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Western Sahara: The Final Test of the Credibility of the United Nations System

50 Years of Moroccan Occupation of Western Sahara

A Continued Denial of the Sahrawi People's Right to Self-Determination and Sovereignty over Their Natural Resources

Report by the Collective of Sahrawi Human Rights Defenders in Western Sahara (CODESA)

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Dedication

- **To** the Sahrawi refugees in the camps, displaced by force under Moroccan occupation — who have stood firm for more than half a century against the harshness of climate and circumstance, turning tents into schools of patience, and camps into spaces of hope, dignity, and the dream of freedom. They have raised the banner of faith in the face of neglect and oblivion.
- **To** the families of the disappeared and detained Sahrawis whose fate remains unknown — who still await a thread of news or trace, steadfast in their legitimate right to know the truth, convinced that justice does not expire, and that perseverance in defending one's right is stronger than all attempts at erasure.
- **To** the Sahrawi political prisoners languishing in isolation cells within Moroccan prisons — who have transformed their suffering into living testimony of injustice, and their weary bodies into platforms speaking in the name of truth and liberty. Their endurance has become a beacon for generations to come.
- **To** the victims of drone strikes and bombings carried out by the forces of Moroccan occupation, and to the victims of landmines that have sown death across the homeland's paths — to all those who have endured torture and every form of repression in the occupied cities and villages of Western Sahara, in whom pain has become the nation's memory and resistance has become the promise of life and dignity.
- **To** all the democratic organizations across the world that have courageously stood by the right of peoples to self-determination, and to every institution and living conscience that has made the defense of the Sahrawi people a moral stance and a human duty beyond compromise...
- **To** all of you, we dedicate this humble work — as a token of gratitude and fidelity, and in the unshakable belief that no matter how long the night of injustice endures, its dawn will break; for dignity is never granted, it is won through the struggle of peoples and the steadfastness of the free.

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Introduction :

This report forms part of the cumulative field experience acquired by the Collective of Sahrawi Human Rights Defenders in Western Sahara (CODESA) throughout its years of work in the field of human rights — documenting, monitoring, reporting, and following up on various cases of genocide, war crimes, crimes against humanity, and economic and environmental crimes committed by the Moroccan occupation forces in Western Sahara, as well as in several neighboring Sahrawi cities and Moroccan universities.

The report covers three chronological phases :

- **Phase I : October 31, 1975 – April 30, 2007**

This period began with the military invasion and forced annexation of Western Sahara by the Moroccan occupation forces following Spain's abandonment of its obligation to organize a self-determination referendum for the Sahrawi people. During this time, Sahrawi civilians suffered from a wide range of grave and ongoing crimes, including the systematic denial of their right to self-determination — once again undermined by international powers that encouraged Morocco to submit its so-called “autonomy proposal” to the United Nations as a means to circumvent the Sahrawi people's inalienable right to self-determination and referendum. This right had already been recognized and agreed upon between the Polisario Front and the Kingdom of Morocco under the 1991 UN-supervised ceasefire agreement, which established the United Nations Mission for the Referendum in Western Sahara (MINURSO).

- **Phase II: May 1, 2007 – October 13, 2020**

This period witnessed the continued perpetration by the Moroccan occupation forces of gross human rights violations — some amounting to crimes against humanity — targeting human rights defenders, bloggers, students, unemployed youth, and Sahrawi civilians. Many were forced into exile to escape political repression and persecution. Meanwhile, the occupation forces intensified and institutionalized settlement policies by encouraging Moroccan settlers to relocate to the occupied territory and by providing them with conditions conducive to permanent residence. These practices constitute a blatant violation of international humanitarian law — specifically Article 49 of the Fourth Geneva Convention — which prohibits an occupation force from transferring parts of its own civilian population into the territory it occupies, as such acts alter the demographic composition of the Sahrawi people.

- **Phase III: November 14, 2020 – October 31, 2025**

This period was marked by Morocco's breach of the ceasefire and its expansion of occupation to additional parts of Western Sahara, with the backing of certain international powers obstructing the organization of the self-determination referendum. This situation has provided a political and diplomatic cover for the continuation of grave violations and crimes, including the confiscation of fundamental rights of Sahrawi civilians, many of whom have suffered killings, abductions, torture, rape, and dispossession of their lands for resisting the occupation and upholding international legality.

To analyze these periods, the report relies primarily on statistical data illustrating the scale and gravity of the crimes committed against Sahrawi civilians, compiled and analyzed by a working team from CODESA's specialized committees.

Under the supervision of the Executive Bureau and in coordination with CODESA's branches, the working team examined the main features characterizing each phase of the Moroccan occupation of Western

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Sahara, using as a framework international humanitarian law, international human rights law, the resolutions and recommendations of the UN General Assembly's Fourth Committee (Special Political and Decolonization Committee), the decisions of the UN Security Council and Secretary-General's reports on Western Sahara, as well as the opinions and judgments issued by the International Court of Justice (ICJ), the Court of Justice of the European Union (CJEU), the UN Advisory Opinion, and the African Union Advisory Opinion, which all reaffirm that Western Sahara has been a decolonization issue since 1963.

The working team, through this report addressing both human rights violations and the exploitation of natural resources in Western Sahara, situates its analysis within the framework of international humanitarian law as applicable to military occupation, notably under Common Article 3 of the 1949 Geneva Conventions. This provision imposes binding legal obligations upon the occupation force — in this case, the Kingdom of Morocco — toward Sahrawi civilians, who are considered “protected persons” under Articles 27–34 and 47 of the Fourth Geneva Convention.

Such protection prohibits arbitrary detention, forced displacement, torture, and violations of human dignity. The systematic violations documented in this report — including deliberate killings, land expropriation, forced displacement of civilians, abductions, arbitrary arrests, and unfair trials — constitute grave breaches under Article 147 of the same Convention, amounting to war crimes.

Moreover, the excessive use of force against peaceful demonstrators, as reported herein — including the use of live or rubber bullets against Sahrawi protesters, the systematic suppression of peaceful assemblies, widespread raids and house searches, property destruction, and the denial of the right to organize or form associations, as well as targeting human rights defenders — represents clear violations of :

- **Articles 51** and 53 of the 1977 Additional Protocol I;
- **Articles 19**, 21, and 22 of the International Covenant on Civil and Political Rights (ICCPR);
- The UN Declaration on Human Rights Defenders (1998), which guarantees the right to lawful monitoring, documentation, and advocacy.

In parallel, the report addresses violations of the right to life, protected under Article 6 of the ICCPR; the prohibition of torture and inhuman or degrading treatment under Article 7 of the ICCPR and the Convention against Torture; and arbitrary detention and unfair trials, which directly contravene Articles 9 and 14 of the ICCPR.

By documenting acts of genocide, war crimes, and crimes against humanity, the working team concludes that the Moroccan occupation forces continuously violate the core provisions of international humanitarian law. Accordingly, under the 1949 Geneva Conventions, ratified by both the Kingdom of Morocco and the Polisario Front, the occupation forces are legally bound to:

- Refrain from using torture or inhumane or degrading treatment against Sahrawi civilians in the occupied territory, whether in times of war or peace;
- Ensure the protection of Sahrawi civilians in the occupied parts of Western Sahara and shield them from arrest, torture, or any form of abuse of human dignity;
- Apply and enforce all provisions of the four Geneva Conventions throughout the occupied territories of Western Sahara.

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Human Rights Section



Mahfouda El Fak | Banga Cheikh

In Violation of International Humanitarian Law and International Human Rights Law Western Sahara : From Spanish Colonization to Ongoing Moroccan Occupation _ Marked by Human Rights Violations and the Systematic Plundering of Natural Resources

The start of the invasion and occupation of Western Sahara were characterized by the partition of the territory, the plundering of its resources, and the perpetration of genocidal crimes against the Sahrawi people. This section will address the historical and legal trajectory of the question of Western Sahara:

The Spanish Colonial Period :

- 1884 : Spain occupied Western Sahara.
- 1958 : Spanish and French aircraft, in coordination with the Moroccan regime, bombed Sahrawi nomadic civilian gatherings in the framework of Operation Ecouvillon ("Operation Broom").
- 1963 : The United Nations included Western Sahara on the list of Non-Self-Governing Territories subject to decolonization.
- 1970 : The Zemla Uprising erupted in El-Aaiún, Western Sahara, as a protest against Spanish colonialism, resulting in the killing, injury, and arrest of several Sahrawi civilians, most notably the leader of the uprising, Sidi Mohamed Brahim Basiri, who was abducted by the Spanish colonial authorities on 18 June 1970 and remains disappeared to this day.
- 10 May 1973 : The Popular Front for the Liberation of Saguia el-Hamra and Río de Oro (POLISARIO Front) was founded, launching the armed struggle on 20 May 1973.
- 1974: Spain conducted a census in Western Sahara in preparation for a referendum on self-determination under UN supervision.

- 1975 : A United Nations fact-finding mission visited Western Sahara.
- 16 October 1975 : The International Court of Justice (ICJ) issued its advisory opinion, confirming that Western Sahara was not terra nullius prior to Spanish colonization and that no legal ties of sovereignty existed that could affect the Sahrawi people's right to self-determination.
- September 1975 : The Spanish government held meetings with the POLISARIO Front concerning independence and future relations.
- 14 November 1975 : The signing of the Madrid Accords, through which Spain, Morocco, and Mauritania secretly negotiated the partition of Western Sahara. The POLISARIO Front immediately rejected the accords, denouncing them as a conspiracy against the Sahrawi people and a usurpation of their right to independence.
- 31 October 1975 : Moroccan occupation forces invaded Western Sahara militarily, marking the beginning of Sahrawi displacement and exile.

"The Court concluded that the materials and information submitted to it do not establish the existence of any tie of territorial sovereignty between the territory of Western Sahara and the Kingdom of Morocco or the Mauritanian entity. Accordingly, the Court found no legal ties of such a nature as might affect the application of General Assembly resolution 1514 (XV) concerning the decolonization of Western Sahara, in particular the implementation of the principle of self-determination through the free and genuine expression of the will of the people of the Territory."

- Advisory Opinion of the International Court of Justice on Western Sahara, 16 October 1975

■ Post-Spanish Withdrawal to 30 April 2007 :

On the Ground :

- Following Spain's abrupt withdrawal in 1975, armed confrontations broke out between the Moroccan and Mauritanian occupation forces on one side and the POLISARIO Front on the other.
- 14 August 1979 : Moroccan forces invaded the region of Dakhla, previously occupied by Mauritania.
- December 1981 : Morocco began constructing the military separation wall, dividing Western Sahara's land and people.
- 1987 : A UN technical mission visited Western Sahara.
- 20 June 1989 : The POLISARIO Front released 200 Moroccan prisoners of war under the supervision of the International Committee of the Red Cross; the Moroccan King refused to receive them.
- Mid-June 1991 : Morocco disclosed the fate of over 300 Sahrawi disappeared persons who had survived secret detention centers such as Agdez, Kalaat M'Gouna, Skoura, and the Rapid Intervention Forces barracks in occupied El-Aaiún, after having endured between 4 and more than 15 years of enforced disappearance.
- 1992–1999 : Multiple Sahrawi uprisings occurred in Aousserd, Smara, and El-Aaiún, met with live ammunition, mass arrests, and torture.
- 1999 : Peaceful demonstrations in occupied El-Aaiún were violently suppressed by Moroccan forces and settlers, resulting in widespread detentions and assaults on Sahrawi civilians and property.
- 14 June 1999 : Moroccan police arrested 13 underage Sahrawi students (including five girls) for writing pro-independence slogans

on school desks and their bodies. They were detained for a month in police custody, subjected to ill-treatment, coerced labor, and transferred to secret detention sites before being sentenced to three months' imprisonment. They were later released and barred from continuing their education.

- 2003 : Moroccan authorities arbitrarily closed the headquarters of the Forum for Truth and Justice - Sahara Branch, and launched arrests, forced displacement, and dismissals against Sahrawi human rights defenders.
- 21 May 2005 : Peaceful demonstrations erupted in the occupied territories of Western Sahara demanding the Sahrawi people's right to self-determination. Moroccan forces responded with brutal repression targeting human rights defenders, students, unemployed youth, and civilians across the occupied cities, neighboring towns, and Moroccan universities.

Politically :

- 27 February 1976 : The Sahrawi Arab Democratic Republic (SADR) was proclaimed by the POLISARIO Front.
- 5 August 1979: The Peace Agreement between Mauritania and the SADR was signed in Algiers, leading to Mauritania's withdrawal from Dakhla.
- 1979: Moroccan forces invaded the region vacated by Mauritania.
- 1989: A POLISARIO negotiating delegation met King Hassan II in Marrakesh.
- 9 July 2002 : The African Union (AU) was established, with the SADR among its founding members.

At the Level of the Organization of African Unity (OAU) :

- 26 June 1981 : King Hassan II announced at the Nairobi OAU Summit his acceptance of a

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- referendum on self-determination in Western Sahara.
- 12 November 1982 : The SADR was admitted as a full member of the OAU, prompting Morocco's withdrawal.
- 27 September 1983 : King Hassan II declared Morocco's acceptance of the referendum results, whatever they might be.

At the Level of the United Nations General Assembly :

The UN General Assembly annually adopts resolutions reaffirming the Sahrawi people's right to self-determination and considering :

- Western Sahara to be subject to international laws governing military occupation, thereby confirming it is not part of Morocco.
- The territory remains under Spain's administrative responsibility pending decolonization, while supporting a peaceful, mutually acceptable political solution.
- 1979 : Resolution 37/34 reaffirmed the Sahrawi people's right to self-determination in accordance with the UN Charter, the OAU Charter, and Resolution 1514 (XV), recognizing the legitimacy of their struggle and denouncing Morocco's continued occupation.
- October 1986 : Resolution 40/50 called for direct negotiations between the parties to the conflict.

At the Level of the UN Security Council :

- 11 August 1988 : Morocco and the POLISARIO Front accepted the UN Settlement Plan proposed by the Secretary-General.
- 20 December 1988 : Security Council Resolution 621 appointed the Secretary-General's Special Representative for Western Sahara.

- 18 June 1990 : The UN Secretary-General submitted his comprehensive report on Western Sahara, including his proposals for resolution, later endorsed by the Council.
- 29 April 1991 : Security Council Resolution 690 established the United Nations Mission for the Referendum in Western Sahara (MINURSO).
- 6 September 1991 : A ceasefire agreement was concluded under UN auspices, providing for a referendum on self-determination — never held due to Moroccan obstruction.
- December 1999: The referendum process was derailed by Morocco's obstruction of the voter identification phase.
- May–June 2002: Two rounds of direct negotiations took place in London and Bonn between the parties under the mediation of UN Envoy James Baker.
- March 2004: Family exchange visits between occupied Western Sahara and the refugee camps began under the UNHCR's Confidence-Building Measures.
- May 2006 : A delegation from the UN Office of the High Commissioner for Human Rights (OHCHR) visited Western Sahara to assess the human rights situation following Moroccan crimes against humanity and serious violations committed against peaceful Sahrawi demonstrators demanding self-determination and independence.

I. Genocide, War Crimes, and Crimes Against Humanity (31 October 1975 – 30 April 2007)

Throughout this 31-year period marked by occupation and UN-led decolonization efforts, Moroccan occupation forces committed acts constituting genocide, war crimes, and crimes against humanity against Sahrawi civilians.

- Two principal phases are distinguished :



- **First Phase** : From **31 October 1975** to **5 September 1991**, prior to the signing of the ceasefire between the POLISARIO Front and the Kingdom of Morocco.



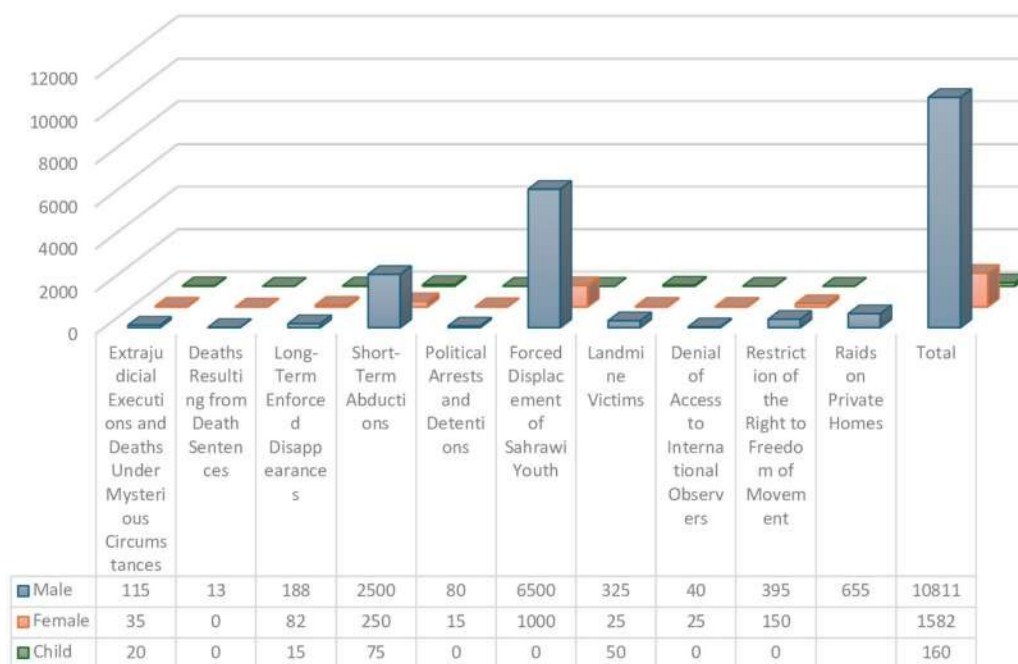
- **Second Phase** : From **6 September 1991** to **30 April 2007**, following the UN Security Council's call for direct negotiations without preconditions to achieve a just and lasting solution guaranteeing the Sahrawi people's right to self-determination — during which Morocco presented its so-called “autonomy plan”.

1. Genocide and War Crimes During the First Phase

These crimes were explicitly encouraged by [King Hassan II](#)'s 1975 speech, in which he urged Moroccans to warmly receive the Spaniards — both civilians and soldiers — while assigning the army a different mission: to confront the so-called “intruders,” referring to the Sahrawi population. This rhetoric constituted a direct incitement to genocide and war crimes against

Sahrawi civilians, the very inhabitants of Western Sahara who had protested against Spanish colonialism since 1970.

Based on this table and chart, The working team presents a series of grave human rights violations and crimes, most of which were systematically perpetrated in rural areas against Sahrawi civilians.



The working team was unable to determine the exact number or proportion of victims, given that the Moroccan occupation forces committed these crimes on a large and systematic scale in the absence of eyewitnesses, due to the continuous risks faced by Sahrawi civilians, human rights defenders, and bloggers. Among the most egregious crimes committed are :

- **Bombing of Sahrawi civilians with napalm and white phosphorus** on 18 and 19 February 1976, targeting three Sahrawi refugee camps in Oum Dreiga, Mahbes, and Tifariti, resulting in the killing, mutilation, and injury of thousands of victims, including women and children.
- Throwing civilians from aircraft while

blindfolded, handcuffed, and placed inside sacks. Most of these civilians had been abducted on 10 July 1976 in Smara, Jdiriya, Hawza, and several surrounding Sahrawi areas.

- Burying civilians alive in mass graves: numerous testimonies confirm that Moroccan occupation forces buried Sahrawi civilians of various ages alive in mass graves in Lemid, Tan-Tan, Mahbes, and Jdiriya.
- Poisoning of wells: several testimonies from Sahrawi victims affirm that the Moroccan occupation army poisoned and contaminated wells and destroyed food supplies belonging to the rural population.
- Killing livestock and destroying rural property: the Moroccan occupation forces deliberately killed, looted, and stole livestock

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particularly camels and sheep—while completely destroying private properties in rural areas.

- Forcible displacement of rural civilians: the Moroccan occupation forces committed crimes against Sahrawi civilians in rural regions, forcibly displacing them toward urban centers.
- Forcible deportation of Sahrawi families to

cities inside Morocco : since the invasion of Western Sahara, the Moroccan occupation forces has forcibly relocated numerous Sahrawi families to Moroccan cities due to their political positions supporting the Sahrawi people's right to self-determination or because of their kinship ties with leaders and combatants of the Sahrawi liberation movement.

02. Genocide, War Crimes, and Crimes Against Humanity Committed During the Second Period

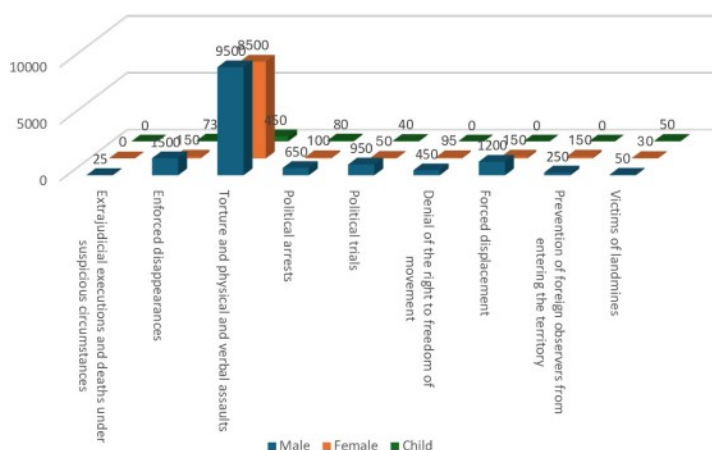
The Moroccan occupation forces continued to perpetrate crimes against humanity against Sahrawi civilians, despite the presence of the United Nations Mission for the Referendum in Western Sahara (MINURSO) and Morocco's ratification of several international human rights conventions. This situation prompted the Office of the United Nations High Commissioner for Human Rights (OHCHR) to organize a visit to the occupied city of El-Aaiún in May 2006. Alongside several international organizations, the OHCHR delegation documented cases of Sahrawi victims who had been subjected to torture, rape, abduction, political imprisonment, and various forms of degrading and inhumane treatment due to their participation in peaceful demonstrations calling for the Sahrawi people's right to self-determination.

In this context, CODESA met with the OHCHR

delegation, presenting testimonies and reports documenting various crimes against humanity linked to the repression of peaceful demonstrations demanding the Sahrawi people's right to self-determination.

The working team sought, within this period, to present detailed tables and statistics illustrating the crimes against humanity committed by the Moroccan occupation forces against Sahrawi human rights defenders and civilians from the date of the ceasefire and the deployment of MINURSO up to 30 April 2007.

As a result of pressure from the United Nations and international human rights organizations on the Moroccan occupation forces to respect human rights in Western Sahara, dozens of Sahrawi human rights defenders and political prisoners held in various Moroccan prisons were released on 25 March and 21 April 2006.



It should be noted that these statistics are approximate, given the magnitude and intensity of the crimes and violations committed by the Moroccan occupation forces against Sahrawi civilians.

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During this period, the occupation forces also committed a series of additional crimes, including:

- Violent interventions using live ammunition and rubber bullets against Sahrawi civilian demonstrators, depriving them of their right to protest and to express the Sahrawi people's right to self-determination. The Moroccan occupation forces suppressed and banned over 12,000 demonstrations and sit-ins across the occupied part of Western Sahara, in nearby Sahrawi cities, and in Moroccan universities.
- Raiding more than 7,000 homes in an attempt to suppress demonstrators, arrest, torture, and fabricate charges against them.
- Closure and sealing of the premises of the Forum for Truth and Justice – Sahara Branch (FVJ) through an unlawful judicial decision in 2003.
- Denial of registration to the Sahrawi Association of Victims of Grave Human Rights Violations committed by the Moroccan State (ASVDH) in 2005, preventing it from obtaining authorization from the occupation authorities to continue its legitimate human rights activities publicly.
- Targeting Sahrawi human rights defenders through crimes against humanity and various

violations in retaliation for their continued monitoring, documentation, and reporting of abuses suffered by Sahrawi civilians in connection with their demand for the right to self-determination.

The targeting campaign began in 2001, following the creation by Sahrawi human rights activists—victims of crimes against humanity—of the Forum for Truth and Justice – Sahara Branch in occupied El-Aaiún. It escalated systematically after Sahrawi crowds took to the streets on 10 and 13 November 2002 in El-Aaiún and Smara to welcome four released prisoners of conscience, who had regained their freedom thanks to pressure and intervention from [Amnesty International](#).

Below is a list of Sahrawi human rights defenders who were targeted because of their presence at these receptions and their responsibility in organizing them as Sahrawi activists and members of the Forum for Truth and Justice – Sahara Branch. The Moroccan occupying power launched investigations and interrogations involving 18 human rights defenders, both within and outside the organization, in an attempt to paralyze human rights work in the occupied part of Western Sahara.



© Reception of the Sahrawi political prisoner and human rights defender Ali Salem Tamek in the city of Assa, in the year 2006

© Reception on the occasion of the release of Sidi Mohamed Dadache in the year 2001, in the occupied city of Smara





© Photos of Sahrawi women who are victims of the repression of the Moroccan occupation force



©The hunger strike carried out by Aminatou Haidar at the Airport in Spain in November 2009

Documented Human Rights Violations by the Moroccan Occupation Forces

Name of Victim	Type of Violation	Date and Place of Violation	Remarks / Context
Ibrahim Al-Noumriya	Denial of participation in the UN Human Rights Council	September 2001, Mohammed V Airport, Casablanca, Morocco	He was detained and prevented from traveling. The Moroccan occupation forces confiscated a videotape documenting testimonies on crimes against humanity committed against Sahrawi civilians and prisoners of conscience.
Mahmoud Al-Hamed			The Moroccan occupation forces took this arbitrary decision because the Sahrawi human rights defender served as President of the 'Forum for Truth and Justice – Sahara Branch', whose members participated in welcoming Sahrawi activist Sidi Mohamed Daddach and a group of released Sahrawi political prisoners in the occupied cities of Laayoune and Smara.
Ali Salem Tamek	Forced displacement and arbitrary dismissal		The Moroccan occupation forces forcibly transferred them from their workplaces in Asa and Laayoune and committed several grave human rights violations against them due to: (1) their participation in welcoming Sidi Mohamed Daddach and other political prisoners; (2) their media coverage of two public rallies held on 10 November 2001 in the occupied cities of Laayoune and Smara; (3) their human rights and trade union activism, notably reporting and showing solidarity with victims of gross human rights violations and raising the issue of Sahrawi workers at Phosboucrac, as active members of the 'Forum for Truth and Justice – Sahara Branch'.
Mohamed Al-Jaim		February 2002, Asa and El-Ayoun (Occupied Territories)	
Mohamed Al-Mutawakkil			
Mohamed Abdel Dayem	Forced displacement		
Mahmoud Al-Hamed			
Al-Salek Bazid	Political imprisonment	Summer 2002, Laayoune (Occupied Territory)	He was arrested along with a group of Sahrawi youths. Unlawful sentences of 10 years' imprisonment were issued against him, Baba Al-Masamih, Mohamed Lamine Bouchil, and Ahmed Al-Sebaal.
Al-Dakheel Moussaoui	Political imprisonment	Summer 2002, Laayoune (Occupied Territory)	An unlawful sentence of one and a half years' imprisonment was issued against him.
Abdeslam Al-Dimawi	Political imprisonment	Summer 2002, Smara (Occupied Territory)	He was released from Laayoune local prison after being acquitted, following six months of arbitrary pre-trial detention.
Ali Salem Tamek	Political imprisonment	Summer 2002, Rabat (Morocco)	He was arrested under the pretext of an outstanding warrant issued against him since December 1999. He was unlawfully sentenced to two years' imprisonment.

Ahmed Al-Nassiri	Political imprisonment	2002, Rabat (Morocco)	He was forcibly transferred to Laayoune, where an unlawful sentence of one and a half years' imprisonment was issued against him, served between Laayoune local prison (Occupied Territory) and Al-Melloul Prison (Morocco).
Al-Aarabi Massoud	Denial of the right to work	2002, Tan-Tan	The Moroccan occupation forces denied his right to employment immediately after he successfully met the criteria set by a regional committee responsible for selecting candidates for public employment. This measure formed part of a broader pattern of arbitrary and retaliatory practices targeting Sahrawi human rights defenders due to their activism and position regarding the question of Western Sahara.
Al-Hussein Idri			
Mohamed Salem Lakhel			
Hammoudi Igilaid			
Sidi Sayli			
Alal Latif			
Miyara Mohamed Salem	Forced displacement	Academic year 2003–2004	The occupation forces forcibly transferred these teachers and several of their trade union and civil society colleagues from cities in Western Sahara because of their human rights activities and engagement as Sahrawi activists within the 'Forum for Truth and Justice – Sahara Branch'.
Mohamed Salem Al-Talhi			
Hamma Idad			
Lahcen Bouknin			
Al-Salek Jamaa			

Name of Victim	Type of Violation	Date and Place of Violation	Remarks / Context
Aminatou Haider	Arbitrary dismissal from employment	March 2005, Boujdour (Occupied Territory)	She was dismissed from her job and her salary was suspended for participating in a protest in Laayoune (Occupied Territory) on the occasion of International Women's Day.
Al-Ghalia Djimi	Harassment and confiscation of camera	22 May 2005, Laayoune (Occupied Territory)	Her camera was confiscated by the Moroccan occupation forces while she attempted to document peaceful demonstrations held by Sahrawi civilians.
Hammoud' Igliald	Detention and confiscation of human rights report	27 May 2005, Laayoune (Occupied Territory)	The Moroccan occupation forces confiscated this human rights report because it addressed Sahrawi victims and documented significant aspects of the repressive intervention against peaceful demonstrations in Laayoune.
Al-Salek Bazid	Abduction and torture	27 May 2005, in front of the Primary Court, Laayoune (Occupied Territory)	He was abducted and tortured for several hours in reprisal for expressing solidarity with the families of Sahrawi political prisoners.
Alal' Latif	Arbitrary arrest and confiscation of vehicle and documents	4 July 2005, Laayoune (Occupied Territory)	His vehicle and all related documents were confiscated by the Moroccan occupation forces due to the presence of Norwegian observers who came to hear testimonies from victims of crimes against humanity committed against Sahrawi civilians advocating for the right to self-determination.
Aminatou Haider	Physical assault and political imprisonment	17 June 2005, Laayoune (Occupied Territory)	She was violently assaulted in a public street, resulting in serious injuries, during her participation in a peaceful demonstration commemorating the Zemla Uprising. She was later abducted from the hospital and arbitrarily sentenced to seven months' imprisonment.
Al-Hussein Lidri	Physical and verbal assault	17 June 2005, public street, Laayoune (Occupied Territory)	They were subjected to severe physical assaults during a peaceful demonstration commemorating the Zemla Uprising.
Fatma Ayach			
Al-Saleh Rkibi			
Ahmad Hamad	Physical assault	17 June 2005, in front of Hassan Ben Al-Mehdi Hospital, Laayoune (Occupied Territory)	He was beaten with batons after being forced out of his vehicle, which was damaged, for transporting Aminatou Haider and her injured colleagues to the hospital.
Ali Salem Tamek	Political imprisonment and abduction	18 July and 1 August 2005, Laayoune Airport and Laayoune local prison (Occupied Territory)	He was arrested immediately upon arrival from Las Palmas and later abducted along with four other human rights defenders in an attempt by the Moroccan occupation forces to commit them to a psychiatric hospital in Inzeqane (Morocco). He was unlawfully sentenced to ten months' imprisonment.
Al-Arabi Massoud			
Ibrahim Al-Nouriya	Political imprisonment and abduction	20 July and 1 August 2005, Laayoune and Casablanca (Morocco)	They were arrested and abducted from Laayoune local prison under harsh conditions, then placed in pre-trial detention at Okacha Prison in Casablanca before being unlawfully sentenced to eight months' imprisonment.
Mohamed Al-Mutawekkil			
Al-Hussein Lidri			
Aldellil Gaudil	Political imprisonment	20 July 2005, Casablanca (Morocco)	He was arrested along with Mohamed Al-Mutawakkil at the latter's residence before being released by the investigative judge at the Court of Appeal in Laayoune (Occupied Territory).

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Second – The Issue of Enforced Disappearance and Its Link to the Military Invasion of Western Sahara

The issue of enforced disappearance remains one of the most pressing concerns for international human rights organizations, institutions, and the families of Sahrawi victims in the occupied territories of Western Sahara and in Sahrawi refugee camps. For more than three decades, they have been unaware of the fate of hundreds of Sahrawi civilians, despite Amnesty International's repeated calls to reveal

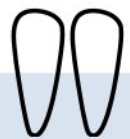
the fate of the forcibly disappeared Sahrawis, many of whom went missing for over 15 years, while some groups were disappeared for four years. Amnesty International was among the first to publish the names of surviving Sahrawi victims beginning in mid-June 1991, from secret detention centers in El Mekhfiya, Grama, and the Rapid Intervention Forces barracks in occupied El-Aaiun.

1 – Lack of Full Truth in the Moroccan occupation Forces' Partial "Acknowledgment" of Crimes Against Sahrawi Civilians

In a December 2010 report on monitoring the implementation of the Moroccan Equity and Reconciliation Commission, titled "Appendix 1: Cases of Enforced Disappearance," the Moroccan occupation forces admitted to committing acts of kidnapping accompanied by extrajudicial killings against Sahrawi civilians since the forcible annexation of Western Sahara through military means.

Despite the lack of credibility in this report and the deliberate misrepresentation and conflation of information without contextualizing the broader circumstances under which these

crimes and serious human rights violations occurred — namely, the reality of occupation — the working team analyzed certain figures presented in the report, focusing particularly on the section regarding children on page 45, which stated :



"During sweep operations conducted by the army in the 'Southern Provinces' to counter military attacks by the Polisario Front, a group of children, along with members of their families, were detained in military barracks under conditions that did not meet their needs. Due to their age and limited endurance, 14 children died during detention..."

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The working team, observing the crimes committed by the Moroccan occupation forces against vulnerable Sahrawi children, raises the following questions :

- What is meant by “conditions that did not meet the needs of these children,” given that most of them were reportedly detained in towns and villages close to locations where such needs could have been met ?

- Why was there no involvement of medical personnel accompanying the Moroccan occupation forces to safeguard the lives of these children?
- What constitutes the “strong evidence” of these children’s deaths during detention?
- What is the nature and form of this evidence, if it indeed exists?
- What became of the remains of these deceased children?
- Why was the detention of children linked to Polisario Front military attacks, when, under international humanitarian law, the Moroccan occupation forces bear responsibility to protect Sahrawi civilians, including children, rather than detaining them in military barracks ?

Cases Reported as Deceased Due to Armed Conflicts or Sentences Issued by the Moroccan Military Court

The working team noted that the December 2010 report on monitoring the implementation of the Moroccan Equity and Reconciliation Commission, titled “Appendix 1: Cases of Enforced Disappearance,” treated those reported deceased during armed clashes between the Moroccan occupation forces and the Polisario Front as forcibly disappeared, rather than as combatants in the Popular Front for the Liberation of Saguia el-Hamra and Rio de Oro. The report also did not recognize detainees as prisoners of war.

This involved four cases presumed to have died in hospitals, in contrast to 66 cases mentioned in the report on implementing the Commission's recommendations, listed as prisoners resulting from armed clashes, who were handed over on 31 October 1996 to the International Committee of the Red Cross (ICRC) for transfer to Tindouf in southwestern Algeria, without disclosing their names or the official authority that received them before they rejoined their families in Sahrawi refugee camps.

The working team expressed concern over including victims of military confrontations within files dealing with enforced disappearance, particularly the group of 66 prisoners of war, who were regularly visited by the ICRC at their detention locations in the military camps of Kenitra and N'serkaw in Agadir, Morocco.

Type	Cause of Death	Number of Victims	Place of Death	Notes
Not Specified	Armed Clashes	40	Battlefield	The report stated that 12 individuals could not be identified due to burned bodies. Other deaths were recorded only as numbers, without providing any identifying information.
Not Specified	Armed Clashes	88	Various Battle Sites	
Not Specified	Armed Clashes	12	Various Battle Sites	
Not Specified	Armed Clashes	4	Hospitals	The names and locations of these hospitals and the identities of the victims were not provided.
Men	Sentencing to Death	13	Place of Execution Not Specified	The official date of the death sentences is 19 October 1976. No information was provided regarding the date or place of arrest, the charges, the case file number, or the manner of execution. This occurred less than one year after Morocco's occupation forces entered Western Sahara.

Reported Deaths in Military Barracks, Civil Prison, Unidentified Detention Centers, Rapid Intervention Forces Barracks, and Hospitals in Laayoune / Western Sahara

Category	Circumstances of Death	Number of Victims	Place of Death
Children	Armed clashes	14	Military barracks
Women	Harsh conditions of detention	11	Military barracks
Men	Harsh conditions of detention	91	Military barracks
Men	Harsh conditions of detention	23	Civil Prison of Laayoune (Occupied Territory)
Men	Harsh conditions of detention	8	Rapid Intervention Forces barracks, Laayoune (Occupied Territory)
Men	—	2	Hospitals
Men	—	1	Unknown detention facility
Total		150	

Kidnapped Individuals Reported at the Secret Detention Site “Qal’at Makouna”

Category	Number of Kidnapped, 1975–1980	Number of Kidnapped, 1981–1985	Number of Kidnapped, 1986–1989	Remarks / Context
Children	15	3	—	The list claiming to account for the fate of individuals at Qal’at Makouna is inaccurate and does not include the full total of 255 kidnapped persons, including 60 women. The report includes some names of individuals whose fate had already been disclosed in the Rapid Intervention Forces barracks in Laayoune (Occupied Territory), which detained 49 kidnapped persons, including 10 women, without mentioning 20 cases from this group or the hundreds of Sahrawi detainees who passed through this secret site at various times.
Women	36	15	6	
Men	94	73	22	
Total	145	91	28	
Grand Total: 264				

Reported Deaths of Kidnapped Individuals in Secret Detention Sites: Akedz, Qal’at Makouna, and Arama / Morocco

Secret Detention Site	Number of Deaths	Date(s) of Abduction	Reported Date(s) of Death
Akedz	26 kidnapped, including 2 women	1976	Between 1976 and 1980
Qal’at Makouna	16 kidnapped	Between 1976 and 1985	Between 1981 and 1990
Karama	1 kidnapped	1979	4 October 1986
Total 43 deaths			



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Documented Human Rights Violations by the Moroccan Occupation Forces (2005–2007)

Cases	Number of Children	Number of Women	Number of Men	Remarks / Context
Deaths due to armed clashes	Not specified	Not specified	Not specified	Page 19 mentions 144 deaths during armed clashes without listing names or specifying whether victims were civilians or military personnel.
Muslim prisoners of war under the International Committee of the Red Cross	—	—	—	66 of these prisoners were considered disappeared, although the ICRC regularly visited them at their detention sites in the military garrisons of Kenitra and Ben Serkaou (Morocco), with family visits throughout their detention. The Moroccan occupation forces later transferred them to cities in Western Sahara, where hundreds of Sahrawis could visit and meet them.
Deaths in military barracks	14	11	91	Most cases occurred in 1976 and 1977.
Deaths in Laayoune civil prison (Occupied Territory)	Not specified	—	23	Most deaths occurred in 1976–1977. The report does not clarify reasons for detention, charges, or whether they underwent trial.
Deaths in Rapid Intervention Forces barracks, Laayoune and Dakhla	Not specified	—	8	For five victims, the date of death was not mentioned; for three victims, dates were recorded: one in 1979 and two in 1990.
Deaths after transfer to hospital	—	—	2	Abduction and death were likely linked to torture during the presence of MINURSO (UN Mission for the Referendum in Western Sahara), coinciding with mass arrests of youth, children, students, and pupils preparing peaceful demonstrations with Sahrawi national flags.
Victims reported at Qal'at Makouna secret detention site	18	57	189	The report did not include all individuals whose fate was declared at this site. Some names listed had already been disclosed on 19 June 1991 in the Rapid Intervention Forces barracks in Laayoune, which the report deliberately omitted.
Victims reported at Arama secret detention site	—	—	2	Only the names of the two individuals were provided; no information about the date, place of abduction, or detention centers.
Deaths of victims at Akedz secret detention site	—	2	25	Most deaths occurred in 1976–1977, except two who died in 1979–1980. The oldest victim was 76 years old.
Deaths of victims at Qal'at Makouna secret detention site	—	—	16	Deaths occurred between 1981 and 1990. The oldest victim was 83 years old.
Death at Arama secret detention site	—	—	1	The victim suffered a gastrointestinal disease; the medical authority was not specified, nor was it clear if they were transferred to a hospital or treated in place. The Advisory Council on Human Rights intervened on 15 December 2005 to move the body without notifying the family.
Deaths due to execution (death penalty)	—	—	13	The report only mentions names and the execution date (19 October 1976) issued by the Moroccan Military Court. No arrest dates, charges, trial details, or legal representation information is provided.
Death at an unspecified center in Rabat	—	—	1	The report mentions only the victim "Lahcen Tamek," his birth date, and circumstances of abduction during a pursuit with a colleague. The colleague was also abducted but managed to escape from the hospital. The context involved Moroccan
				occupation police campaigns targeting Sahrawi students in May 1977, who were abducted, tortured at Derb Moulay Cherif in Casablanca, and subjected to unlawful sentences of 3–5 years' imprisonment.
Total	32	70	371	Grand Total: 473

The actual statistics of long-term enforced disappearance victims in the secret detention sites of Akedz, Qal'at Makouna, Arama, and the Rapid Intervention Forces barracks in Laayoune (Occupied Territory)

The working team, while presenting a set of figures and reviewing certain incomplete data, deems it necessary to provide specific numbers and statistics related to enforced disappearance—a crime against humanity endured by Sahrawi civilians since the forcible annexation of Western Sahara by military means. These crimes were committed in secret detention sites that became publicly known after June 1991.

These figures differ from those contained in the “Report on the Follow-up to the Implementation

of the Recommendations of the Equity and Reconciliation Commission (Annex I on Enforced Disappearance),” which deliberately omitted any mention of the Rapid Intervention Forces barracks in occupied El-Aaiún. This facility continued to serve as a secret site for the killing, abduction, and torture of Sahrawi civilians, even after the fate of dozens of Sahrawi victims had been revealed on 19 June 1991, following nearly four years of enforced disappearance.

Secret Detention Site	Women	Men	Deaths	Survivors after Fate Disclosure	Remarks / Context
Akedz and Qal'at Makouna	62	236	43 kidnapped, including 2 women	255 kidnapped, including 60 women	This group included minors and elderly detainees over 75 years old. Two victims were deaf and mute.
karama (Al-Rish)	0	3	1	2	The deceased victim was the only case where the Moroccan occupation forces disclosed the cause of death and confirmed that the body was transferred from the secret detention site to a nearby cemetery.
Rapid Intervention Forces Barracks, Laayoune (Occupied Territory)	18	56	5	69 kidnapped, including 10 women	This group included two blind victims and a subgroup of 20 victims (including 8 women) whose fate was disclosed between 3 December 1987 and 30 May 1988. One victim, Muhammad Ikhlfu, died in hospital a few days after his fate was revealed.
Total	80	295	49 kidnapped, including 2 women	326 kidnapped	Grand Total: 375 kidnapped, including 80 women

The fate of 15 young Sahrawis remains unknown to this day, after their families accused the Moroccan occupation forces of abducting them on 25 December 2005, in connection with the

peaceful demonstrations calling for the self-determination of the Sahrawi people. The missing persons are :

Names of the Disappeared	Date and Place of Disappearance	Entity Presumed Responsible for the Disappearance
Ali Salem Lafdil Mouled-Dar	25 December 2005, near the occupied city of Boujdour	The naval forces, gendarmerie, and secret police of the Moroccan occupation forces
Mustapha Mohamed Fadel El-Yousfi	25 December 2005, near the occupied city of Boujdour	The naval forces, gendarmerie, and secret police of the Moroccan occupation forces
Khalihen El-Bashir Er-Rais	25 December 2005, near the occupied city of Boujdour	The naval forces, gendarmerie, and secret police of the Moroccan occupation forces
Mohamed El-Baithi	25 December 2005, near the occupied city of Boujdour	The naval forces, gendarmerie, and secret police of the Moroccan occupation forces
Sidi Ahmed Abdel-Wadoud El-Aalem	25 December 2005, near the occupied city of Boujdour	The naval forces, gendarmerie, and secret police of the Moroccan occupation forces
Esseddig Sidi Ahmed Boutenkiza	25 December 2005, near the occupied city of Boujdour	The naval forces, gendarmerie, and secret police of the Moroccan occupation forces
Sidi Brahim El-Mokhtar El-Yousfi	25 December 2005, near the occupied city of Boujdour	The naval forces, gendarmerie, and secret police of the Moroccan occupation forces
Abderrahman Sidi Mahmoud El-Khlifi	25 December 2005, near the occupied city of Boujdour	The naval forces, gendarmerie, and secret police of the Moroccan occupation forces
Abderrahim Es-Semlali	25 December 2005, near the occupied city of Boujdour	The naval forces, gendarmerie, and secret police of the Moroccan occupation forces
Ahmed Azmir	25 December 2005, near the occupied city of Boujdour	The naval forces, gendarmerie, and secret police of the Moroccan occupation forces
Habib Allah Sidi Mahmoud El-Khlifi	25 December 2005, near the occupied city of Boujdour	The naval forces, gendarmerie, and secret police of the Moroccan occupation forces
Laâroussi Mbarek Es-Souih	25 December 2005, near the occupied city of Boujdour	The naval forces, gendarmerie, and secret police of the Moroccan occupation forces
Ahmed Sidi Ahmed El-Kouari	25 December 2005, near the occupied city of Boujdour	The naval forces, gendarmerie, and secret police of the Moroccan occupation forces
Saïd Laâroussi Ekreita	25 December 2005, near the occupied city of Boujdour	The naval forces, gendarmerie, and secret police of the Moroccan occupation forces
Lahbib El-Bekkay Hellab	25 December 2005, near the occupied city of Boujdour	The naval forces, gendarmerie, and secret police of the Moroccan occupation forces

The crime of enforced disappearance in the occupied part of Western Sahara raises profound legal issues regarding the obligations of the Moroccan state under the rules of international humanitarian law, international human rights law, and the system of international responsibility.

From the perspective of the legal nature of the Sahrawi issue, the situation in Western Sahara is classified as an international armed conflict and a case of military occupation under the provisions of the four Geneva Conventions of 1949, which entails that Morocco, as the occupation force, is subject to specific obligations toward Sahrawi civilians.

In this context, the practices of abduction and enforced detention in secret locations, as well as extrajudicial executions, constitute grave

breaches of the Fourth Geneva Convention (Article 147) and rise to the level of war crimes. Moreover, the detention of children and women in military barracks, and their deaths under inhumane conditions, contravenes the special protections afforded to civilians under the Fourth Geneva Convention and Additional Protocol I of 1977 (Articles 76–78). Similarly, categorizing prisoners of war as “missing persons” constitutes a clear legal distortion of the Third Geneva Convention of 1949, which enshrines special treatment for prisoners of war and provides for regular guarantees through the International Committee of the Red Cross.

At the level of international human rights law, cases of extrajudicial executions and deaths in custody represent a flagrant violation of Article 6 of the International Covenant on Civil and

Political Rights, while enforced disappearance and detention incommunicado violate both Article 7 of the same Covenant and the provisions of the 1984 Convention Against Torture. Arbitrary deprivation of liberty in the absence of any independent judicial oversight constitutes a direct breach of Article 9 of the Covenant.

Furthermore, the lack of full disclosure of the truth and the failure to identify perpetrators contravenes established international practice, which affirms that victims and their families have an “inalienable right to know the truth and to hold perpetrators accountable,” as clearly emphasized by the Human Rights Committee.

Additionally, under the International Convention for the Protection of All Persons from Enforced Disappearance (2006), the crime of enforced disappearance is considered ongoing as long as the fate of the victims remains unknown. This renders the violations committed by the Moroccan occupation force in Western Sahara a continuing international crime.

From the perspective of international responsibility, the systematic and widespread

nature of enforced disappearance in Western Sahara brings it within the definition of crimes against humanity as set forth in Article 7 of the Rome Statute of the International Criminal Court. Accordingly, the Moroccan occupation force bears a legal obligation to conduct comprehensive and effective investigations into all cases of disappearance and extrajudicial execution and to hold those responsible accountable. It should be noted that these crimes are not subject to statutes of limitation under Article 29 of the Rome Statute and Article 17 of the International Convention for the Protection of All Persons from Enforced Disappearance.

The continued policy of impunity does not merely constitute an additional violation of international obligations; it imposes on the international community, including the United Nations and its human rights mechanisms, a duty to intervene to ensure the realization of the rights to truth, justice, reparation, and guarantees of non-repetition for the benefit of victims and their families.

Third – Crimes against Humanity during the period from 1 May 2007 to 31 October 2025

During this phase and thereafter, the Western Sahara issue was marked by violations of the ceasefire by the Moroccan occupation force, characterized as follows :

At the United Nations level :

- April 2007: Morocco presented its “Autonomy Plan” for Western Sahara under Moroccan sovereignty.
- 18 June 2007: The first rounds of direct negotiations between the parties to the conflict began in Houston, USA
- May 2008: The UN Security Council adopted Resolution 1813, calling for the resumption of negotiations between Morocco and the Polisario Front to achieve a political solution guaranteeing the Sahrawi people's right to self-determination in accordance with the UN Charter.
- May 2009: The Security Council welcomed the proposal of the UN Secretary-General's Personal Envoy, Christopher Ross, to hold indirect talks between the parties.

- 8 November 2010: The commencement of indirect negotiations under UN auspices coincided with thousands of Sahrawi protesters in occupied El Aaiún demonstrating for independence, immediately after the Moroccan occupation force's military attack on Sahrawi civilians displaced to the "Gdeim Izik" camp.
- 29 November 2012: UN Envoy Christopher Ross announced the conclusion of a series of informal talks between Morocco and the Polisario Front, noting that these sessions did not contribute to resolving the longstanding conflict dating back to the 1970s.
- 29 April 2016: A UN Security Council resolution called on the parties to demonstrate political will to engage in a broader and more substantive negotiation phase.
- 2016: Morocco expelled more than 70 UN staff members after former UN Secretary-General Ban Ki-moon stated that Morocco's annexation of Western Sahara constitutes an occupation.
- December 2018: Geneva hosted talks between Morocco and the Polisario Front regarding the Western Sahara dispute under the auspices of former UN Envoy Horst Köhler.
- 5–6 December 2018 and 21–22 March 2019: Roundtable meetings were held in Geneva to seek a peaceful resolution to the conflict in accordance with the UN Envoy's initiative.
- 13 November 2020: The Moroccan occupation force violated the ceasefire following its military attack on Sahrawi civilians who had been peacefully demonstrating for months at the illegal Guerguerat crossing, demanding UN action

to end colonial occupation in Western Sahara.

The working team concluded that the key milestones of the Western Sahara issue at the UN level revolve around its designation as a territory under decolonization since 1963, the Security Council's resolutions on holding a self-determination referendum for the Sahrawi people, and the establishment of the United Nations Mission for the Referendum in Western Sahara (MINURSO) in 1991 to oversee the ceasefire and organize the referendum, which failed due to the Moroccan occupation force's rejection of all initiatives aimed at a peaceful solution guaranteeing the Sahrawi people's right to self-determination in accordance with the UN Charter.

At the UN General Assembly level:

- UN General Assembly Resolution 37/34, titled "Question of Western Sahara," reaffirmed the inalienable right of the Sahrawi people to self-determination and independence in accordance with the UN Charter, the OAU Charter, General Assembly Resolution 1514, and the legitimacy of their struggle to secure this right.
- The General Assembly continued annually to reaffirm in its resolutions the Sahrawi people's right to self-determination and independence, emphasizing that the Western Sahara issue falls within the framework of decolonization, supporting the international recognition of this right against attempts to alter the status of the territory, and highlighting the UN's responsibility to support the Sahrawi people's just and legitimate cause.
- The Assembly stressed the full respect of the ceasefire and the obligation of the parties to refrain from any actions that could

destabilize the situation in Western Sahara.

- 11 December 2023: Resolution 78/85 reaffirmed that the Western Sahara issue remains within the framework of decolonization.

At the African Union level :

- The Sahrawi Arab Democratic Republic joined the Organization of African Unity in 1984, prompting Morocco to withdraw from the organization for three decades.
- The Sahrawi Arab Democratic Republic became a founding member of the African Union in 2002.
- Morocco rejoined the African Union in 2017 after its withdrawal in 1984.
- The African Union continues to support the Sahrawi people's right to self-determination.
- A Special Representative of the African Union for Western Sahara has been appointed.

At the European Union level :

- The EU signs economic agreements with the Moroccan occupation force that include products from Western Sahara, raising questions about the legality of these agreements, particularly regarding the Sahrawi people's right to self-determination.
- 2016: The EU, in an international judicial ruling by the European Court of Justice, stated that Western Sahara is not part of Moroccan territory.
- 4 October 2024: The European Court of Justice annulled trade agreements between the EU and Morocco covering products from Western Sahara.

At the human rights level :

- The working team relied on references and sources including international reports documenting serious human rights violations

- committed by the Moroccan occupation force, such as those by Amnesty International, Human Rights Watch, Front Line Defenders, the World Organisation Against Torture (OMCT), the International Federation for Human Rights (FIDH), the Robert F. Kennedy Center for Justice and Human Rights, and Freedom House. These organizations have highlighted repression of civil and political freedoms, house demolitions, arbitrary searches, media monitoring, restrictions on bloggers, suppression of peaceful demonstrations, constraints on freedom of association and assembly, and the systematic torture and repression of demonstrators advocating for the Sahrawi people's right to self-determination.
- October 2020: Amnesty International called for effective human rights monitoring to be a central component of any UN mission in Western Sahara.
- Human Rights Watch confirmed the continued repression by the Moroccan occupation force of independence advocates and the restrictions on freedom of expression and association in Western Sahara.

In this context, these organizations have focused throughout this period on :

- Ongoing repression of freedom of expression and peaceful assembly: This includes violent interventions by the Moroccan occupation force police against protesters to disperse them by force, prohibition of press conferences, and restrictions on the formation of Sahrawi associations and human rights organizations defending the Sahrawi people's right to self-determination, thereby hindering the work of Sahrawi human rights

defenders.

- Forced evictions, arbitrary and provocative searches: The Moroccan occupation force continues to demolish Sahrawi family homes without notice or alternative accommodation, while Sahrawi activists are subjected to arbitrary searches and confiscation of personal belongings, reflecting clear violations of their rights.
- Political targeting of activists: The Gdeim Izik case in 2010 saw dozens of human rights defenders and Sahrawi civilians subjected to political detention and unlawful sentencing by the Military Court in Rabat and the Court of Appeal in Salé/Morocco, with sentences ranging from life imprisonment to twenty years. They reported torture and political repression during their trials, as documented in the UN Working Group on Arbitrary Detention report.
- Torture and degrading practices: Sahrawi activists consistently report, in complaints and testimonies, exposure to torture and various degrading and humiliating practices related to the Western Sahara issue and peaceful demonstrations demanding the Sahrawi people's right to self-determination.
- Absence of an independent international mechanism: In light of the Moroccan occupation force's continued obstruction of independent field monitoring of human rights in Western Sahara, international organizations continue to call for the expansion of MINURSO's mandate to monitor and report on human rights, emphasizing the difficulty of documenting serious human rights violations without an independent international mechanism.
- 7 May 2025: Three UN Special Rapporteurs

on human rights jointly condemned the obstruction of the Sahrawi Human Rights Defenders' Congress (CODESA), which was scheduled for 21 October 2023 in occupied El Aaiún, stating that such repression constitutes a serious violation of the fundamental rights of human rights defenders in Western Sahara, severely undermining civil liberties in the territory. They demanded an immediate halt to intimidation, surveillance, and repressive measures targeting members of this organization.

Field events :

- Confiscation of CODESA's right to hold its General Assembly on 7 October 2007 in occupied El Aaiún.
- 27 February 2008: Demonstrations in Tan-Tan demanding the Sahrawi people's right to self-determination were met with repression, abductions, and arrests by the Moroccan occupation force.
- 6 October 2009: A group of five Sahrawi human rights defenders had their passports and identity cards confiscated at the Bir Gandouz border to prevent them from visiting Sahrawi refugee camps. The UN intervened to restore their travel documents and other confiscated items, which had been held for over seven months.
- 8 October 2009: A group of seven Sahrawi human rights defenders was abducted and detained at Mohammed V Airport in Casablanca, Morocco, for visiting refugee camps in Algeria. They were held and interrogated for eight days before being transferred to Local Prison 01 in Salé, Morocco, on fabricated charges, and three spent over a year in unlawful pre-trial detention before being tried in a Casablanca

court and eventually released in April 2011 pending final verdicts.

- 6 November 2009: In line with incitement by King Mohammed VI of Morocco (“...one is either a citizen or a traitor; there is no middle ground...”), Sahrawi human rights defender Aminetu Haidar, former president of CODESA, was prevented from leaving El Aaiún Airport and forced to return the following day to Lanzarote after her passport was confiscated for using the term “Western Sahara” on a document issued by airport authorities. She subsequently staged a nearly month-long hunger strike, ending only after international and public pressure secured her return via a medical flight to her family in occupied El Aaiún.
- 10 October 2010: Thousands of Sahrawi civilians moved to the Gdeim Izik area (approx. 12 km east of occupied El Aaiún), erecting more than 8,000 tents in a peaceful protest demanding access to natural resources, employment, and a dignified life, under the slogan: “Our resources are enough to employ us.”
- 8 November 2010: The Moroccan occupation force conducted a military attack on thousands of Sahrawi civilians at the Gdeim Izik camp, resulting in the burning, destruction, and looting of property and tents, as well as the torture, abduction, and detention of hundreds of protestors. This provoked popular anger in occupied El Aaiún, where Sahrawis demonstrated for self-determination and independence.
- 17 November 2010: Peaceful demonstrations in El Aaiún and Smara ended with the abduction, arrest, and torture of 131 Sahrawi demonstrators.
- 25 September 2011: Sahrawi civilians in Dakhla, Western Sahara, were attacked by armed militias including Moroccan settlers under the Moroccan occupation force, resulting in the killing of a young Sahrawi and widespread abductions, including human rights defenders.
- February 2013: A Moroccan military court sentenced 24 Sahrawis to life imprisonment in connection with the 2010 events, attracting criticism from human rights organizations for lacking legal basis.
- 4 May 2013: Popular demonstrations in occupied El Aaiún demanding self-determination were violently repressed, coinciding with a visit by a US media delegation.
- September 2013: A Sahrawi youth was killed in Assa by live fire from Moroccan occupation force gendarmerie during peaceful protests, accompanied by repression and mass arrests in Assa and Guelmim.
- 11 February 2014: A group of Sahrawi bloggers and human rights defenders—Bashir Bouamoud, Al-Hafid Toubali, Mohamed Jammour, and Sidi Ibrahi—were arrested due to their media and human rights work.
- 23 January 2016: Over 16 Sahrawi university students were arrested for union and human rights activism defending the Sahrawi right to self-determination.
- April 2017: Tensions escalated at the illegal Guerguerat crossing due to the Moroccan occupation force constructing a road connecting Western Sahara’s border with Mauritania.

- July 2017: The Court of Appeal in Salé, Morocco, issued unlawful rulings mirroring the 2013 military court sentences against 24 human rights defenders and Sahrawi political prisoners.
- 15 November 2019: Sahrawi activist Mahfouda Lefkir was arrested in El Aaiún and sentenced to six months imprisonment; upon her release on 15 May 2025, she endured strict security surveillance amounting to house arrest for 15 days.
- The Moroccan occupation force escalated its repressive policy following its ceasefire violations, targeting Sahrawi civilians with repression, torture, denial of freedom of expression and assembly, forced evictions, and destruction of homes and property, while intensifying the torture and ill-treatment of Sahrawi political prisoners across Moroccan prisons.

Fourth – Escalation of Crimes Against Humanity and Systematic Violations Targeting Human Rights Defenders, Political Prisoners, and Sahrawi Civilians Since 2007

The working team, in its handling and assessment of crimes against humanity and gross human rights violations committed by the Moroccan occupation force against Sahrawi civilians, has relied on a comprehensive set of communications, statements, and periodic and annual reports issued by the CODESA, including:

- For the years 2006 and 2007, reports issued by the Secretariat of CODESA;
- From 2008 to 2019, reports issued by the Provisional Executive Bureau of CODESA;
- From 2020 to 2025, reports prepared by the Executive Bureau, the Committee for the Protection of Sahrawi Civilians, and other functional committees of CODESA in Western Sahara, following its First Founding Congress held on 25 September 2020, which resulted in the formation of the organization's governing structures: the Administrative Committee, the General Council, the Executive Bureau, and local branches;
- The 2013 report “Western Sahara: The Truth That Defies Oblivion” ;

- The report on the human rights situation in Western Sahara following the Moroccan military attack on the camp of displaced Sahrawi civilians in Gdeim Izik;
- The report on the trial of the Gdeim Izik detainees before the Rabat Military Court (Morocco) on 19 February 2013;
- The report on the trial of the Gdeim Izik detainees before the Court of Appeal of Salé (Morocco) on 17 July 2017.

The Working team reviewed all of these reports in order to examine a range of findings primarily related to the Moroccan occupation force's violations of international humanitarian law and international human rights law — whether concerning the commission of war crimes and crimes against humanity during the period from 30 April 2007 to 13 November 2020, or during the period from 14 November 2020 to 31 October 2025.

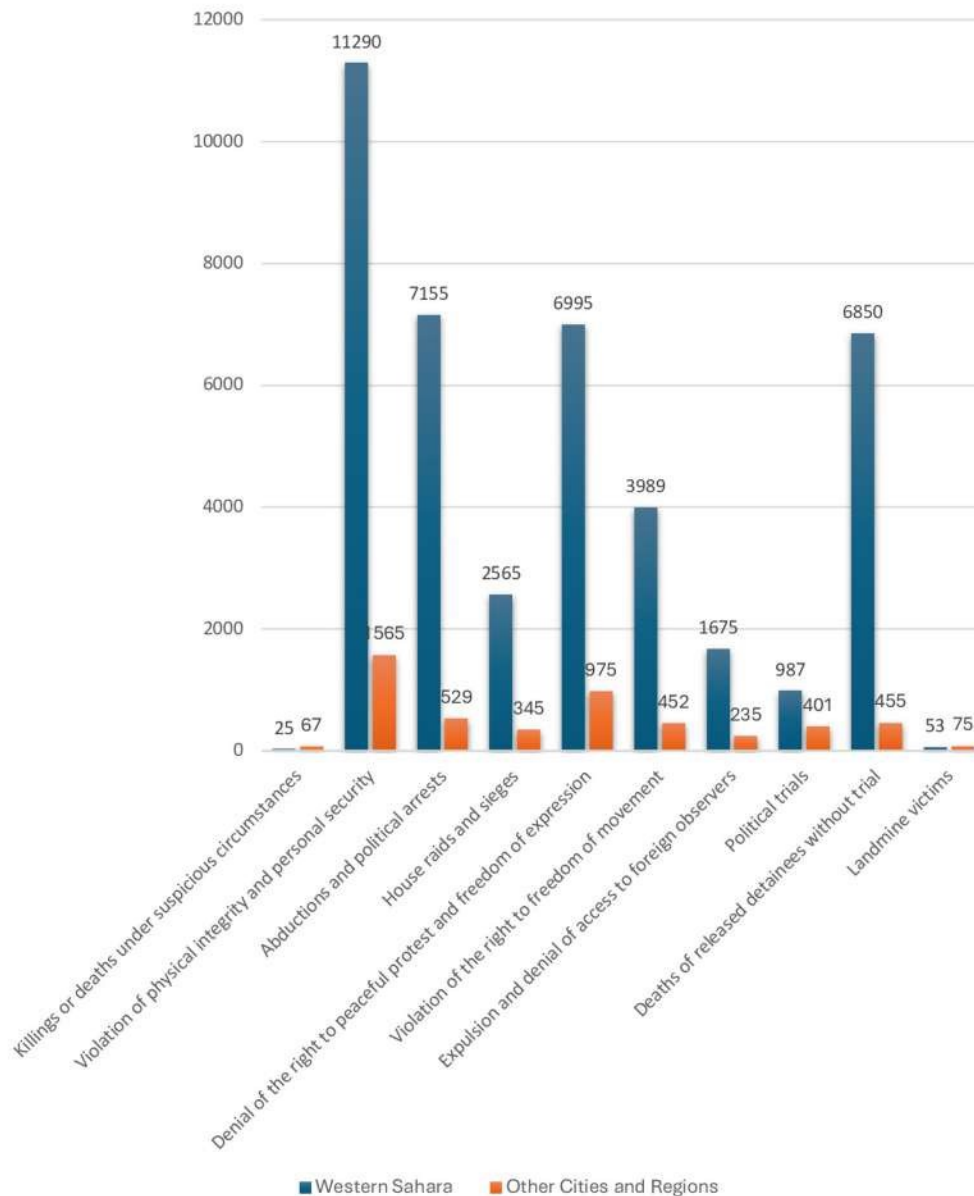
The working team faced considerable risks and challenges in collecting data related to each violation, given that this thirteen-year period also witnessed the continued perpetration by the

Moroccan occupation force of crimes against humanity and violations affecting the rights to life, physical integrity, personal security,

and other fundamental rights of Sahrawi civilians in the occupied part of Western Sahara.

➔ **The working team Was Able to Document the Following Findings :**

War Crimes and Crimes Against Humanity Committed Against Sahrawi Civilians



During this period, the occupied part of Western Sahara witnessed the displacement of thousands of civilians to the area of Gdeim Izik (approximately 12 kilometers east of the occupied city of Laayoune). This mass movement was a peaceful protest against their political, economic, social, and cultural conditions, through which they demanded their

legitimate and just rights, as guaranteed by international human rights covenants and instruments.

Between 10 October and 8 November 2010, the displaced Sahrawi civilians established a protest camp comprising more than 8,000 tents, symbolizing a collective act of resistance. Before long, the camp was violently dismantled by

Moroccan occupation forces, who attacked the protesters using live ammunition, rubber bullets, and tear gas.

Killing of Sahrawi Youth and Injuries Caused by Moroccan Occupation Forces in Laayoune, Western Sahara :

During this period, the Moroccan occupation force resorted to the use of live and rubber bullets and excessive force against Sahrawi civilians. This resulted in the killing of at least

four young Sahrawis, including a minor, who succumbed to gunshot wounds fired from automatic weapons belonging to the Moroccan army and from the sidearm of a Moroccan police officer. In addition, a young Sahrawi man was run over and killed by a police vehicle, while another was tortured to death at a location that remains unknown to this day.

The Following Table Illustrates the Number of Victims Killed and the Party Responsible for Their Deaths

Name of Victim	Age and Family Status	Date and Place of Death	Perpetrating Party / Responsible Authority
Najem El-Karkhi	14 years old (minor), student	24 October 2010, <i>Gdeim Izik</i> camp	Killed by gunfire from the Moroccan occupation army.
Babi El-Karkhi ("El-Karkar")	36 years old, married, father of two	8 November 2010, Smara Street, Laayoune	Run over and killed by members of the Moroccan occupation police using a four-wheel-drive vehicle.
Ibrahim El-Daoudi	40 years old, married, father of two	Disappeared from <i>Gdeim Izik</i> camp on 8 November 2010; family informed of his death on 12 November 2010, with his body found at the military hospital morgue in Laayoune, Western Sahara	According to sources, he was severely beaten on the head, transferred to the gendarmerie headquarters, subjected to torture and ill-treatment, and eventually died at the military hospital.
Said Dambar	26 years old	23 December 2010, Intensive Care Unit, Hassan Ben Mehdi Hospital, Laayoune / Western Sahara	Shot by a Moroccan policeman with at least two bullets — one striking his head and another his chest. He remained in a coma for 20 hours before his family was informed of his death.

Prior to the attack on the "Gdeim Izik" camp and the burning and looting of all civilian belongings on 24 November 2010, units of the Moroccan army opened fire on a civilian four-wheel drive

Nissan vehicle carrying six Sahrawi youths who were on their way to the camp. In this attack, the Sahrawi child Naajem El-Karhi was killed, while the others were injured, namely :



Cases of Victims Shot or Injured Near the “Gdeim Izik” Camp — October 2010

Name of Victim	Date and Place of Shooting	Injuries and Responsible Party	Remarks / Additional Information
Essalek El-Alaoui	24 October 2010, near the sand berm surrounding the <i>Gdeim Izik</i> camp	Sustained at least two gunshot wounds to the legs, fired by members of the Moroccan army	Transferred to the local prison (<i>Lakhal</i>) in Laayoune in early December 2010 after spending over a month in the city's military hospital.
Sidi Mohamed Laghdaf El-Alaoui (33 years old, married, father of one)	24 October 2010, near the sand berm surrounding the <i>Gdeim Izik</i> camp	Not shot, but subjected to torture and ill-treatment by members of the Moroccan army	Transferred to the local prison (<i>Lakhal</i>) in Laayoune on 29 October 2010 after spending three days in the city's military hospital.
Hammadi Hamditi	24 October 2010, near the sand berm surrounding the <i>Gdeim Izik</i> camp	Not shot, but subjected to torture and ill-treatment by members of the Moroccan army	Transferred to the local prison (<i>Lakhal</i>) in Laayoune on 29 October 2010 after spending three days in the city's military hospital.
Zubeir El-Karkhi	24 October 2010, near the sand berm surrounding the <i>Gdeim Izik</i> camp	Not shot, but subjected to torture and ill-treatment by members of the Moroccan army	Brother of <i>Najem El-Karkhi</i> . Released after spending about 50 days in the military hospital in Laayoune / Western Sahara.
Ahmed El-Daoudi	24 October 2010, near the sand berm surrounding the <i>Gdeim Izik</i> camp	Sustained at least two gunshot wounds to the legs and abdomen, inflicted by members of the Moroccan army	Transferred to the military hospital in Laayoune / Western Sahara; later released from <i>Sale 2 Prison</i> in Morocco.

The families of the Sahrawi victims injured by gunfire filed complaints with the Court of Appeal in Laayoune demanding the immediate opening of an investigation and the prosecution of those responsible for the killing. These complaints, however, have not been acted upon, despite the violation directly affecting the right to life, physical and bodily integrity, and personal security.

At the military hospital in Laayoune, four Sahrawi victims remained for more than 19 days

following their abduction and the shooting of some of them by the Moroccan army, gendarmerie, and auxiliary forces on 8 November 2010, during the military assault on the *Gdeim Izik* camp and the Laayoune demonstrations. During their entire stay at the hospital, their families were not informed, and they were considered forcibly disappeared until 26 November 2010, coinciding with a visit by a working team from Amnesty International to Western Sahara.

The individuals concerned are :

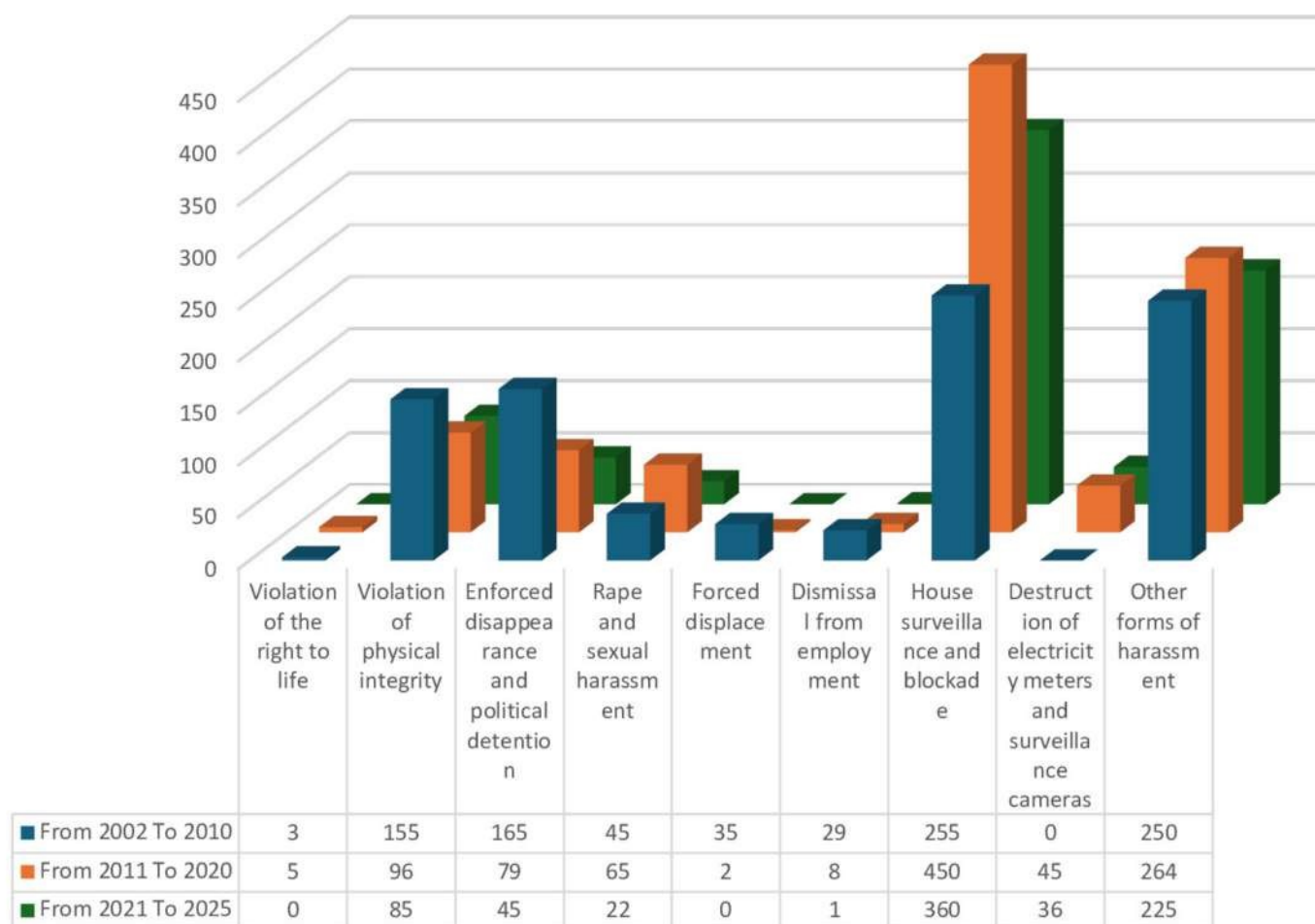
Name of Victim	Date and Place of Abduction	Responsible Party	Remarks / Current Status
Othman Es-Chetouki	8 November 2010, <i>Gdeim Izik</i> Camp	Forces from the Moroccan occupation army, gendarmerie, and auxiliary forces	Under judicial supervision (released pending trial).
Abdelfattah Eddargawi	8 November 2010, <i>Gdeim Izik</i> Camp	Forces from the Moroccan occupation army, gendarmerie, and auxiliary forces	Under judicial supervision (released pending trial).
Mohamed El-Yedassia	8 November 2010, <i>Gdeim Izik</i> Camp	Forces from the Moroccan occupation army, gendarmerie, and auxiliary forces	Under judicial supervision (released pending trial).
Mohamed El-Kamil	8 November 2010, <i>Gdeim Izik</i> Camp	Forces from the Moroccan occupation army, gendarmerie, and auxiliary forces	Under judicial supervision (released pending trial).

A number of Sahrawi civilians were subjected to rubber bullet fire in various areas of Laayoune simultaneously with demonstrations in which flags of the Polisario Front (Popular Front for the Liberation of Saguia el-Hamra and Rio de Oro) were raised and slogans were chanted demanding the Sahrawi people's right to self-determination. The individuals concerned are :

Name of Victim	Date and Place of Shooting by Moroccan Occupation Police	Type of Injuries / Notes
Unnamed Moroccan woman (mother of three)	8 November 2010, in front of her home on Boukraâ Street, Laayoune (Occupied Territory)	Targeted for wearing the Sahrawi traditional dress (<i>Malhfa</i>); shot in the abdomen and underwent surgery at a hospital in occupied Laayoune.
Mohamed Essalami (32 years old)	8 November 2010, Industrial District, Laayoune (Occupied Territory)	Shot in the right shoulder; did not go to hospital for fear of arrest.
Mohamed Wattach (24 years old)	8 November 2010, Industrial District, Laayoune (Occupied Territory)	Shot in the left thigh; did not go to hospital for fear of arrest.
Mustafa Mohamed Bounan (27 years old)	8 November 2010, Al-Awda District, Laayoune (Occupied Territory)	Shot in both thighs; did not go to hospital for fear of arrest.
El-Bashir Mohamed Al-Bouchra (26 years old)	8 November 2010, Industrial District, Laayoune (Occupied Territory)	Wounded in both arms; did not go to hospital for fear of arrest.
Mahfouda Azfati (25 years old)	8 November 2010, Skikima Street, Laayoune (Occupied Territory)	Shot in the abdomen; did not go to hospital for fear of arrest.
Mohamed Adnan (32 years old)	8 November 2010, Industrial District, Laayoune (Occupied Territory)	Shot in the arm; did not go to hospital for fear of arrest.
Ali Abdallah Maatallah (25 years old)	8 November 2010, Al-Awda District, Laayoune (Occupied Territory)	Shot in the pelvic area near the genitals; did not go to hospital for fear of arrest.
Essalek Sidi Ahmed Al-Aseeri (27 years old)	8 November 2010, Al-Awda District, Laayoune (Occupied Territory)	Shot in the left arm; did not go to hospital for fear of arrest.
Mohamed Ali Al-Bouchra	8 November 2010, Laayoune (Occupied Territory)	Did not go to hospital for fear of arrest.
Sidi Ahmed Ar-Rami	8 November 2010, Laayoune (Occupied Territory)	Shot in the thigh; did not go to hospital for fear of arrest.
Ghalia Mohamed Emelid Al-Jemani	8 November 2010, Laayoune (Occupied Territory)	Shot in the leg; did not go to hospital for fear of arrest.

Continued Targeting by the Moroccan Occupation Forces of Sahrawi Human Rights Defenders and Bloggers

The working team documented a series of crimes against humanity targeting Sahrawi human rights defenders, bloggers, and students due to their efforts to monitor, report, and cover serious human rights violations committed against Sahrawi civilians, as well as their participation in peaceful demonstrations demanding the Sahrawi people's right to self-determination. The following table summarizes the crimes against humanity committed against them, which have been monitored by the Sahrawi Human Rights Defenders Association (CODESA) since 2002 :



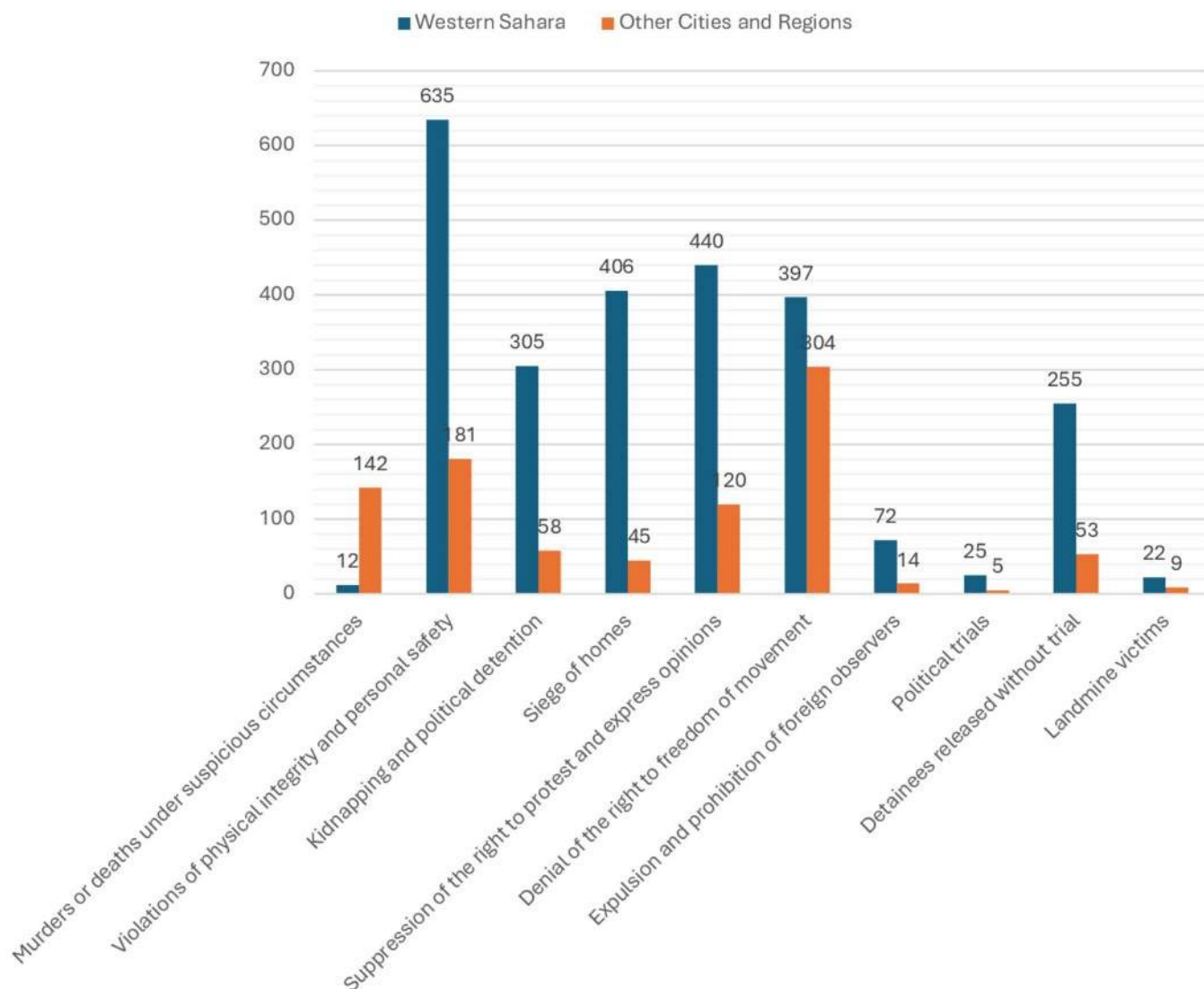
Fifth – The Post-Ceasefire Period: Occupation of Parts of Western Sahara along the Mauritanian Border and the Expansion of the Moroccan Occupying Power’s Military Separation Wall

The Moroccan occupation force intensified its military, police, and media blockade over the occupied part of Western Sahara following its breach of the ceasefire and military attack against a group of Sahrawi demonstrators at the illegal Guerguerat breach, located along the border between Western Sahara and Mauritania. The demonstrators had been protesting for months against the continued plundering of natural resources by the Moroccan occupation force and the use of the Guerguerat breach to drain those resources, while calling on the international community to assume its responsibility in completing the decolonization of Western Sahara.

While the Sahrawi demonstrators expected the United Nations Mission for the Referendum in Western Sahara (MINURSO) to respond to their legitimate demands, they were surprised to see mission officials pressuring them to withdraw and to open the road for hundreds of trucks to pass through the Guerguerat breach. This conduct revealed a clear bias of the Mission in favor of the Moroccan occupation force, as well as of a number of states and multinational corporations involved in the illegal exploitation of Western Sahara’s natural resources.

The following table presents figures and statistics primarily based on data monitored and documented by CODESA over the five-year period under review, addressing the various crimes committed during this timeframe.

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1 / Genocidal Crimes Committed by the Moroccan Occupying Power through the Use of Armed Drones in Western Sahara

In a grave escalation coinciding with the military attack carried out by the Moroccan occupation force on November 13, 2020, against Sahrawi civilian activists peacefully demonstrating at the illegal Guerguerat breach in the occupied Western Sahara, the Moroccan occupation force violated the ceasefire and, for the first time, employed armed drones, deadly weapons, and explosive ordnance against Sahrawi nomadic civilians as well as civilians of Algerian, Mauritanian, and Malian nationalities who regularly traveled across commercial routes and locations east of the Moroccan occupation force's military separation wall.

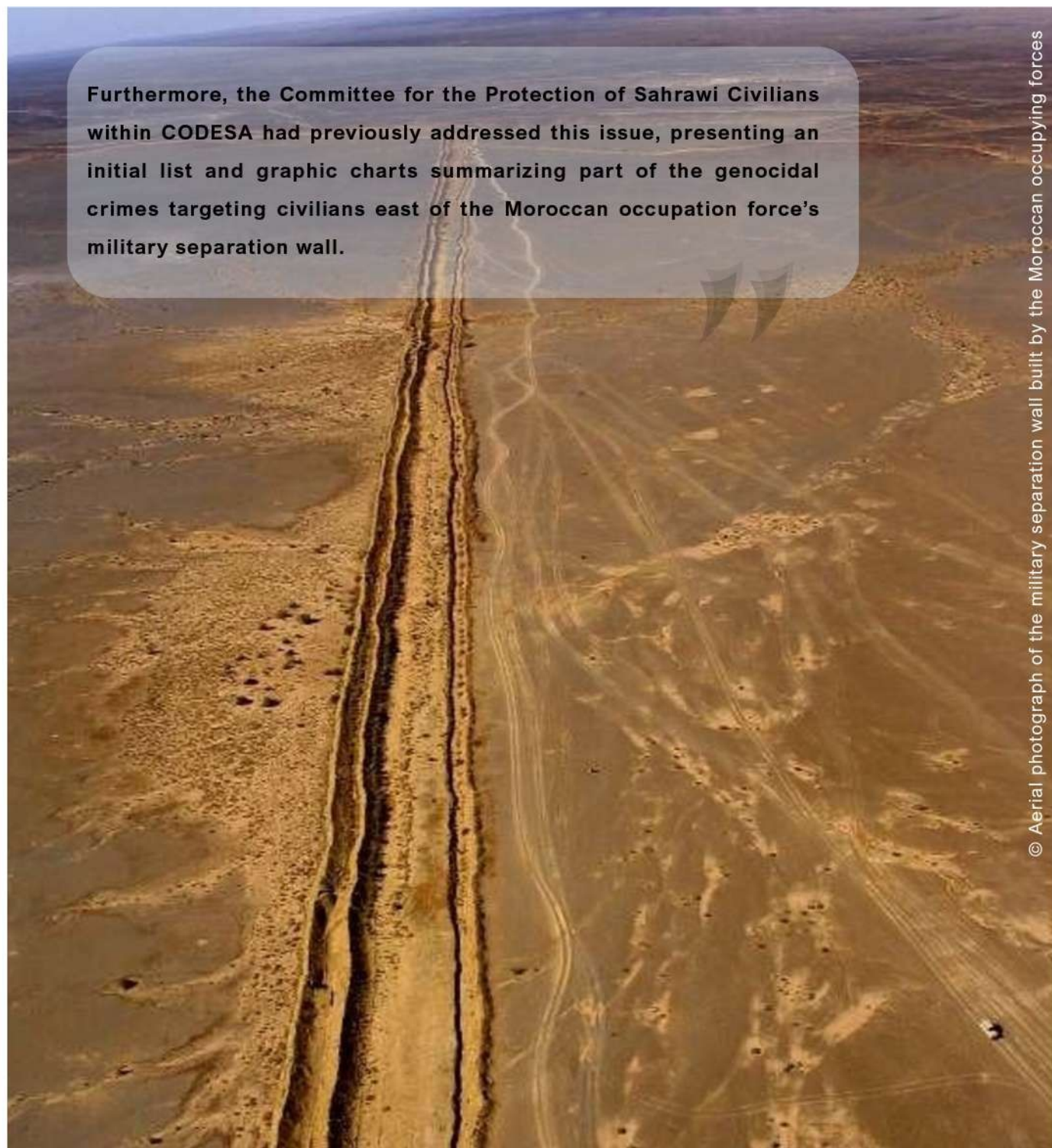
These drone strikes resulted in dozens of deaths and injuries among Sahrawi, Algerian, Mauritanian, Malian, and Sudanese civilians, including women and a minor child, and led to the burning and destruction of civilian trucks and vehicles that had no connection whatsoever to military targets or operations of the Polisario Front, which continues to fight against the Moroccan occupation army to liberate the occupied territories of Western Sahara.

These precision drone attacks were conducted in open and visible terrain, where it was easily possible

to distinguish the colors of civilian vehicles and even the clothing of their occupants, making it clear that the distinction between civilian and military targets could not have been mistaken. Moreover, these attacks took place in remote areas hundreds of kilometers away from the Moroccan occupation force's military wall, far from any direct engagement zones, thus confirming that the targets posed no threat whatsoever to Moroccan troops. Additionally, the civilian targets were located far from any Sahrawi army activity, which significantly delayed rescue operations and the evacuation of victims. In this context, a United Nations Mission for the Referendum in Western Sahara (MINURSO) team visited the site at Karzraz, near Mijek, east of the Moroccan occupation force's military wall, in late June 2025, following a drone strike that caused civilian casualties and significant material damage.

Furthermore, the Committee for the Protection of Sahrawi Civilians within CODESA had previously addressed this issue, presenting an initial list and graphic charts summarizing part of the genocidal crimes targeting civilians east of the Moroccan occupation force's military separation wall.

© Aerial photograph of the military separation wall built by the Moroccan occupying forces



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2 / Amnesty International's Address of the Case of the Siege and Torture of Sahrawi Human Rights Defender Sultana Khaya, Members of Her Family, and Supporting Human Rights Defenders and Students

In connection with part of the crimes against humanity committed against Sahrawi civilians, Amnesty International announced on June 1, 2021, through its official Twitter account, the launch of its second urgent appeal addressed to the King and Prime Minister of the Moroccan occupation force, urging human rights organizations, trade unions, and all people of conscience around the world to join the campaign and sign the appeal. The appeal primarily concerned the suffering of Sahrawi human rights defenders in the occupied part of Western Sahara, particularly the case of Sultana Khaya and her sister, Louaara Khaya.

In this context, the organization expressed deep concern regarding the continued threats faced by the Sahrawi human rights and political activists, Sultana Khaya and Louaara Khaya, and their family, who had been under house arrest for more than six months, enduring siege, physical and verbal assaults, repeated night raids, and theft of their household belongings—all due to their continued peaceful protest and display of the Sahrawi national flag.

The organization added that the masked special forces who carried out these raids subjected the two activists to severe psychological and physical torture, including an attempted rape of Sultana and the rape of her sister Louaara using a stick, after binding their hands and feet and beating them brutally. The raids were accompanied by window smashing, the spilling of foul-smelling substances, and the removal of the family's electric meter, effectively isolating them completely from the outside world.

In connection with the same case, Amnesty International also referred to the kidnapping and torture of Sahrawi human rights defender Babouzeid Mohamed Saïd Lebaihi, President of the CODESA, and two Sahrawi students, Salek Babir and Khaled Boufriaou, who were abducted from inside the home of the Khaya family and dumped 60 kilometers south of the occupied city of Laayoune. Their abduction was a direct reprisal for their field presence and solidarity with the besieged Khaya family in Boujdour, occupied Western Sahara.



© Participation of Atiqu Baray, Essalek Baber, and Khalid Boufrayoua, members of the CODESA organization, along with its former president Babouzeid Labbihi, in the struggle of Sultana Khaya and her family in the occupied city of Boujdour during 2021 and 2022.

3 / Continued Policy of the Moroccan Occupation Force in Depriving Sahrawi Human Rights Defenders and Political Activists of Their Right to Work and a Life of Dignity

The Moroccan occupation force does not only commit genocidal crimes, war crimes, and crimes against humanity, but also punishes Sahrawi human rights defenders and political activists, as well as the families of dismissed, expelled, or suspended civil servants, by cutting their monthly salaries as a form of collective punishment aimed at imposing loyalty, forcing them to abandon their beliefs, and deterring participation

in peaceful demonstrations demanding the legitimate and just rights of the Sahrawi people.

Below is an initial list of Sahrawi human rights defenders, political activists, bloggers, and unemployed youth who have been targeted by the Moroccan occupation force through these serious crimes against humanity, as previously documented by CODESA in its 2020 and 2021 reports :

➔ Sahrawi Employees :

Full Name	Status / Role	Type and Date of Violation	Notes
Ennah Ida Mahmoud El-Khalil	Former Sahrawi abductee	Dismissed from work since 1992	Was an employee in an office in the occupied city of Laayoune, under the "Moroccan Prime Minister's Office."
Ali Salem Tamek	Former prisoner of conscience and Sahrawi human rights defender	Forced displacement and dismissal from work since 2002	Worked in a department under the "Ministry of Interior" in the city of Assa.
El-Hussein Mouthiq	Former abductee, prisoner of conscience, and Sahrawi human rights defender	Dismissed from work since 2003	Was employed in a private company in the occupied city of El-Marsa.
Aminatou Haidar	Former abductee, prisoner of conscience, and Sahrawi human rights defender	Dismissed from work since 2005	Was an employee in a department under the "Ministry of Interior" in the occupied city of Boujdour.
El-Heiba El-Mah	Former Sahrawi abductee and human rights defender	Dismissed from work since 2006	Was a member of the military.
Yahya Mohamed El-Hafed laazaa	Former abductee, political prisoner, and Sahrawi human rights defender	Dismissed from work since 2006	Was a member of the military.
Mustafa Abdel Daim	Former Sahrawi prisoner of conscience and journalist	Dismissed from work since 2008	Worked in the "Ministry of Education" as a school supervisor at Allal El Fassi High School in Assa.
Ennama Babit	Former Sahrawi abductee and human rights defender	Dismissed from work since 2008	Was employed at the "Radio and Television" service in occupied Laayoune.
Mohamed Fadel Baka	Former Sahrawi human rights defender	Dismissed from work since 2010	Worked in a department under the "Ministry of Interior" in the city of Khemisset, Morocco.
Mohamed Salem Dahi	Former abductee, blogger, and Sahrawi media activist	Dismissed from work since 2012	Worked under the "Ministry of Education" in Laayoune.
Mohamed Mayara	Sahrawi human rights defender and journalist	Dismissed from work since 2015	Was a high school teacher at Ibn Zohr Secondary School in occupied Laayoune.
Ahmed Ennassiri	Former abductee, prisoner of conscience, and Sahrawi human rights defender	Dismissed from work since 2017	Worked in a department under the "Ministry of Interior" in the city of Khouribga.
Mina Aba Ali	Former abductee and Sahrawi human rights defender	Salary suspended since 2019	Worked under the "Ministry of Interior" in the occupied city of Laayoune.
Sidi Abderrahman Salama Ziyou	Former prisoner of conscience and Sahrawi human rights defender	Forced displacement since 2019 + dismissal from work	Worked at the Housing and Urban Policy Directorate in occupied Laayoune before being forcibly displaced to Kalaa Sraghna.

➔ Sahrawi Employees :

The majority of unemployed Sahrawis who hold advanced degrees from Moroccan universities and technical institutes are systematically excluded from employment because many of them were activists who supported the Sahrawi people's right to self-determination and independence during their time at Moroccan universities. Some among them have even been forced to seek political asylum in European and other countries.

The Moroccan occupation force continues to violate the rights of Sahrawi civilians by targeting the livelihoods of Sahrawi human rights defenders, bloggers, and unemployed graduates, within the framework of an economic isolation

policy designed to impose loyalty to the occupation. Access to even the most basic human rights is made conditional upon allegiance, thereby pressuring Sahrawis to abandon their political convictions.

Denial of employment constitutes a flagrant violation of international humanitarian law, particularly the Four Geneva Conventions of 1949, which prohibit all forms of discrimination based on national, ethnic, or political affiliation in the enjoyment of fundamental rights under occupation. The persistence of such practices therefore represents an ongoing breach of international standards.

Below is a preliminary list including the names of



© A peaceful protest organized by unemployed Sahrawis in the occupied city of Laayoune to demand their right to employment

Full Name	Status / Role	Type and Date of Violation	Notes
Idriss Dember	Unemployed Sahrawi	Excluded from public employment since 2011	Was excluded from direct hiring after passing the medical exam alongside other Sahrawi job seekers.
Ibrahim Briaz	Former prisoner of conscience, unemployed Sahrawi	Denial of the right to work since leaving prison in 2010	Participated in several employment competitions and was excluded.
All Salem Ablagh	Former prisoner of conscience, unemployed Sahrawi	Denial of the right to work since leaving prison in 2010	Participated in several employment competitions and was excluded.
Salah Boughrion	Unemployed Sahrawi and human rights defender	Prohibited from working since 2010	Participated in several employment competitions and was excluded.
Said El-Oubban	Former prisoner of conscience, unemployed Sahrawi	Denial of the right to work since leaving prison in 2011	Participated in several employment competitions and was excluded.
Babouzeid Said Mohamed Lebhi	Unemployed Sahrawi and human rights defender	Dismissed and banned from work since 2020	Worked in the private sector, barred due to leading the Sahrawi Human Rights Defenders Association.
El-Hussein Bouhrika	Unemployed Sahrawi and human rights defender	Banned from work since 2011	Participated in employment competitions and was excluded.
Taher Ahmidouch	Unemployed Sahrawi	Banned from work since 2012	Participated in employment competitions and was excluded.
Souilem Khaini	Unemployed Sahrawi	Banned from work since 2011	Participated in employment competitions and was excluded.
El-Bekai Abdullah	Unemployed Sahrawi	Banned from work since 2004	Participated in employment competitions and was excluded.
Jamal Ahrouch	Unemployed Sahrawi, former political prisoner	Banned from work since 2017	Participated in employment competitions and was excluded.
Lamhaaba Al-Dhri	Unemployed Sahrawi	Banned from work since 2011	Participated in employment competitions and was excluded.
Jamal Al-Sari	Unemployed Sahrawi	Banned from work since 2015	Participated in employment competitions and was excluded.
El-Hussein El-Hamel	Unemployed Sahrawi	Banned from work since 2015	Participated in employment competitions and was excluded.
Fatima Asouab	Unemployed Sahrawi woman	Banned from work since 2014	Participated in employment competitions and was excluded.
Om El-Fadli Belkili	Unemployed Sahrawi woman	Banned from work since 2012	Participated in employment competitions and was excluded.
Mohamed El-Wafi	Unemployed Sahrawi	Banned from work since 2013	Participated in employment competitions and was excluded.
Latresh Zahra Tefi	Unemployed Sahrawi woman	Banned from work since 2018	Participated in employment competitions and was excluded.
Saida Adoua	Unemployed Sahrawi woman	Banned from work since 2015	Participated in employment competitions and was excluded.
Aicha Asouab	Unemployed Sahrawi woman	Banned from work since 2015	Participated in employment competitions and was excluded.
Ahmed El-Naimi	Unemployed Sahrawi	Banned from work since 2014	Participated in employment competitions and was excluded.
Hayat El-Khalidi	Unemployed Sahrawi woman	Banned from work since 2015	Participated in employment competitions and was excluded.

Mohamed Shlih	Unemployed Sahrawi	Banned from work since 2014	Participated in employment competitions and was excluded.
Hassan El-Shater	Unemployed Sahrawi	Banned from work since 2014	Participated in employment competitions and was excluded.
Jameh Abih	Unemployed Sahrawi	Banned from work since 2019	Participated in employment competitions and was excluded.
Rachid Shlih	Unemployed Sahrawi	Banned from work since 2013	Participated in employment competitions and was excluded.
Hasna Aba	Unemployed Sahrawi	Banned from work since 2010	Participated in employment competitions and was excluded.
Ahmed Halli	Unemployed Sahrawi	Banned from work since 2010	Passed the Bar exam but was excluded.
Ibrahim Kharbouch	Unemployed Sahrawi	Banned from work since 2020	Participated in employment competitions and was excluded.
Brahim Moussayih	Former prisoner of conscience, unemployed Sahrawi	Denial of the right to work since leaving prison in 2019	Participated in several employment competitions and was excluded.
Essalek baber	Former prisoner of conscience, unemployed Sahrawi	Denial of the right to work since leaving prison in 2021	Participated in several employment competitions and was excluded.
Nour El-Din Badri	Unemployed Sahrawi	Banned from work since 2020	Participated in employment competitions and was excluded.
Khaled Boufrayoua	Unemployed Sahrawi	Banned from work (year unspecified)	Participated in employment competitions and was excluded.
Ibrahim Alla	Unemployed Sahrawi	Banned from work since 2010	Participated in employment competitions and was excluded.
Ibrahim Lajil	Unemployed Sahrawi	Banned from work since 2013	Participated in employment competitions and was excluded.
Mohamed Fadel Abah	Unemployed Sahrawi	Banned from work since 2013	Participated in employment competitions and was excluded.
Mohsen Bbeit	Unemployed Sahrawi	Banned from work since 2014	Participated in employment competitions and was excluded.
Nuzha El-Khalidi	Unemployed Sahrawi woman	Banned from work since 2018	—
Leila El-Fakhouri	Unemployed Sahrawi woman	Banned from work since 2014	—
Taher Habdi	Unemployed Sahrawi	Banned from work since obtaining a bachelor's degree	Participated in employment competitions and was excluded.

➔ Sahrawi Civilians Whose Monthly Salaries Have Been Suspended :

The Moroccan occupation force continues to confiscate the livelihoods of Sahrawi civilians and political activists as a form of reprisal for their participation in peaceful demonstrations demanding the Sahrawi people's right to self-determination, or for their membership in human rights organizations defending fundamental freedoms in Western Sahara.

Below is a preliminary list of victims whose cases the organization has been able to document. A number of others have chosen to remain anonymous, fearing repression and retaliation under the prevailing climate of fear and intimidation imposed by the occupation authorities.

Name of Victim	Salary (USD)	Since Year	Reasons for Salary Suspension
El-Waara Khia	\$100	June 2010	Participation in demonstrations supporting the Sahrawi people's right to independence and self-determination
Kbel Jouda	\$200	2011	Participation in demonstrations supporting the Sahrawi people's right to independence and self-determination
Az-Zina Eshtouki	\$200	2012	Participation in demonstrations supporting the Sahrawi people's right to independence and self-determination
Khuaita At-Turki	\$75	2012	Participation in demonstrations supporting the Sahrawi people's right to independence and self-determination
Sakina Al-Idrissi (Jadd Ahlu)	\$200	October 2015	Participation in demonstrations supporting the Sahrawi people's right to independence and self-determination
Fatima Ad-Dira	\$200	2017	Because she is the wife of Sahrawi journalist and human rights defender Mohamed Miara, who was dismissed from work
Mohamed Manolo	\$200	March 2017	Participation in demonstrations supporting the Sahrawi right to self-determination + visits to Sahrawi refugee camps
Abdelkarim Ambrikat	\$200	March 2018	Visits to Sahrawi refugee camps + media activity + participation in demonstrations supporting Sahrawi self-determination
Yahdiha Bilal	\$200	May 2018	Participation in demonstrations supporting the Sahrawi right to self-determination
Ghli Ajna	\$100	August 2018	Participation in demonstrations supporting the Sahrawi right to self-determination + visits to Sahrawi refugee camps
Adh-Dhahaba At-Turki	\$200	2019	Participation in demonstrations supporting the Sahrawi right to self-determination
Mahfouza Bamba Lfaqir	\$200	June 2020	Participation in demonstrations supporting the Sahrawi right to self-determination + visits to refugee camps + political imprisonment
Khadija Mild	\$200	June 2019	Participation in demonstrations supporting the Sahrawi right to self-determination
Al-Hanafi Basir	\$200	June 2019	Participation in demonstrations supporting the Sahrawi right to self-determination
Aglijilhem Al-Idrissi	\$200	June 2019	Participation in demonstrations supporting the Sahrawi right to self-determination
Kbel Jouda	\$200	September 2020	Participation in demonstrations supporting the Sahrawi right to self-determination
Addida Al-Fares	\$200	October 2020	Participation in demonstrations supporting the Sahrawi right to self-determination
Al-Ma'louma Abih	\$200	February 2021	Participation in demonstrations supporting the Sahrawi right to self-determination + visits to refugee camps
Matu Anajim Ambirik	\$200	February 2021	Hosting an open sit-in at her home in support of Sahrawi national symbols
As-Saliha Sid Ibrahim Khia	\$100	February 2021	Hosting an open sit-in at her family home in support of Sahrawi national symbols
Ahmedi Ahmed Yidas	\$200	2007	Hosting an open sit-in at his family home in support of Sahrawi national symbols

since 1975, despite the availability of evidence, testimonies, and eyewitness accounts from direct and indirect victims who continue to endure the grave and lasting consequences of genocide, war crimes, and crimes against humanity committed by the Moroccan occupation force.

- The failure to take measures to deter the Moroccan occupation force for its ongoing expulsion and obstruction of the UN Office of the High Commissioner for Human Rights, as well as international organizations, human rights observers, journalists, parliamentarians, and academic researchers, from visiting Western Sahara. These expulsions and bans constitute a systematic policy by the occupation force aimed at silencing international monitors and preventing the production of independent reports on the situation in the occupied territory..

- The complicity of certain states and international institutions in the plunder of Western Sahara's natural resources, through illegal agreements related to wind and solar energy projects, used to promote the occupation force's unlawful economic investment narrative and circumvent the Sahrawi people's right to self-determination. These activities persist despite the repeated warnings issued by international human rights and environmental organizations, as well as the 2002 United Nations legal opinion, the 2015 advisory opinion of the African Union, and the rulings of the Court of Justice of the European Union between 2016 and 2024, all of which affirmed that Western Sahara constitutes a distinct and separate territory from the Kingdom of Morocco.

VI. The Origins of the Political Detention Issue and Unlawful Trials in Western Sahara

The issue of political imprisonment in Western Sahara is intrinsically linked to the campaign of mass abductions launched by the Moroccan occupation force, which targeted hundreds of Sahrawi civilians from various social groups. After being detained in numerous secret police facilities and military barracks, they were subjected to harsh and inhumane conditions and placed under enforced disappearance in clandestine Moroccan detention centers, solely because of the question of Western Sahara.

The phenomenon was also connected to arbitrary arrests carried out by the Moroccan secret police against dozens of leftist activists within Moroccan universities and members of the radical Moroccan left, who had called for a

republican system of government in Morocco and expressed support for the Moroccan political organization "Ila Al-Amam", which endorsed the Sahrawi people's right to self-determination.

In this context, beginning in May 1977, the Moroccan occupation force launched a wave of abductions that affected approximately 80 Sahrawi students, pupils, and civilians. A number of them were detained in the secret prison of Derb Moulay Cherif in Casablanca, Morocco, for more than six months in certain cases, before being divided into groups and transferred to various Moroccan prisons alongside Moroccan political detainees in preparation for their trials. These trials took

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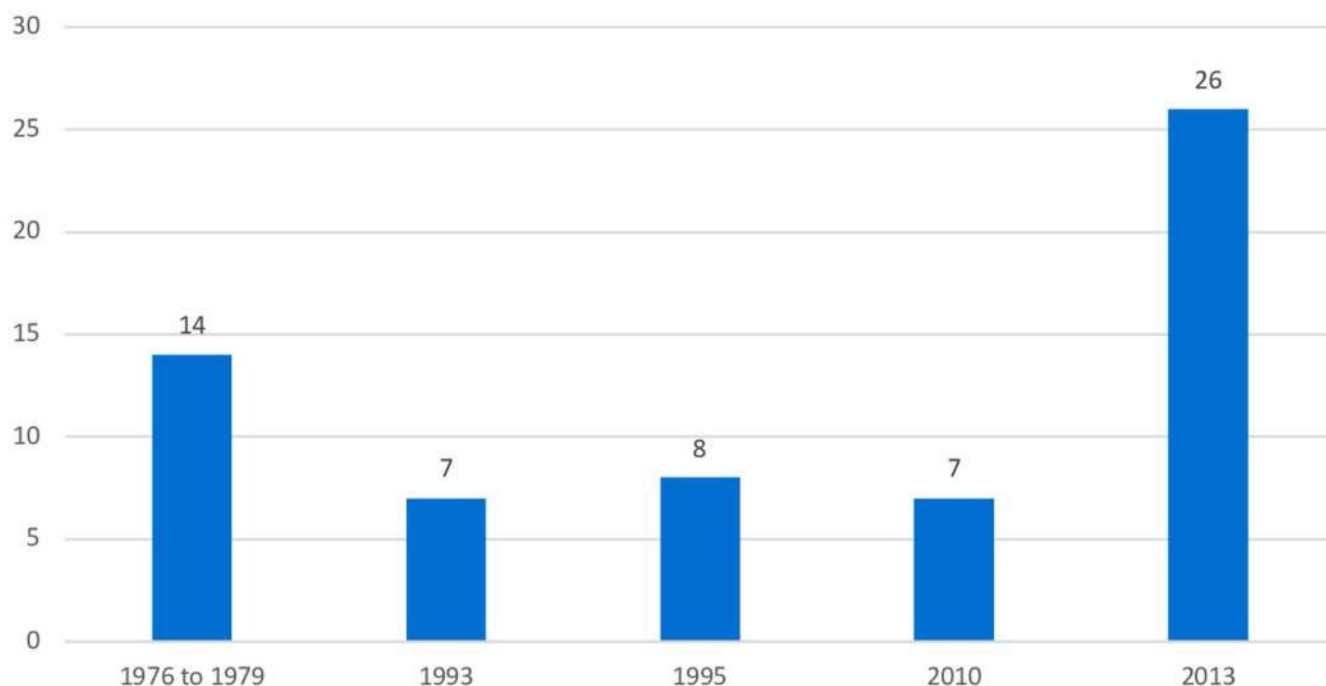
place under harsh and degrading conditions, not only for the political prisoners themselves but also for their families, who endured the anguish of searching for their loved ones, along with repression, restrictions, and social isolation imposed upon them by the authorities.

These abductions, arrests, and unlawful trials instilled fear and terror among Sahrawi civilians, particularly after the abduction and assassination of a Sahrawi student under suspicious circumstances that could not be separated from his torture in a secret detention facility belonging to the Moroccan police. The victim was the Sahrawi student Lahcen Tamek,

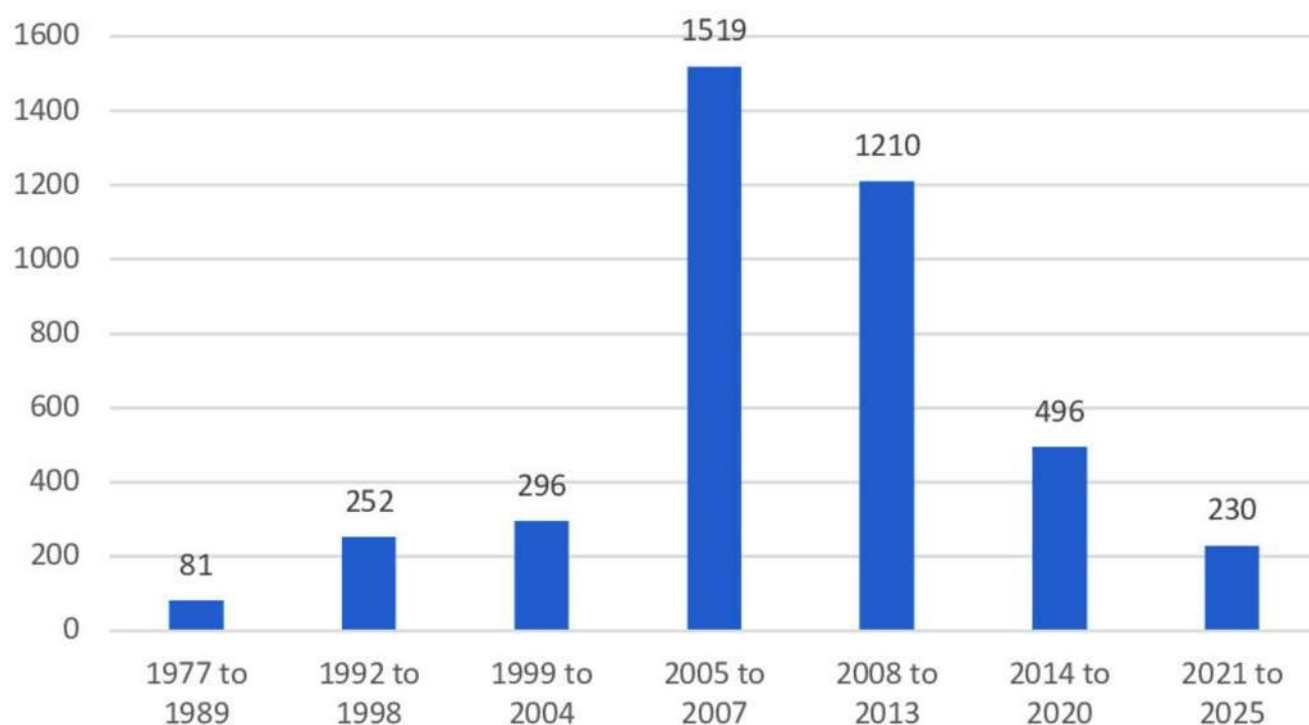
whose death was officially acknowledged by the Moroccan authorities after he was pursued and captured by plainclothes police officers in Rabat, Morocco, in March 1977.

In examining the issue of political imprisonment, the working team notes that this practice has persisted for decades, as the Moroccan occupation force continues to criminalize Sahrawi political prisoners by fabricating charges and falsifying evidence, in the absence of any guarantees related to the conditions and standards of fair trial. The analysis that follows focuses on :

Persons Sentenced by the Military Court



Referred to Civilian Courts



VI. The Origins of the Political Detention Issue and Unlawful Trials in Western Sahara

Upon reviewing the trial reports prepared by CODESA, the working team noted numerous facts indicating that the Moroccan occupation force has systematically violated international human rights conventions, treaties, and the standards and principles of fair trial in all illegal political proceedings.

The Moroccan Military Court in Rabat / Morocco:

The working team lacks precise and sufficient information concerning a trial reportedly held before the Moroccan military court in Rabat, during which a group of 13 Sahrawi civilians were allegedly sentenced to death on 19 October 1976. This acknowledgment by the Moroccan occupation force appeared in a report published in December 2010 by the Follow-up Committee for the Implementation of the Recommendations of the Moroccan Equity and Reconciliation Commission. However, the report provided no information regarding the date or

circumstances of their arrest, the place of detention, their prison numbers, the charges brought against them, whether they were granted legal representation, or how and where the executions were carried out. Their families remained unaware of their fate for 34 years, which places them among the ranks of the disappeared Sahrawi abductees.

The second case concerns the Sahrawi prisoner of conscience Sidi Mohamed Daddach, who was captured in 1977 as a combatant in the ranks of the Sahrawi People's Liberation Army. He was subsequently forced into recruitment within the auxiliary forces of the Moroccan occupation. Two years later, while attempting to join the Sahrawi refugee camps, he was arrested by the Moroccan occupation army after a car accident in which his companion was killed.

He was tried before the Moroccan military court in Rabat and sentenced to death in 1980, a

sentence later commuted to life imprisonment in 1994 under international pressure and following visits and monitoring by the International Committee of the Red Cross (ICRC) at the Central Prison of Kenitra, Morocco. He was finally released on 7 November 2001 after an Amnesty International campaign, which in 2000 had recognized him and three other Sahrawi prisoners as prisoners of conscience.

Trials of Groups of Sahrawi Political Prisoners:

- First group (October 1992–1993) – The “Kalthoum Ahmed Labeid Al-Wanat” group (seven detainees, including a woman and a minor), abducted for participating in peaceful demonstrations in the occupied cities of El-Aaiun and Smara, and for distributing leaflets calling for the independence of Western Sahara.
- Second group (May 1995) – Eight Sahrawi students (minors) arrested in El-Aaiun / Western Sahara for distributing leaflets and flags of the Sahrawi Arab Democratic Republic and for participating in peaceful pro-independence demonstrations.

The Moroccan military court in Rabat sentenced most of them to 20 years' imprisonment, despite their minor status. Following interventions by the ICRC and Amnesty International, the first group was transferred to a military barracks prison in Aït Melloul, Agadir, and released in May 1996. The U.S. Congress also intervened in favor of the second group, leading to the reduction of their sentences from 20 years to one year; they served about 18 months in Salé Prison No. 1.

- Third group (October 2009) – Seven Sahrawi human rights defenders, including a woman, were abducted and interrogated for over eight days by the “National Brigade” of the Moroccan judicial police in Casablanca after

visiting the Sahrawi refugee camps. They were detained at Salé Prison No. 1 and charged before the military court in Rabat. On 21 September 2010, the investigating judge declared a lack of jurisdiction, releasing some defendants provisionally while three others — Ali Salem Tamek, Ahmed Anasiri, and Brahim Dahane — remained in pre-trial detention for nearly a year.

A similar pattern was observed in the case of the Sahrawi prisoner Embark Daoudi, who remained in pre-trial detention for 22 months before his case was transferred to a civil court in Agadir, Morocco.

The Moroccan occupation force also continues to detain a group of 24 Sahrawi human rights defenders and political prisoners, who were tried before the Moroccan military court on 9 February 2013 and sentenced to life imprisonment or long-term prison sentences of up to 20 years, despite international demands that civilians not be tried before military courts.

These proceedings were marked by the total absence of fair trial guarantees, including :

- Lack of judicial independence and subordination of courts to Moroccan intelligence directives.
- Referral of Sahrawi civilians and human rights defenders to military courts.
- Arrests conducted outside the legal framework, often at night and without warrants.
- Home raids, destruction of property, and terrorization of families.
- Non-public hearings and restrictions on international observers.
- Physical and verbal assaults against Sahrawi detainees during trial sessions.
- Intimidation and violence against journalists

and international monitors.

- Propaganda campaigns by state-controlled media and Moroccan political actors inciting racism and hatred against Sahrawi detainees.
- Use of fabricated police reports as the main basis for conviction.
- Torture, ill-treatment, and extraction of confessions under duress.
- Failure to investigate torture allegations or provide medical examinations.
- Prolonged pre-trial detention, repeated unjustified delays, and exclusion of defense witnesses.
- Filling courtrooms with Moroccan intelligence agents to restrict public access and observation.
- Arrests based on fabricated warrants linking unrelated cases, violating the presumption of innocence.
- Prolonged police custody exceeding the legal time limits.
- Direct referrals to prison without investigation into torture allegations.
- Denial of temporary release despite clear legal guarantees.
- Absence of material evidence and refusal to summon defense witnesses.
- Use of coerced confessions extracted under torture, including sexual violence.
- Non-public hearings under heavy police surveillance.
- Disregard for procedural motions raised by defense lawyers.

Civil Courts in Various Moroccan Jurisdictions :

Similar violations were recorded in civil courts across Morocco, notably :

In conclusion, these trials are illegal, as they stem solely from the expression of political opinions and the defense of the Sahrawi people's right to self-determination.



VI. The Origins of the Political Detention Issue and Unlawful Trials in Western Sahara

The Moroccan occupation has acknowledged the occurrence of two deaths under suspicious circumstances of Sahrawi political prisoners in 2014 and 2016, amid widespread reports of torture, ill-treatment, racial discrimination, and collective punishment practiced in Moroccan police stations and prisons against Sahrawi political detainees.

The working team examined key aspects of the following cases :

- The death of human rights defender and Sahrawi political prisoner Hassana El Wali, who was serving a three-year prison sentence ; and
- The death of Sahrawi unemployed graduate and political detainee Brahim Saika, who died while held in pre-trial detention approximately two weeks after his arrest.

Both deaths occurred in circumstances strongly suggesting medical neglect, abuse, and violations of the right to life and physical integrity.

1. Death of Sahrawi Human Rights Defender and Political Prisoner Hassana El Wali at the Military Hospital in Dakhla

The Sahrawi human rights defender and political prisoner Hassana El Wali died on 28 September 2014 in the Fourth Military Hospital of the occupied city of Dakhla, after spending nearly 48 hours in the intensive care unit, during which his family was denied access and updates on his deteriorating condition.

The administration of Dakhla local prison had transferred him on 24 September 2014 to a civilian hospital in the same city, where his health worsened considerably. He was then transferred late on 26 September 2014 to the

military hospital, where his family later learned of his death.

His health deterioration appears to have resulted from medical negligence, as he remained for two days in the regional hospital without adequate care before being transferred to the military hospital — which, according to sources close to his family, lacked basic resuscitation equipment. Hassana El Wali, a member of CODESA in occupied Dakhla, had been arrested on 5 January 2012 by officers of the Moroccan occupation police in the same city. He was subjected to prolonged interrogation and torture before being brought before the investigating judge of the Court of Appeal in occupied El-Aaiun and sentenced to three years' imprisonment after months in pre-trial detention with other Sahrawi political prisoners and human rights defenders.

He was later transferred, with five other Sahrawi detainees, to the local prison in occupied Dakhla, where he underwent two surgical operations on his right hand in both civilian and military hospitals but never recovered fully from his injuries.

2. Death of Sahrawi Unemployed Graduate and Political Prisoner Brahim Saika in the Intensive Care Unit of Al Hassan II Regional Hospital in Agadir / Morocco

At approximately 17:30 GMT on 15 April 2016, family sources announced the death of the Sahrawi unemployed graduate and political detainee Brahim Saika in the intensive care unit of Al Hassan II Regional Hospital in Agadir, Morocco.

His death occurred while he was in pre-trial detention since 4 April 2016, following his arrest

on 1 April 2016 by Moroccan occupation police in the city of Guelmim for attempting to organize a peaceful sit-in demanding the right to employment.

On 8 April 2016, prison authorities in Agadir were compelled to transfer him to the hospital's intensive care unit after his health seriously deteriorated due to a hunger strike he had begun immediately following his arrest and continued throughout his detention. He had been placed in custody at the Guelmim judicial police station and later transferred to Bouzkarn local prison by order of the public prosecutor of the Guelmim Court of First Instance, pending his hearing scheduled for 5 April 2016.

On 6 April 2016, Bouzkarn prison officials transferred him to Guelmim Regional Hospital, where initial medical tests confirmed the severity of his condition, prompting his urgent transfer the same day to Al Hassan II Hospital in Agadir.

Members of the Coordination of Unemployed Sahrawi Graduates in Guelmim confirmed that their colleague began his hunger strike to protest his arbitrary arrest, fabricated charges, and the broader campaign of violent repression waged by the Moroccan occupation authorities against unemployed Sahrawi activists — a campaign characterized by the use of excessive force and the denial of freedom of expression and peaceful assembly.

Immediately following his death, the family of Brahim Saika filed several complaints before the Moroccan judiciary, accusing members of the Moroccan occupation police in Guelmim of torturing him during police custody, and demanding an independent forensic investigation to clarify the circumstances and causes of his suspicious death.



© The Sahrawi unemployed activist Ibrahim Saika, moments before his death, while lying in Hassan II Hospital in Agadir, Morocco



© The political prisoner Hassana El Wali during his participation in a political event



© Sahrawi political prisoners of the "Agdaim Azik" group while in court in Sale / Morocco

VII. The UN Working Group on Arbitrary Detention's examination of political imprisonment in Western Sahara

➤ Complaint of Sahrawi students :

In its report No. 67/2019, presented during the 86th session and published on 31 March 2020, the UN working group on Arbitrary Detention (WGAD) addressed the case of the detained Sahrawi students and political prisoners, sentenced to prison terms ranging from 3 to 10 years.

The report, after detailing the circumstances of their arrest, concluded that the detention of all these students was arbitrary. They had been arrested without warrants, were not informed of the reasons for their arrest, were held incommunicado for two to five days before being brought before an investigating judge, and were subjected to torture, beatings, and threats of rape. They were also forced to sign police reports prepared in advance, without being allowed to read them.

Regarding the background of their arrest, the report confirmed that all the detained students stated that their interrogations focused solely on their political activities and links to the

POLISARIO Front.

The investigating judge at the Marrakesh Criminal Court charged the group with murder after reclassifying acts of violence allegedly leading to death under articles 392, 393, 400, and 403 of the Moroccan Penal Code.\$

The trials were postponed nine consecutive times before being held in May 2017. During the hearings, the students declared that they had been arrested for their opinions in favor of the Sahrawi people's right to self-determination. They told the court that they had been tortured and forced to sign confessions that were the only evidence used against them.

They also stated that during their initial interrogation, where they were tortured, they were questioned only about their political beliefs. They were not informed of the charges against them until they were presented before the investigating judge. They requested medical examinations to investigate effectively the torture and other cruel, inhuman, and degrading treatment inflicted upon them.

The detained Sahrawi students insisted they were not present during the violent clashes following the 23 January 2016 demonstration and declared their complete innocence.

After postponements on 21 June and 6 July 2017, the court sentenced :

- Four students — El-Kentawi Al-Bar, Aziz Al-Wahidi, Mohamed Dada, and Abdelmoula El-Hafidi — to 10 years in prison,
- And ten other Sahrawi students to 3 years in prison, namely: Ibrahim Al-Masih, Mustapha Bourka'a, Hamza Ar-Rami, As-Salek Baber, Mohamed Ar-Rkibi, Ali Ash-Sharqi, Ammar Ajna, Mansour Amnkor, Ahmed Aba'ali, and Ammar Bihna.

The report, relying on testimonies from released members, noted that the remaining detainees continue to suffer harsh conditions, are subjected to strict surveillance and harassment by prison guards, are denied the use of the prison phone, and are deprived of family visits — all in violation of the UN Standard Minimum Rules for the Treatment of Prisoners.

In its legal analysis, the Working Group concluded that the detention of the Sahrawi students was arbitrary under categories I, II, III, and V of its mandate, and that the violations committed against them also breach international humanitarian law, notably the 1949 Geneva Conventions — particularly the Fourth Geneva Convention on the protection of civilians in time of war — as Western Sahara is considered a non-self-governing territory under occupation.

The WGAD concluded that :

- The detention of the Sahrawi students was arbitrary as it targeted them for their Sahrawi identity.
- As Sahrawis, they have the right to self-determination, as affirmed in UNGA

resolutions 1514, 1541, and 2625.

- Their arrest was based solely on their political opinions regarding the Sahrawi people's right to self-determination.
- The students were human rights defenders concerned with the situation of Sahrawi students subjected to discrimination and repression in Moroccan universities.
- Their arbitrary detention and torture constituted discrimination violating international law and the principle of equality before the law.
- Their treatment contravened articles 1, 2, 26, and 27 of the ICCPR.

The Working Group therefore stated that :

"The deprivation of liberty of [the 14 Sahrawi students] is arbitrary and contrary to Articles 7, 9, 10, and 19 of the Universal Declaration of Human Rights and Articles 1, 2, 7, 9, 14, 19, and 27 of the ICCPR."

It called on Morocco to:

- Immediately release: El-Kentawi Al-Bar, Aziz Al-Wahidi, Mohamed Dada, and Abdelmoula El-Hafidi.
- Provide full reparations and compensation under international law to all 14 students named in the opinion.

➤ **Complaint of the political prisoners in the "Gdeim Izik" case**

The UN Working Group on Arbitrary Detention also reaffirmed, in its second opinion on the "Gdeim Izik" prisoners, the conclusions of its 2014 opinion (A/HRC/27/48/Add.5), calling for their immediate release and recognizing that they are all held arbitrarily.

The group includes journalists and human rights defenders from occupied Western Sahara, a territory awaiting decolonization. The WGAD noted grave violations by Morocco, including denial of legal defense, reliance on confessions

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extracted under torture, and lack of judicial independence — all amounting to arbitrary deprivation of liberty since their arrest in 2010.

The Working Group urged Morocco to provide reparations, investigate the causes of their arbitrary detention, and hold those responsible accountable.

Mads Andenæs, former WGAD chair and one of the legal experts assisting the group, welcomed the decision, calling it a “crucial confirmation of the concerns long raised by trial observers, Amnesty International, Human Rights Watch, and several UN Special Rapporteurs and the Committee Against Torture.” He further urged states and actors to pressure Morocco to implement the decision and release the prisoners.

In addition to declaring their detention arbitrary, the WGAD expressed deep concern about the high number of arbitrary detentions in Western Sahara and reiterated the concerns raised by the UN Committee Against Torture and several Special Procedures of the Human Rights Council regarding the Gdeim Izik prisoners.

The UN Committee Against Torture has also issued five individual decisions concerning members of the Gdeim Izik group — Mohamed Bani, Abdeljalil Al-Aroussi, Naâma Asfari, Mohamed Bourial, and Sidi Abdallah Abbah — condemning the use of torture and of confessions obtained under torture as the basis for their continued imprisonment. Four of these cases were filed by their French lawyer, Maître Olfa Oued, following the 2017 civil trial.

It should be recalled that the Moroccan occupation authorities arrested and detained a group of Sahrawi defenders, bloggers, and political prisoners on 7–8 November 2010, following the military assault on the Gdeim Izik protest camp, which was completely burned down, preventing thousands of Sahrawi civilians from continuing their mass protest.

They were tried before a military court in Rabat in 2013, and later before the Court of Appeal in Salé in 2017, where the sentences remained illegal and politically motivated.

Full Name of Political Prisoners	Sentences under Moroccan Military Courts	Sentences under Moroccan Civil Courts
Ibrahim Ismaili	Life imprisonment	Life imprisonment
Sidi Ahmed Lamjid	Life imprisonment	Life imprisonment
Abdullah Lkhfawni	Life imprisonment	Life imprisonment
Abdeljalil Laaroussi	Life imprisonment	Life imprisonment
Mohamed El Bashir Boutenkiza	Life imprisonment	Life imprisonment
Sidi Abdallah Abbah	Life imprisonment	Life imprisonment
Mohamed Bani	Life imprisonment	Life imprisonment
Ahmed Sbaai	Life imprisonment	Life imprisonment
Hassna Aaliya	Absentee judgment	Not addressed in civil court trial
Naama Assfari	30 years	30 years
Benka Sheikh	30 years	30 years
Mohamed Bourial	30 years	30 years
Hassan Dah	30 years	25 years
Al-Zawi El-Hussein	25 years	25 years
Mohamed Lamine Hdi	25 years	25 years
Mohamed Ambarak El-Faqir	25 years	25 years
Mohamed Khouna Babet	25 years	25 years
Mohamed Al-Ayubi	20 years (trial in absentia, followed while free)	Trial postponed until 27 September 2017 (died 21 February 2018)
El Bashir Khadda	20 years	20 years
Mohamed Tahlil	20 years	20 years
Abdullah Toubali	25 years	20 years
Adish Dafi	25 years	6.5 years
El Bakkai El Arabi	25 years	4.5 years
El-Taqi Al-Mushdhoufi	Time served in prison	2 years
Sidi Abderrhman Zio	Time served in prison	2 years

➔ **Complaint of the Sahrawi Student and Political Prisoner "El-Hussein Amadour" :**

In this opinion — the complaint adopted on 13 November 2024 — the Working Group on Arbitrary Detention of the United Nations found that the detention of the Sahrawi student and political prisoner El-Hussein El-Bashir Ibrahim (Amadour) was arbitrary and called for his immediate release from prison (A/HRC/WGAD/2024/63).

The arrest, torture, and detention of this prisoner were intrinsically linked to the detention of a group of students, which the UN Working Group on Arbitrary Detention had previously deemed arbitrary in its opinion dated 7 February 2020 (A/HRC/WGAD/2019/67).

Summary of the Decision:

After considering the allegations presented by the complainant and the responses of both the State of Morocco and Spain, the opinion of the Working Group addresses the categories of arbitrary detention raised by the source:

Category I:

The Working Group notes that, pursuant to paragraph 3 of Article 9 of the International Covenant on Civil and Political Rights (ICCPR):

"Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power, and shall be entitled to trial within a reasonable time or to release. The general rule shall not be that persons awaiting trial are detained, but release may be subject to guarantees to appear for trial at any stage of the judicial proceedings and to comply with the judgment when it is rendered."

Accordingly, the Working Group observed that the State of Morocco did not explain why ninety-six (96) hours elapsed before El-Hussein

El-Bashir Ibrahim "Amadour" was presented before a judge after being apprehended upon his arrival in Morocco. Consequently, paragraph 3 of Article 9 of the ICCPR was violated. The Working Group concludes that the detention of the student and political prisoner El-Hussein El-Bashir Ibrahim "Amadour" is arbitrary under Category I.

Category II:

Mistreatment and Torture :

Pursuant to Article 15 of the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment :

"Each State Party shall ensure that statements made as a result of torture shall not be invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made."

Based on the source's allegations concerning mistreatment and torture, including that some of these abuses led to confessions used in court, the Working Group found that the Moroccan government failed to sufficiently demonstrate measures taken to investigate the validity of these claims and to ensure that information obtained through mistreatment or torture was not used in legal proceedings.

The Working Group expressed concern that Morocco did not investigate the alleged mistreatment, violating Article 15 of the Convention against Torture, which prohibits using evidence obtained through torture. The Working Group concluded that the use of evidence obtained by torture to convict El-Hussein El-Bashir Ibrahim "Amadour" contravenes fundamental principles of a fair trial, as it undermines the individual's ability to defend himself.

Of the UN Basic Principles for the Treatment of All Persons Deprived of Their Liberty :

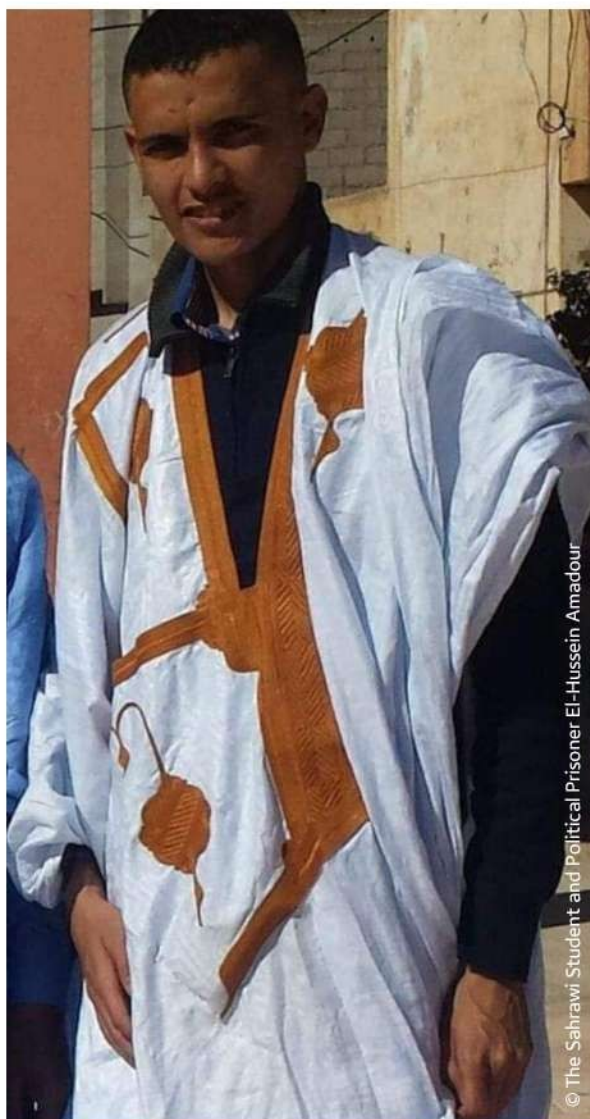
- Principle 15 : No detainee shall be deprived of contact with the outside world, especially family or counsel, for an unreasonable period.
- Principle 19 : Detainees have the right to private visits and correspondence with family, subject to reasonable legal restrictions.

due process for the detention of the Sahrawi student and political prisoner El-Hussein El-Bashir Ibrahim "Amadour," rendering his detention arbitrary.

Final Observations on Prison Conditions:

The Working Group expressed concern regarding the conditions of detention of El-Hussein El-Bashir Ibrahim "Amadour," which Morocco did not refute. According to paragraph 1 of Article 10 of the ICCPR:

"All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person."



specialized institutions or civilian hospitals. Where a prison has its own medical unit with hospital facilities, it must be adequately staffed and equipped to provide appropriate treatment and care for prisoners referred to it. Only responsible healthcare professionals may make clinical decisions; non-medical prison staff

Additionally, Morocco violated Principle 9 of the UN Basic Principles on Access to Remedies and Fair Trial, which guarantees detainees the right to legal assistance and effective, independent representation without intimidation or interference.

The Working Group concluded that Morocco violated the conditions and principles of remedies for a fair trial, due to failure to apply

This aligns with Articles 1, 24, 27, and 118 of the UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), which require humane treatment, protection from torture or degrading treatment, adequate healthcare, and respect for detainees' dignity at all times.

Rule 27 :

All prisons shall ensure immediate access to medical care in urgent cases. Prisoners requiring specialized care or surgery shall be transferred to

shall not override or ignore these decisions.

Rule 118 :

Untried prisoners shall be permitted to be examined and treated by their own doctor or dentist, provided that their request is reasonable and they are capable of covering the associated costs.

bring its practices into compliance with international standards, including those enshrined in the Universal Declaration of Human Rights and the ICCPR.

- In view of all circumstances, the appropriate measure is his immediate release, with the right to an effective remedy, including compensation in accordance with international law.
- The Working Group urges Morocco to ensure a thorough and independent investigation into the circumstances of this arbitrary detention and to take measures against those responsible for violating his rights.
- The Working Group requests that the Government of Morocco make this opinion public to the widest extent possible.

➔ **Complaint of the Sahrawi Political Prisoner and Blogger “Khatri Dadah” :**

In a decision published on 1 April 2024, the UN Working Group on Arbitrary Detention called for the immediate release of Sahrawi political prisoner and journalist Khatri Dadah, denouncing violations of his right to a fair trial (A/HRC/WGAD/2023/67).

Khatri Dadah, a 25-year-old journalist affiliated with the activist group “Silwan Media” based in Smara, Western Sahara, was arrested on 24 December 2019 and later sentenced to 20 years in prison for his journalistic work and human rights advocacy.

His continued detention has been addressed in numerous communications by UN experts, who condemned the inhumane prison conditions and the ongoing detention of activists in retaliation for their human rights work.

The UN Special Rapporteur on Human Rights Defenders, Ms. Mary Lawlor, included Dadah’s case in her report titled “States of Denial: The Long-Term Detention of Human Rights Defenders” (A/76/143), reaffirming that his

arrest was in retaliation for his human rights activities. She emphasized that states continue the practice of long-term detention to silence journalists and defenders, subjecting them to harsh, inhuman, and degrading treatment, including torture.

Dadah’s case is consistent with prior decisions by the Working Group regarding the detention of Sahrawi activists and human rights defenders. UN experts confirm that the systematic persecution of the Sahrawi civil society and human rights defenders constitutes retaliation for exercising their rights to freedom of assembly, expression, and human rights advocacy in Western Sahara.

Impunity in the Occupied Territories of Western Sahara:

In the absence of accountability for perpetrators of crimes against humanity and serious human rights violations against Sahrawi civilians, impunity persists in the Moroccan-occupied part of Western Sahara.

While the Moroccan occupation authorities promoted the so-called “Historical Experience of the Equity and Reconciliation Commission” established in 2004 to investigate serious human rights violations and provide reparations, Moroccan occupation forces continued committing crimes against humanity and grave human rights violations against Sahrawi civilians in Western Sahara and neighboring Sahrawi cities, as well as in Moroccan universities. These acts, including genocide, abduction, killings, torture, and arbitrary detention, were committed by Moroccan occupation authorities without accountability under international humanitarian law or international human rights law.

Numerous cases exist in which Moroccan authorities deliberately failed to investigate such violations, contrary to international humanitarian law and international human rights law.

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Case 1 :

The Sahrawi prisoner Muhammad Boustia died in 2004 at the local prison in Laayoune under torture by prison staff, as confirmed by the medical autopsy. His family requested an investigation into the cause of death and prosecution of the perpetrators; however, over time, the responsible officer was acquitted and merely transferred to another prison to continue his work.

The same prison had witnessed the deaths of prisoners Ramadan Al-Laithi and Hassan Hadi in 2003 due to negligence, with no investigation into either death, due to pressure exerted by the Moroccan occupation authorities on the families.

Case 2 :

The Sahrawi youth Hamdi Lmbaraki died on 30 October 2005 in a public square in Laayoune, at the hands of Moroccan police officers who tortured him to death. The Moroccan authorities initially attempted to close the case without further action. However, the victim's family, supported by Sahrawi solidarity groups and human rights organizations, pressured for an investigation. The case was handled by the National Judicial Police in Casablanca, Morocco, which interviewed several witnesses confirming the direct responsibility of two police officers for torturing Hamdi Lmbaraki to death.

The two officers, Abdel Rahim Msawer and Mustafa Rachdi, were initially sentenced by the Criminal Chamber of the Court of Appeal in Laayoune to 10 years in prison. On appeal, the sentence was reduced to two years, which they served before being released. It remains unknown whether these officers returned to police service, as the Moroccan authorities ensured their transfer along with their families outside Western Sahara to their hometowns in Marrakech and Sale. During their detention, they enjoyed privileged treatment, including private

rison accommodations.

Case 3 :

The Sahrawi youth Aba Sheikh Lkhalifi died on 3 December 2005 in a public street in Tan-Tan after being assaulted by police officer Ahmed Naji. The family filed a complaint with the Public Prosecutor at the Court of Appeal in Agadir against the officer responsible, but he was acquitted and merely transferred to another city, continuing his work as a police officer.

Case 4 :

Sahrawi citizen Suleiman Al-Shweihi died in 2006 under torture at the Gendarmerie Criminal Police station in Guelmim. Family protests, supported by human rights and trade union associations, led to an investigation and the initial sentencing of officer Ahira Hassan and his assistant Al-Bardiji to ten years in prison by the Criminal Chamber of the Court of Appeal in Agadir. On appeal, both were acquitted after two years of detention, despite ample evidence of their guilt.

Case 5 :

On 1 December 2008, Sahrawi students Baba Khaya and El-Hussein Laktif were deliberately run over by a passenger transport truck at the bus station in Agadir. According to student testimony, the driver acted under instructions from Moroccan occupation police officers, targeting a gathering of approximately 40 Sahrawi students protesting at the station gate. Several other students were seriously injured.

When the victims' families turned to Moroccan courts, the authorities downgraded the charges from intentional homicide to minor traffic violations, sentencing the driver to only four months in prison. This mirrors a 2003 incident in Boujdour, when two Sahrawi children were run over by a police vehicle, resulting in the death of one child. The police driver was acquitted after 14 days of pretrial detention.

Case 6 :

The Sahrawi child Al-Najem Al-Karhi (14 years old) died from severe injuries on 24 October 2010 after Moroccan occupation forces fired live bullets at a vehicle en route to the “Gdeim Izik” camp, which hosted thousands of displaced Sahrawi civilians. The child and other injured persons were transferred to Hassan Ben Mehdi Hospital in Laayoune, where his death was announced without any investigation.

Case 7 :

On 8 November 2010, Sahrawi civilian Babi Al-Karkar died after being run over by a military vehicle of the Moroccan occupation forces on the main street in Laayoune, coinciding with the military assault on the “Gdeim Izik” camp. No investigation was conducted into his death.

Case 8 :

On 12 November 2010, Moroccan occupation authorities announced the death of Sahrawi civilian Ibrahim Al-Daoudi at the Third Military Hospital in Laayoune without providing details on the circumstances. According to family sources, his death was related to the 8 November 2010 military attack on the Gdeim Izik camp, where thousands of displaced civilians were present. No investigation was carried out by the Moroccan authorities into this case.

Case 9 :

The Sahrawi civilian Saeed Dembar died under mysterious circumstances on 22 December 2010 in Laayoune, as a result of a gunshot to the head fired by a Moroccan occupation police officer. His death occurred amid the intensified military siege of the city, approximately 40 days after the military assault on the “Gdeim Izik” camp.

The family refused to receive the body due to the lack of a fair investigation into the circumstances of the death and to obtain a copy of the autopsy report. This was despite the arrest and prosecution of the Moroccan police

officer responsible, who admitted to committing the crime using his service weapon and was sentenced to 15 years in prison. The family and their legal representatives insisted on receiving the autopsy report and a proper investigation, rejecting attempts by the Moroccan authorities to classify the death as natural and to detach it from the context of the military assault affecting thousands of displaced Sahrawi civilians in the Gdeim Izik camp and Laayoune.

Case 10 :

The Sahrawi civilian Khadjtou Abhah died in 2011 in Laayoune from a head injury sustained after being pursued by a Moroccan occupation army vehicle en route to the “Gdeim Izik” camp. She was subjected to beating and violence, and no investigation was opened into her death.

Case 11 :

The Sahrawi youth Mishan Mohamed Lamine Cheia died on 25 September 2011 in Dakhla amid demonstrations involving Sahrawi civilians and Moroccan settlers supported by the occupation forces. The Moroccan authorities did not investigate the circumstances of his death, despite efforts by his family to file a complaint.

Case 12 :

The Sahrawi youth Rachid Al-Chin died in September 2013 on a public street in Assa, due to injuries sustained from rubber bullets fired by the Moroccan occupation gendarmerie during the suppression of demonstrations protesting the repression faced by Sahrawi civilians in the Tizimi camp, which hosted hundreds of Sahrawis.

Case 13 :

Human rights defender and Sahrawi political prisoner Hassana El-Wali died in the Moroccan military hospital in Dakhla due to medical neglect and mistreatment suffered during imprisonment at Laayoune and Dakhla local prisons. He was serving an unlawful three-year

prison sentence. His family refused to receive his body, demanding a fair investigation into the targeting and medical neglect he endured in retaliation for his human rights activism.

Case 14 :

The family of Sahrawi student Adnan Al-Rahali, who had been missing since 17 December 2015, received his body in May 2016, stored in a morgue at Hassan II Hospital in Agadir, Morocco, according to Moroccan authorities. The family refused to receive the body for nearly two months, demanding that the Public Prosecutor at the Court of Appeal in Agadir investigate the circumstances of his mysterious death. They challenged the Moroccan authorities' claim that his death was due to falling into a sewer in the university district, given that he had been missing for over five months and fifteen days.

Case 15 :

The unemployed Sahrawi political detainee Ibrahim Sika died on 15 April 2016 at Hassan II Regional Hospital in Agadir, Morocco, due to physical and psychological torture suffered while in the custody of Moroccan occupation police in Guelmim from 1 to 4 April 2016. He was then transferred to Bouzkarne local prison, where he continued to suffer from the effects of torture, leading to his transfer to a military hospital, then a civilian hospital, and finally to the regional hospital in Agadir, where his death was declared just fifteen days after his arbitrary detention. His family and legal representatives requested an investigation into the circumstances of his detention and death, but the Moroccan authorities conducted no investigation and buried him without family presence, in an attempt to conceal the truth.

Case 16 :

The Sahrawi student Abdelrahim Boudri died on 19 May 2018 at the Faculty of Arts and Humanities at Ibn Zohr University in Agadir,

Morocco, at the hands of an armed student group linked to the Moroccan occupation forces. This occurred while Sahrawi students were organizing a human rights, political, and cultural exhibition commemorating 20 May, the anniversary of the start of the armed struggle against Spanish colonialism. No action was taken by Moroccan authorities regarding his death.

Case 17 :

The Sahrawi student Sabah Anjourni died on 19 July 2019 on a main street in Laayoune after being run over by a vehicle belonging to the Auxiliary Forces of the Moroccan occupation during peaceful demonstrations organized by Sahrawi civilians. She was buried under a strict police cordon that included beatings and preventing Sahrawi supporters from accessing the cemetery. No investigation was opened into her death, which was documented by Amnesty International.

Case 18 :

Sahrawi youths Lahbib Salima Chehib (22) and Abdullah Amloko (31) were killed on 20 November 2020 west of the military separation wall by the Moroccan occupation army, which fired at them under unclear circumstances. No investigation has been conducted to date.

Case 19 :

The Sahrawi youth Mohamed Salem Ayad Ali Al-Fahim died on 15 December 2021 in Laayoune (according to Moroccan occupation authorities) under unknown circumstances after having been missing since 15 December 2021.

Case 20 :

On 16 February 2022, Moroccan occupation authorities announced the death and burning of the body of the disappeared Sahrawi Lahbib Aghrishi (48), who had been missing since 7 February 2022 in Dakhla. The announcement was issued via a statement from the Moroccan

police, which the family rejected, insisting their son was missing. On 5 March 2022, Lahbib Aghrishi's mother issued an urgent appeal to international organizations, stating that the family had received no information and demanding clarification regarding her son's fate.

Case 21 :

On 9 January 2023, Moroccan occupation authorities reported the mysterious death of elderly Sahrawi political prisoner Mohamed Lafdhil Mansour Daoudi (69) inside Laayoune local prison, just months after his detention, with no clear cause of death provided.

Case 22 :

On 7 November 2024, a Sahrawi family was shocked by the mysterious death of their son Ammar Majid (58), five days after his detention and placement under police custody by Moroccan occupation authorities, followed by pretrial detention in Laayoune local prison. Despite the family's insistence on discovering the truth and pursuing the legal consequences, the Moroccan authorities conducted no investigation.

Conclusion :

- ✎ These cases illustrate the systematic and widespread use of torture, extrajudicial killings, disappearances, and other serious violations by Moroccan occupation force against Sahrawi civilians, especially during peaceful demonstrations demanding the Sahrawi people's right to self-determination. Complaints filed with Moroccan courts are systematically ignored.
- ✎ It is clear that international humanitarian law is continually violated by Moroccan occupation force, including impunity for the perpetrators. Legal, humanitarian, and ethical principles make accountability and prosecution both necessary and possible, whether violations are committed by individuals, official authorities, or with their tacit consent.
- ✎ The Moroccan occupation systematically violates the Fourth Geneva Convention on the protection of civilians during armed conflict. The United Nations and the international community bear responsibility not only for ensuring peace and security but also for protecting justice and civilian rights, including by pressuring Moroccan authorities to apply international humanitarian and human rights law in Western Sahara.
- ✎ Given the impossibility of achieving justice through Moroccan courts, it is essential to establish an international legal mechanism recognizing the international legal status of Western Sahara, ensuring accountability and redress through national courts under universal jurisdiction or the International Criminal Court. International law recognizes the prosecution of perpetrators of crimes against humanity—such as ethnic cleansing, war crimes, torture, enforced disappearances, and other grave crimes—regardless of where they are committed, due to their severity and global impact. This requires holding perpetrators criminally and civilly accountable.

Seventh – Settlements and Land Confiscation in the Occupied Part of Western Sahara :

To perpetuate and consolidate its occupation, the Moroccan occupation authorities adopted an intensive settlement policy, continuously bringing waves of Moroccan settlers into Western Sahara and providing incentives and conditions to encourage their settlement in the occupied territory through :

- Establishing neighborhoods for housing families of various civilian and military formations in Western Saharan cities.
- Offering settlers employment opportunities and incentives, including financial compensations (double salaries for employees, housing, fuel subsidies, basic necessities support, grants, and financial aid).
- Tax exemptions for companies and reduced insurance fees on vehicles, trucks, and ships.
- Employing many settlers in public and semi-public sectors.
- Relying on settlers as labor in factories and

© Model of settlement units established by the Moroccan occupation force in the occupied city of Dakhla



workshops along the entire coastal strip of occupied Western Sahara, particularly in traditional fishing villages in Dakhla, Boujdour, and Laayoune, creating settlement clusters that compete with Sahrawi civilians for resources—contrary to Articles 47 and 147 of the 1949 Fourth Geneva Convention.

With support from the Moroccan occupation, thousands of settlers occupied Sahrawi civilians' properties, forcing civilians to flee from towns and villages to avoid political persecution caused by Moroccan military invasion and occupation. These displaced populations gathered in camps within Western Sahara such as Oum Dreyka, Tifariti, and Mahbas, which were bombed by Moroccan forces using internationally prohibited weapons, including napalm and white phosphorus, before being relocated to Sahrawi refugee camps in southwestern Tindouf, Algeria, leaving behind their lands and properties.

Moroccan authorities also conducted mass abductions of hundreds of Sahrawi civilians, forcibly deported entire Sahrawi families to cities in Morocco, and displaced over 6,500 Sahrawi youth, mostly students, in 1987, as well as approximately 1,200 unemployed university graduates. The Moroccan occupation justified these forced displacements as providing employment opportunities for Sahrawis in Moroccan cities, while simultaneously flooding Western Sahara with settlers—an egregious violation of international humanitarian law, particularly Article 49(6) of the Fourth Geneva Convention, which prohibits an occupation force from forcibly transferring or encouraging the settlement of its own civilians in occupied territories.

The Moroccan occupation has also systematically:

- Spread drugs among Sahrawi youth.
- Coerced hundreds of Sahrawi children and youth to undertake dangerous migrations to Europe under organized networks.
- Contributed to organized crime and the influx of irregular sub-Saharan African migrants into Western Sahara.

Since the occupation, Moroccan authorities have systematically confiscated Sahrawi civilian lands through a process of “land registration,” claiming Western Saharan lands as public property, contrary to international humanitarian law, as these are occupied territories subject to decolonization principles since 1963.

During the COVID-19 pandemic, Moroccan authorities accelerated land registration and confiscation, exploiting the health emergency. This constitutes a clear violation of Sahrawi civilians' legitimate land ownership rights, transferring lands forcibly to Moroccan settlers, private companies, and multinational corporations for transnational exploitation projects, including energy, fisheries, agriculture, and tourism. These projects capitalize on the global energy crisis stemming from the war in Ukraine, creating opportunities for Morocco to involve international actors to legitimize its military occupation.

In pursuit of these objectives, Moroccan authorities have:

- Granted foreign investment in renewable energy projects (solar and wind farms), fisheries, agriculture, and tourism, with recent projects in Mahbas, near Zag, Chbika, and Massid near Tan-Tan.
- Established unauthorized consulates for certain African and Arab states in Western Sahara, violating international law and the African Union Charter, aiming to internationalize their occupation and relying

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on normalization agreements with Israel, with coordinated military, intelligence, economic, and cultural operations allowing Israel's open presence in Western Sahara under the guise of investment.

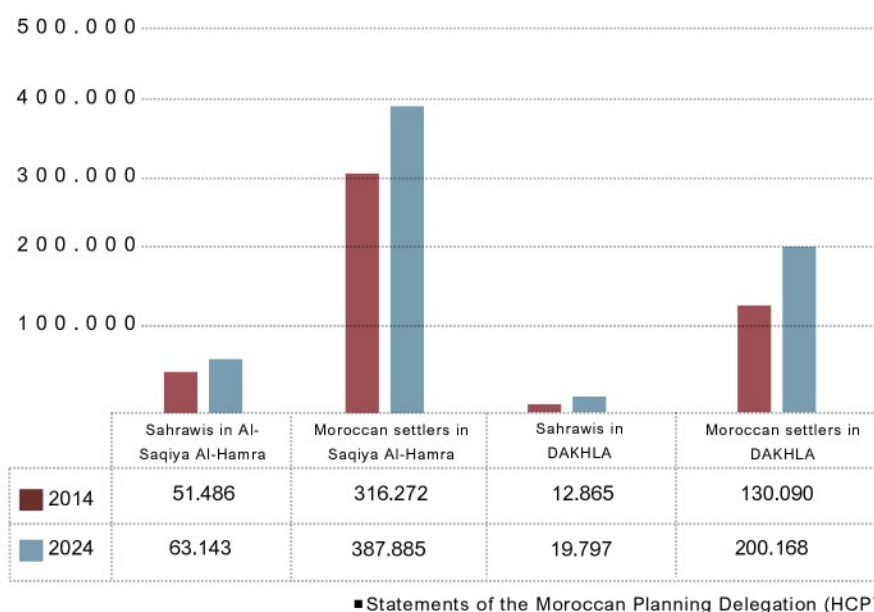
The crimes committed by the Moroccan occupation force in seizing Sahrawi lands constitute a blatant violation of international humanitarian law, particularly the four Geneva Conventions and their additional protocols, the 2007 United Nations Declaration on the Rights of Indigenous Peoples, as well as Morocco's obligations under the "Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests" adopted by the UN Committee on World Food Security in May 2012. These obligations require states to :

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obligations under the "Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests" adopted by the UN Committee on World Food Security in May 2012. These obligations require states to :

1. Recognize and Respect Legitimate Tenure Rights: States must acknowledge all holders of legitimate tenure rights and respect those rights. They should take reasonable measures to identify, register, and respect legitimate rights holders, whether formally registered or not, refrain from infringing upon others' tenure rights, and fulfill associated duties.
2. Protect Legitimate Tenure Rights: States are required to safeguard rights holders from arbitrary deprivation of their tenure rights and from threats or violations that could undermine them.
3. Facilitate Enjoyment of Tenure Rights: States should actively support and facilitate the full exercise of tenure rights, including transactions involving these rights, and ensure that services related to these rights are accessible to all.

Demographic Engineering in Occupied Western Sahara



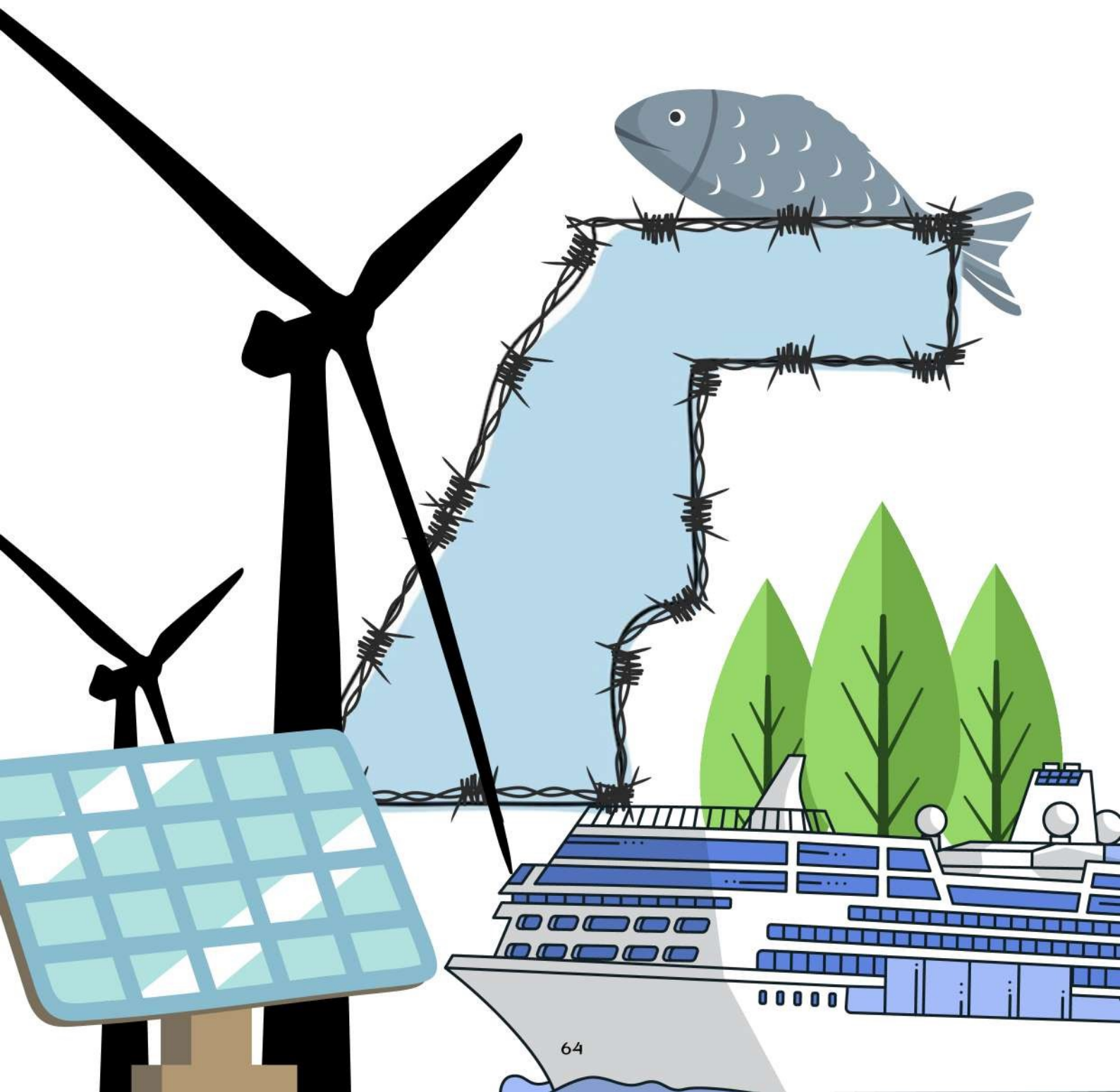
Ensure Access to Justice and Compensation: States must provide effective and accessible mechanisms, judicial or otherwise, for addressing violations of legitimate tenure rights, promptly enforce outcomes at reasonable cost, and provide immediate and fair compensation in cases of expropriation for public purposes.

In addition to the confiscation of Sahrawi lands, the Moroccan occupation authorities have forcibly displaced Sahrawi civilians from their grazing and agricultural lands, destroyed camel and sheep herds, eliminated vegetation cover, dried water sources, depleted aquifers, filled wells, erased ecological and historical traces of Sahrawi culture, and extracted and sold Saharan sand. These actions have severely damaged the environment and soil. The occupation has also used advanced and internationally prohibited weapons, indiscriminately planted mines, and caused human and environmental harm, particularly following the illegal breach at Al-Guergarat since the resumption of hostilities between Moroccan force and the Polisario Front on 13 November 2020.

In response to the policy of land confiscation and violations of legitimate tenure rights, widespread peaceful social and union-led protests erupted among Sahrawi civilians in cities including Laayoune, Dakhla, Boujdour, Telmizoun, Ras Umlal, Sbouya, Assa, Mahbas, Liberat, Mzeirika, and Baydat Al-Sidra near Zag, opposing the expropriation of their lands. Many of these protests were met with systematic repression by Moroccan occupation force.

Theme :

Natural Resources in Western Sahara



Natural Resources in Western Sahara : Between Economic Exploitation and the Right to Permanent Sovereignty over Resources

1. Legal Framework of the Issue :

Western Sahara is a non-self-governing territory under United Nations resolutions and is subject to the principle of decolonization. The International Court of Justice (ICJ), in its advisory opinion of 16 October 1975, confirmed that there are no legal sovereignty ties between the territory and either Morocco or Mauritania, and that the Sahrawi people have full rights to self-determination.

Accordingly, any exploitation of natural resources without the consent of the Sahrawi people or their legitimate representative, the Popular Front for the Liberation of Saguia el-Hamra and Rio de Oro (POLISARIO), constitutes a violation of international law, particularly United Nations General Assembly Resolutions 1514 (XV) and 1803 (XVII) on permanent sovereignty over natural resources.

2. Legal Position of Judicial Institutions :

A — Court of Justice of the European Union (CJEU) :

In 1912, the POLISARIO Front, recognized by the UN as the legitimate representative of the Sahrawi people, filed lawsuits before EU courts challenging agreements between the EU and Morocco that included the occupied territory of Western Sahara.

This judicial process led to a series of landmark rulings affirming the separate legal status of the territory :

- Decision of 21 December 2016: Rejected the application of the EU-Morocco Partnership Agreement to the occupied territory of Western Sahara.
- Affirmed the separate and distinct nature of the territory from Morocco.
- Emphasized the necessity of Sahrawi consent for any resource exploitation, regardless of claimed benefits.
- Decision of 27 February 2018 : CJEU confirmed that Morocco has no sovereignty or jurisdiction over Sahrawi maritime areas, invalidating the fishing agreement including the territory.
- Decision of 30 November 2018: Reaffirmed the absence of Moroccan sovereignty in Western Sahara's airspace.

Following new EU agreements explicitly including the territory, POLISARIO filed additional legal challenges resulting in :

1. Decision of 29 September 2021: Recognized POLISARIO's legal capacity to defend Sahrawi interests.
2. Confirmed that consultation with settlers or Moroccan institutions does not constitute genuine Sahrawi consent.
3. Annulled the new agreements between the EU and Morocco for illegality, a decision appealed by the European Commission and pending final ruling in Q4 2025.

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Despite these binding legal rulings, the EU signed a new agreement with Moroccan occupying force on 6 October 2025, including Western Sahara.

B — African Court on Human and Peoples' Rights :

On 22 September 2022, the African Court issued a historic ruling on Western Sahara, representing a legal victory for Africa and the Sahrawi people.

Key conclusions included :

- 1.The right to self-determination in Africa is a peremptory norm (Jus Cogens) in international law, obligating all states not to violate it.
- 2.The Court recognized Morocco's presence in Western Sahara as occupation under international law, obligating all states not to breach this status.
- 3.Continued Moroccan occupation violates Article 20 of the African Charter on Human and Peoples' Rights.
- 4.All African Union member states bear legal responsibility not to legitimize the occupation or engage in actions obstructing Sahrawi self-determination.

The Court aligned its stance with ICJ opinions on Namibia (1971), Palestine (2005), and Mauritania (2019), reinforcing the fixed nature of international legal positions on Western Sahara.

• **3.Legal Conclusions** •

From the rulings of the CJEU and African Court, the legal situation can be summarized as follows:

- Western Sahara has never been part of Morocco.
- Morocco has no sovereignty, administrative, or judicial authority over the territory.
- All international agreements including Western Sahara are invalid without Sahrawi consent.
- Western Sahara remains a distinct territory subject to the right to self-determination and full independence.
- Continued Moroccan exploitation of natural resources constitutes unlawful economic plunder under international humanitarian law.

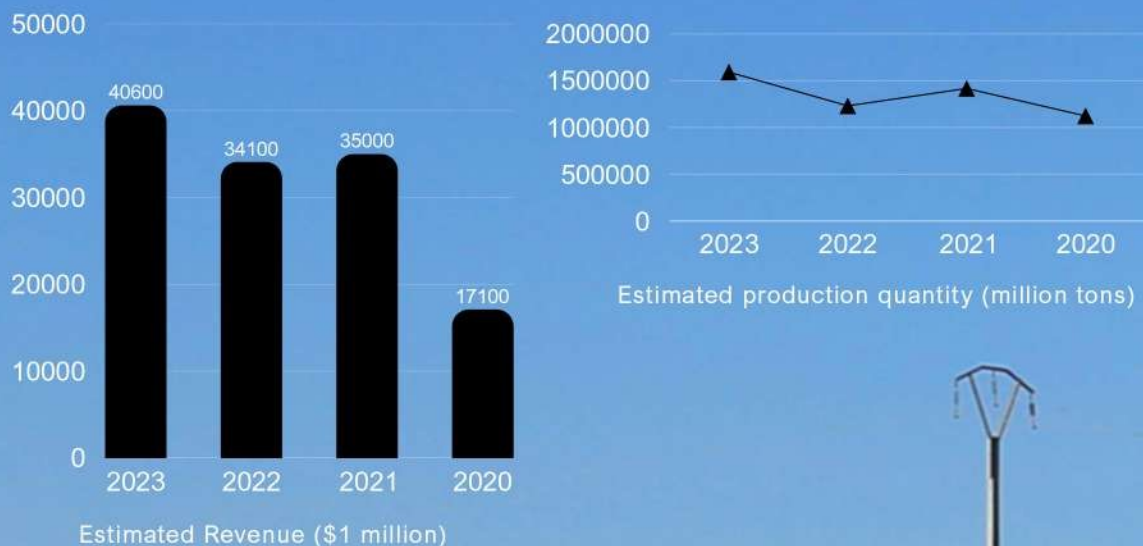


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4.Plundering of Natural Resources :

A-Phosphate

Boukraa Phosphate is among the most prominent plundered resources, with maritime traffic data indicating the following :



B.Renewable Energy :

The Moroccan occupation is carrying out large-scale solar and wind energy projects in the occupied cities of Laayoune, Boujdour, and Dakhla, with a total expected production capacity ranging between 1,925 and 2,000 megawatts by the year 2027. These projects are supervised by European, Asian, and Gulf companies, such as :

Region	Project Name	Type	Status	Production Capacity in MWh
<u>Occupied Al-Aaiun</u>	CIMAR	Wind	Operating	5
	Foum El Ouad	Wind	Operating	50
	Noor Laayune 1	Solar	Operating	65
	Tiskrad	Wind	Operating	100
	Noor Laayune 2	Solar	Under construction	20
	Ghard Jrad	Wind	Under construction	75
<u>Occupied Boujdour</u>	Noor Boujdour 1	Solar	Operating	20
	Noor Boujdour 2	Solar	Operating	?
	Afteissat	Wind	Operating	200
	Boujdour	Wind	Under construction	300
<u>Occupied Dakhla</u>	Noor Dakhla	Solar	Under construction	150
	Desalination Plant	Wind	Under construction	40
	Dakhla Wind	Wind	Under construction	900
		Total Wind Energy Production		1670
		Total Solar Energy Production		255
		Sub-Total		1925

It is estimated that these projects could generate profits exceeding \$1.9 billion annually at full operation, without any economic or environmental benefit for the Sahrawi population.



C. Oil and Gas :

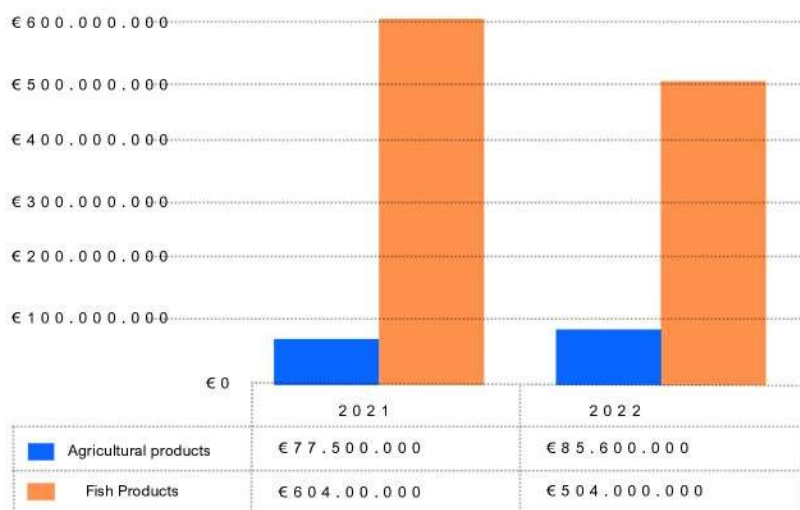
The sector has undergone new developments with the entry of Israeli companies such as Navitas Petroleum, Ratio Petroleum, New Med Energy, and Delek Group, replacing international companies that withdrew under international human rights pressure. This further deepens violations of international law.

During 2023, the following were recorded:

- 23 vessels involved in transporting hydrocarbons to the occupied territory, including 4 Moroccan ships.
- 83 unloading operations at Laayoune port and 74 at Dakhla port.
- 84% of the hydrocarbons originated from Spain via the companies Cepsa and Repsol.

D. Fisheries and Agriculture :

- Fisheries agreements with the EU, Russia, and China are used to justify organized plundering of marine resources.
- In agriculture, Moroccan and French companies exploit more than 1,300 hectares of farmland, aiming to reach 13,000 hectares by 2030.
- Agricultural exports to the EU reached €85.6 million in 2022, while fishery products reached €504 million.



Conclusion :

- ✦ International rulings confirm that exploiting natural resources in Western Sahara without the consent of the Sahrawi people is illegal and constitutes an economic crime.
- ✦ This ongoing plundering serves as one of the economic pillars of the Moroccan occupation, whereas the resources themselves are an inalienable sovereign right of the Sahrawi people and a crucial instrument in their struggle for freedom and self-determination.
- ✦ The European Court of Justice has consistently affirmed that any exploitation of resources in occupied Western Sahara must have the consent of the Sahrawi people, in accordance with international humanitarian and general international law. Yet, it is regrettable that the EU and many multinational corporations continue to plunder the resources of a people enduring decades of occupation and oppression, most of whom have lived over 50 years in refugee camps, dependent on humanitarian aid under harsh climatic conditions.
- ✦ In this context, and regarding Western Sahara's natural resources, the Collective of Sahrawi Human Rights Defenders (CODESA) described the European Commission's report on the "benefit" of the Sahrawi people from the unlawful application of preferential tariffs on products from occupied Western Sahara as criminal and unethical. CODESA considers it a systematic theft supported by the EU, which ultimately damages its reputation. In societies where law is respected, a thief admitting to theft would be arrested, tried, and punished according to the law.
- ✦ In contrast, the EU is an exception : European Commission officials responsible for the systematic exploitation of a vulnerable, displaced population take pride in these acts in official reports and statements while enjoying high salaries and comfortable lives, enjoying complete impunity.

General Conclusions :

The documented facts in this report demonstrate that the violations were not isolated or individual incidents, but rather a systematic and ongoing policy aimed at breaking the will of the Sahrawi people, altering the demographic structure of the region, and plundering its natural resources, in complete disregard for the legal status of Western Sahara as a non-self-governing territory subject to a UN-supervised decolonization process since 1963.

Based on testimonies, statistics, and legal documents grounded in the 1949 Geneva Conventions and their protocols, as well as the two International Covenants on Human Rights, it is evident that over five decades, the Moroccan occupation force committed multiple forms of violations, a significant portion of which is addressed in this report.

- The working team reached the following conclusions :

- The continuation of the military occupation of Western Sahara and Morocco's non-compliance with international legitimacy decisions on decolonization, thereby depriving the Sahrawi people of their right to self-determination and sovereignty over their resources.
- The ongoing plunder of Western Sahara's natural resources and attempts to internationalize its occupation by involving Moroccan occupation force, foreign states, continental organizations, and multinational companies in illicit exploitation contracts, despite the European Court of Justice ruling of 4 October 2024 affirming the illegality of Morocco's occupation and prohibiting economic activity in the territory, while reaffirming the Sahrawi people's right to self-determination.
- The continuation of systematic crimes by Moroccan occupation against Sahrawi civilians under occupation and siege, directly resulting from the denial of the Sahrawi people's right to self-determination and resource sovereignty, and the absence of an international mechanism to protect Sahrawi civilians due to the international status of the Western Sahara issue.
- The ongoing illegal settlement and expropriation of Sahrawi civilian lands by Moroccan occupation force at an accelerated and systematic pace, aimed at demographic, geographic, and historical alteration of Western Sahara, and impacting the economic, social, and demographic structure of the Sahrawi population in the occupied territory, in violation of their legitimate rights.
- Impunity and lack of accountability for all officials in Morocco's civil and military apparatus encourage further crimes against Sahrawi civilians.
- Sahrawi human rights defenders are subjected to crimes against humanity by Moroccan occupation force due to their human rights advocacy, facing life-threatening risks, targeting of themselves and their families, and systematic repression using multiple tactics including livelihood confiscation, criminalization of rights work, and campaigns of defamation and incitement aimed at undermining human rights activity.

Recommendations :

Since the Western Sahara issue is classified under international humanitarian law as a decolonization matter, it is discussed by the Fourth Committee (Special Political and Decolonization Committee) of the UN General Assembly. Many states continue to call for full implementation of the UN Mission for the Referendum in Western Sahara (MINURSO) mandate and the facilitation of a free, fair, and transparent referendum on the self-determination of the Sahrawi people, in accordance with UN General Assembly Resolution 1514 (XV) declaring the independence of colonized countries and peoples.

International humanitarian law applies to international armed conflicts, including military occupations, as in Western Sahara following the Moroccan invasion in 1975.

The Moroccan occupation force has committed serious violations amounting to genocide and war crimes, as detailed in this report, in blatant breach of :

- The Hague Regulations of 1907.
- The Fourth Geneva Convention for the protection of civilians in war (civilian populations in occupied territories and civilian detainees).
- The Additional Protocol I to the Fourth Geneva Convention (fundamental guarantees for all individuals, including civilians under the authority of conflict parties, civilian objects, cultural and spiritual heritage).
- Customary international humanitarian law (restrictions on the use of force and direct attacks).
- The 1980 UN Convention on Certain Conventional Weapons.
- The 1996 Ottawa Convention banning anti-personnel mines.

This report also highlights Moroccan occupation force systematic crimes against humanity targeting Sahrawi identity, in violation of the Rome Statute of the International Criminal Court (1998) and the Convention on the Prevention and Punishment of the Crime of Genocide (1948).

The documented crimes against humanity, supported by quantitative and qualitative evidence of thousands of victims over the studied periods, confirm the presence of both the objective element (nature of acts) and the subjective element (systematic or widespread character) required to establish international criminal liability.

Attachments :

1. Organization Overview

- Name: Sahrawi Human Rights Defenders Collective (CODESA)
- Type: Sahrawi human rights organization
- Founded: 2002
- History:
 - CODESA continues the legacy of Sahrawi activists from the Western Sahara branch of the Forum for Truth and Justice, established in 2000 in Laayoune, Western Sahara, which was banned and closed by Moroccan occupation force in 2003, with most members arrested, displaced, or dismissed from work.
 - From 2002, Sahrawi activists coordinated under the name “Sahrawi Human Rights Activists,” issuing statements, reports, and appeals concerning human rights in Western Sahara.
 - In June 2006, the organization was formally announced as “CODESA” in a temporary secretariat format, shortly after the release of many members from Laayoune prison.
 - A preparatory committee was formed on 25 April 2007 to organize the founding congress.
 - The Moroccan occupation confiscated CODESA’s right to hold the founding congress on 7 October 2007. Consequently, the organization established a temporary executive office to manage operations post-ban.
 - In January 2019, a new preparatory committee was formed in Laayoune, after a two-year internal review to renew, modernize, and expand the organization, including women, workers, students, former political prisoners, and civilian victims of Moroccan repression.
- Objectives:
 - a. Enable the Sahrawi people to exercise their right to self-determination and sovereignty over their resources.
 - b. Uphold human dignity and universal human rights through awareness, promotion, and education.
- Activities:
 - Monitoring and reporting human rights violations in Western Sahara through legal and peaceful means.
 - Reporting crimes to UN bodies, international human rights organizations, and other

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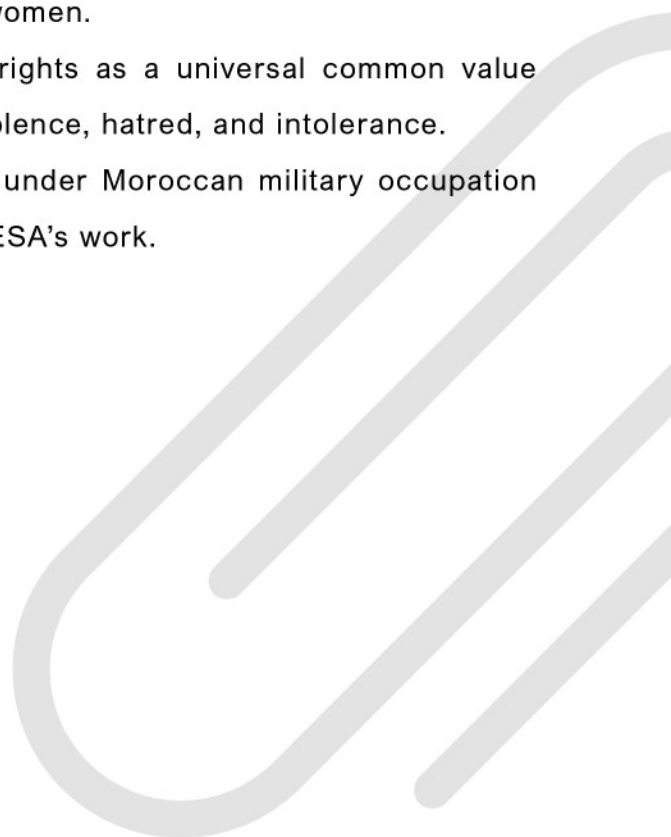
relevant entities.

- Issuing annual reports since 2005, including reports on the trial of Gdeim Izik prisoners (2013 & 2017), thematic reports like “The Truth Resistant to Burial” (2013), and joint reports with international organizations.
- Coordinating international campaigns, e.g., January 2021 campaign to establish a permanent ICRC mission in Western Sahara, endorsed by 150 parliamentarians and over 177 organizations across 41 countries, including prominent figures like Noam Chomsky, Jeremy Corbyn, Susan Shultz, Hamma Hammami, Stephen Zunes, Pierre Galand, Rassem Obeidat, and former Palestinian detainee Abeer Abu Khdeir.
- Conferences:
 - Founding congress: 25 September 2020, Laayoune, Western Sahara.
 - First national congress: Initially blocked by Moroccan authorities on 21 October 2023; held remotely on 5 December 2023, renewing leadership structures.
- Presence: Local branches in Dakhla, Tan-Tan, Guelmim, Assa, and Zag; preparatory committees for Laayoune, Boujdour, Smara, Sidi Ifni, and branches in Europe and America.
- Networks and Membership:
 - Engaged in national, continental, and international human rights networks; maintains partnerships with Sahrawi, Moroccan, and global democratic organizations.
- Affiliation:
 - Believes in collective action and institutional coordination to promote and protect human rights in Western Sahara.
 - Works with a participatory team-based approach for effective and sustainable human rights impact.
- Key Memberships and Partnerships:
 - International Organizations: OMCT, World Peoples’ Summit, Geneva Support Group for Western Sahara, Maghreb, Arab, and International Women’s Teams.
 - International Bodies: ICRC, UN Human Rights Council (Geneva), MINURSO, UN High Commissioner for Human Rights, UN Special Procedures, Fourth Committee of UN General Assembly.
 - International NGOs: Amnesty International, Front Line Defenders, OMCT, FIDH, Human Rights Watch, among others.

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2. Logo Symbolism

- Color (Blue): Represents international human rights, adopted as the emblem color at the UN General Assembly meeting on 23 September 2011.
- Globe: Symbolizes the global scope of human rights above geographical, gender, cultural, linguistic, ethnic, or religious considerations; represents human dignity.
- Hands Holding the Globe: Expresses human solidarity, fraternity, and peace between peoples, symbolizing unity and cooperation in the global human rights movement against violators.
- Female Hands: Reflects the organization's principled stance on gender equality and commitment to combating discrimination against women.
- Intersecting Lines on the Globe: Signify human rights as a universal common value promoting dialogue, openness, and rejection of violence, hatred, and intolerance.
- Map of Western Sahara: Represents the territory under Moroccan military occupation since 31 October 1975 and the focal area of CODESA's work.



Half a century of Moroccan Occupation in Western Sahara

This report is an attempt to condense the available and confirmed data during 50 years of suffering and grave human rights violations committed by the Moroccan occupation force against the Sahrawi civilians since the military invasion of Western Sahara on 31 October 1975, constituting a clear and blatant violation of all provisions of international humanitarian law and relevant United Nations resolutions on the rights of peoples to self-determination.

” This report is the result of institutional and collective work carried out by the organization's team on a voluntary basis, despite the limited capabilities and the continuation of arbitrary measures and the blockade imposed by the Moroccan occupation force on Sahrawi human rights defenders.

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