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UNSC members should support independent human rights monitoring in Western Sahara and the Tindouf camps

In a letter sent to members of the United Nations Security Council (UNSC), Amnesty International called for the inclusion of a human rights monitoring component in the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO), when it votes for its renewal on 30 April 2009. Amnesty International believes that independent monitoring of the human rights situation in Western Sahara, a territory annexed by Morocco in 1975, and the Tindouf camps under the authority of the Polisario Front in south-western Algeria is integral to ensuring the human rights protection of the populations.

Shortly after the deployment of MINURSO in September 1991, Amnesty International had already urged that human rights monitoring be part of its mandate given the persistence of allegations of human rights violations both in Western Sahara and the Tindouf camps in Algeria. However, no such action has been taken to date. Amnesty International reiterated this call in a letter addressing all members of the UNSC dated 24 April 2009, urging them to vote for the inclusion of an independent monitoring mechanism into the MINURSO mandate, particularly as both sides to the conflict accuse the other of serious human rights violations and of exploiting human rights concerns for their respective political ends.

In his latest report on the situation concerning Western Sahara (S/2009/200), the Secretary General reaffirmed the UN's obligation to uphold human rights in all its operations, even though the "the United Nations has no staff on the ground dedicated to monitoring respect for human rights in the Territory [Western Sahara] or in the refugee camps near Tindouf." Amnesty International welcomes that a number of members of the UNSC have expressed their support for the need to address this lack of independent human rights monitoring during last week's deliberations of the UNSC on the renewal of MINURSO's mandate.

The fact that human rights violations have continued in the past years even in the presence of MINURSO in Western Sahara clearly shows the need for the UN to take measures to enhance the human rights protection in Western Sahara and the Tindouf camps. A MINURSO without a human rights component would be further undermined as it witnesses in silence ongoing human rights violations. The inclusion of a human rights monitoring component in the MINURSO's mandate is a necessary first step toward addressing this problem. The forthcoming renewal of MINURSO's mandate provides an excellent opportunity to do so.

Background

The human rights situation has improved in Morocco since the “years of the lead.” This was the period between 1956 and 1999, which was characterized by repression of political dissent, the enforced disappearance of hundreds of individuals, arbitrary detention of thousands of others, and the systemic use of torture and other ill-treatment. However this progress has been overshadowed by continuing human rights violations in Western Sahara.

For the Moroccan authorities, expressing a view in favour of the independence of Western Sahara remains taboo. Sahrawi supporters of the right to self-determination and independence of the region, as well as human rights defenders and journalists who have monitored and reported on human rights violations committed by the Moroccan security forces in this context have face intimidation, harassment, prosecution and even imprisonment. Sahrawi activists continue to be hampered by politically-motivated administrative obstacles preventing them from legally registering their associations. Many Sahrawi human rights and civil society activists have been imprisoned following demonstrations calling for the right to self-determination for the people of Western Sahara and many have reportedly been tortured or otherwise ill-treated during questioning.

Amnesty International has also repeatedly expressed its concerns about the impunity of those accused of serious human rights abuses in the Tindouf camps in the 1970s and 1980s, including arbitrary and secret detention for prolonged periods, torture and ill-treatment, deaths in custody and extrajudicial executions. Little independent information is available on the current human rights situation in the Tindouf camps.