial police. The same statement alleged that they were arrested as a result of their meetings with "bodies opposing Morocco" therefore undermining the highest national interests in probable reference to the detainees' meetings with representatives of the Polisario Front, which runs a self-declared government in exile in the Tindouf camps. In addition to meetings with senior representatives of the Polisario Front, the seven activists were reported to have attended a number of conferences and festivals organized in their honour. All of these activities should be regarded as peaceful and legitimate exercise of freedom of expression, association and assembly as guaranteed in international law and standards.

The Moroccan authorities only informed the detainees' relatives of the arrest four days later in the early evening of 12 October in contravention of Article 67 of the Moroccan Code of Criminal Procedure, which stipulates that the judicial police must notify the family of the suspects as soon as it is decided to place them in *garde à vue* (pre-arraignment detention). Furthermore, relatives were told that they are not allowed to visit the detainees as they were still in *garde à vue*, confirming fears that this case is being treated as one related to the internal or external security of the state in which cases according to Article 66 of the Code of Criminal Procedure *garde à vue* detention can be extended for up to eight days, pending permission by the general prosecution.

Amnesty International is also concerned by reports that the family of at least one detainee has faced harassment following the arrest. Since the late evening of 11 October, members of the police and the Auxiliary Forces have surrounded the house of Ahmed Alansari in the Salam neighbourhood of Smara and have prevented individuals, including other family members, from visiting the home. Biba Lala Salkha, wife of Ahmed Alansari, has also reportedly faced verbal harassment by members of the security forces. On 11 October, she went to the office of the general prosecution in Smara to file a complaint regarding her husband's arrest and the heavy security presence outside her home, but her complaint was not accepted. She, along with her two eldest children, has started a 48-hour hunger strike on 12 October in condemnation of the harassment.

Amnesty International also urges the Moroccan authorities to disclose the exact place of detention of the seven activists held by the Casablanca judicial police and to provide them with immediate access to their families, lawyers and any medical attention they might require.

## **Background**

The arrest of the seven Sahrawis comes against the backdrop of Moroccan media and a number of political parties' attacks on the activists dubbing them as "traitors" and in some cases calling for them to be punished. Family visits between Western Sahara and the Tindouf camps in south-western Algeria take place under the auspices of the UNHCR and Sahrawi activists have previously visited Algeria. This was, however, the first time that Sahrawi activists visited the Tindouf camps.

Their arrests also come in the midst of increased reports of harassment of Sahrawi activists including breaches of the right of individuals to leave the country in contravention of Article 12 of the International Covenant on Civil and Political rights (ICCPR), which guarantees freedom of movement, and to which Morocco is a state party. For instance, five Sahrawi activists were prevented from travelling to Mauritania on 6 October. After prolonged interrogations, they had all their identification documents confiscated before being released without being given any official reason for the ban.

The status of Western Sahara, a territory Morocco annexed in 1975, remains taboo in the eyes of the Moroccan authorities, which show little tolerance for those publically expressing views in favour of independence of Western Sahara. Moroccan authorities not only target Sahrawi activists calling for the self-determination of Western Sahara, but also Sahrawi human rights defenders monitoring violations taking place in that context. Sahrawi human rights defenders continue to face intimidation, harassment or even prosecution. Amnesty International fears that defenders are targeted because of their human rights activities and for peacefully exercising their right to freedom of expression, including the right to peacefully advocate for self-determination. Their work is further hampered as they are unable to obtain legal registration for their organizations due to politically-motivated administrative obstacles.

On numerous occasions, Amnesty International has called on the Moroccan authorities to take concrete measures to ensure that the rights of all Sahrawis to freedom of expression, association and assembly are fully respected. Such rights are enshrined in international law, notably the ICCPR. The organization has also urged the Moroccan authorities to allow Sahrawi human rights defenders to collect and disseminate information and views on human rights issues without fear of prosecution, harassment or intimidation as set out in the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by the UN General Assembly on 9 December 1998.