

URGENT PUBLIC APPEAL

Escalation of the Western Sahara conflict & repression in the occupied territories



Moroccan police in the city of El Aaiún, occupied Western Sahara, on 15 November 2020

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This Public Appeal is prepared by the Norwegian Support Committee for Western Sahara and #NomadsHRC

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Escalation of the Western Sahara conflict & the repression in the occupied territories

Dear friends,

We are issuing an Urgent Public Appeal in response to the **alarming increase of repression and violence** against Sahrawi civilians in the territories of Western Sahara under Moroccan occupation, following the recent escalation of the 45-year conflict between the Polisario Front and Morocco.

The situation is extremely dangerous for Sahrawi civilians as Morocco launches a massive campaign of collective intimidation, harassment and mass arrests. Due to Morocco's effective ban; there are no international observers or media on the ground. We need international organizations to shed light on these abuses and for Morocco to know that it cannot act with impunity.

On 13 November, a 29-year-long ceasefire between the Kingdom of Morocco and the Western Sahara, under the leadership of the national liberation movement Polisario Front, came to an end. Following a military operation carried out by Morocco against a group of peaceful Sahrawi civilians in a buffer zone located in the southern tip of Western Sahara, a grave violation of the ceasefire accord, Polisario proclaimed the end of the ceasefire and the UN-led peace process, and consequently the resumption of war. With the escalation of war between Morocco and Polisario, we have witnessed fierce repression in the occupied territories of Western Sahara.

Since the 13 of November, there is an increased and massive presence of Moroccan military, gendarmerie, police and intelligence forces on the streets of the occupied Western Sahara. **These armed units are terrorizing Sahrawi civilians**, with night raids on the homes of civilians and activists and the rounding up and mass arrest of young people, as well as beatings and other forms of abuse. **Sahrawi activists and human rights defenders report a massive campaign of collective intimidation and harassment.**

Reports from trusted sources say that in response to street protests in support of the Sahrawi right to self-determination on 13, 14 and 15 November, a total of 25 young Saharawis have been arrested in the last days, the youngest reportedly 12 years old and most reported to be between 16 and 17 years old. Scenes of streets filled with police vehicles and agents have been caught on camera by eyewitnesses.

Right before the end of ceasefire this past November 13, several prominent Sahrawi activists, including award-winning Aminatou Haidar, had been targeted for harassment and increased surveillance for creating a new organization named ISACOM, whose primary goal is to end the Moroccan occupation of Western Sahara. The main prosecutor in the occupied city of El Aaiún had announced an investigation into whether ISACOM's founders had violated laws in Morocco that criminalize activities threatening the regime's "territorial integrity". **We are concerned that Morocco might use the current situation, and its perceived impunity, to make good on its threat.** The situation of the two last months have been categorized with the continued persecution of Saharawi human rights defenders belonging to ISACOM, CODESA and other Saharawi human rights organizations; with the continued and systematic persecution of Saharawi journalists attempting to document and report on what is happening in the occupied territories. The repression escalated into the latest abduction and torture of the two Saharawi activists Ali Saadouni and Nour Eddin Aargoubi on 10 November.

For decades, Morocco has tried to ensure that there are no international witnesses to its human rights violations in Western Sahara. The UN peacekeeping force in Western Sahara, MINURSO, set up to oversee the promised referendum, does not have human rights monitoring within its mandate, despite numerous calls by human rights organizations such as Amnesty International and Human Rights Watch in response to reports of human rights violations by Morocco against the Sahrawi population. In addition, there is a practical de facto Moroccan ban on international human rights monitors and media in the territory. Sahrawis who try to fill this void, including citizen journalists and human rights defenders, are particularly targeted for harassment, arbitrary arrest and judicial harassment. This means that the only witnesses to their own condition as victims of human rights violations are Sahrawi civilians themselves. Through images captured clandestinely at great risk to their lives, and via frequent reports through social media and other means, Sahrawis have been sharing information these past days on these abuses and pleaded for help from the outside. **We need to respond to their urgent calls before it is too late.**

Western Sahara is listed by the United Nations as a non-self-governing territory, subjected to the right to self-determination in conformity with the principles contained in UN General Assembly resolutions 1514 (XV) and 1541 (XV). In 1975, Morocco invaded Western Sahara; a territory in which it does not hold sovereignty over (ICJ Advisory Opinion, Western Sahara, 1975). Since that time, a part of Western Sahara (estimated to be around 80 percent) has been placed under occupation by the Kingdom of Morocco and subsequently illegally annexed. To this day, the situation in the territory remains a humanitarian crisis with systematic, gross human rights violations and breaches of international humanitarian law being committed as direct consequence of the prolonged illegal military occupation. Morocco has, as the Occupying Power, the de facto control, both over most of the territory and the people living on the occupied land, who are deprived of their civil, political, economic, social and cultural rights.

What can you do?

To respond to the calls coming from the occupied territories of Western Sahara, we encourage **individuals** to:

- 1) Reach out to elected public officials in your city or area and ask them to highlight the issue of Western Sahara and the repression in the occupied territories;
- 2) Write an article in your local newspaper or contact journalists to make them aware of the escalation of the Western Sahara conflict and the repression in the occupied territories;
- 3) Organize a demonstration or meeting in your community in order to protest the continued illegal occupation of Western Sahara and the persecution of Saharawi human rights defenders;
- 4) Use your social media platform to tell about the suffering of the people of Western Sahara and join the international campaign #ReferendumNow for #WesternSahara;
- 5) Encourage five of your friends or family to do the same.

To respond to the calls coming from the occupied territories of Western Sahara, we encourage **national NGOs** to:

- 1) Write a letter to your national government and ask them to denounce the current situation in the occupied territories of Western Sahara;
- 2) Write a letter to the United Nations Secretary-General António Guterres and urge him to immediately take action to prevent an humanitarian crisis in the occupied territories of Western Sahara;
- 3) Write a letter to the Moroccan government and ask them to ensure respect for their obligations both under International human rights law and International humanitarian law and to ensure that all Saharawi activists and civilians are free to conduct their activities and express their opinions without fear of any form of retaliations;
- 4) Take public actions by writing an article or issuing an public appeal or create a campaign in support of the right to self-determination for the people of Western Sahara and the denouncing of the continued illegal occupation and the repression in the occupied territories of Western Sahara;
- 5) Organize a demonstration or meeting in your community in order to protest the continued illegal occupation of Western Sahara and the persecution of Saharawi human rights defenders.

To support you in your work, we provide you with further information into the recent escalation of the conflict since 13 November in the appendix. Information on the conflict and relevant practices of the UN Human Rights mechanisms is also provided.

APPENDIX

The present appendix provides information into the recent events in the occupied territories of Western Sahara and the escalation of the conflict. The present appendix includes:

- 1) Summary of repression witnessed in the occupied territories of Western Sahara
- 2) Factsheet: The escalation of the Western Sahara conflict and the repression in the occupied territories
- 3) The Western Sahara conflict and relevant practice of the UN Human Rights mechanisms

1 Summary of repression in the occupied territories, mid-November 2020

On 13 November, Moroccan forces launched a military intervention in Guerguerat, a buffer zone in the Southwest corner of Western Sahara, targeting nonviolent Sahrawi protesters who had blocked a Morocco-built road in the zone since 20 October. The road, paved by Morocco in 2016 in contravention of the UN-sponsored ceasefire and military accords between Morocco and the Polisario Front, was a strategic route for Morocco to import and export goods towards Mauritania and West Africa, and the blockade had resulted in long lines of backed up traffic in both directions.

The protests were well documented by the Sahrawis themselves, who shared photos and videos of the civilians chanting, holding up signs, digging up the asphalt and even playing traditional Sahrawi games or dipping their feet in the nearby waters of the Atlantic Ocean. On several occasions, the protesters allowed specific travellers to cross, including Senegalese, Mauritians and some Moroccans. They did not allow the circulation of trucks laden with products, which they said included resources plundered from Western Sahara.

Reports on the ground indicated that the Moroccan military entered the buffer zone by making a breach in a wall built by Morocco that separates the Polisario-controlled Western Sahara from the territory occupied by Morocco, and that Polisario whisked the civilians to safety. According to some images, the small camp erected by the protesters was set on fire.

The Polisario Front responded to the Moroccan intervention on 13 November, stating that it was a serious breach to the 29-year-long ceasefire between the two parties and declaring it to be over. During the night of 13 November, Polisario launched military attacks in the form of artillery strikes at the Morocco-built wall dividing the territory of Western Sahara in two. Further military attacks were reported on 14, 15, 16, 17, 18 and 19 November.

On 13 November, corresponding with the end of the 29-year-long ceasefire, the occupied territories of Western Sahara witnessed a wave of military, gendarmerie, police and intelligence forces entering the cities, further strengthening the military siege imposed.

Saharawi activists, journalists and human rights defenders found themselves effectively under house arrest, with their houses completely besieged by Morocco's occupying forces. There were reports that houses of prominent activists were attacked by Moroccan forces throwing rocks and knocking on their doors, trying to enter, terrifying and intimidating the activists.

Reports were simultaneously received that Saharawi political prisoners of the so-called Gdeim Izik group held in Kenitra and Tifelt prisons were being subjected to verbal assaults, intimidations and increased isolation, with the prisoners constantly monitored by prison guards. We are especially concerned about the health and safety of human rights defender and political prisoner Yahya Mohamed El Hafed Iaazza, who remains disappeared since October 13, when he was removed from his cell at Bouzairkam Prison and taken to an unknown location after telling his family that he had been exposed to a prisoner ill with COVID-19. We fear that Yahya's case may indicate Morocco's

intent to weaponize COVID-19 against Sahrawi political prisoners. In an [urgent appeal](#), Front Line Defenders has called for Morocco to allow his family access to El Hafed Iazza and to release him.

During the night of 13 November, massive protests in the occupied cities took place, particularly in the capital El Aaiún, with young Saharawis coming out to the streets to protest Morocco's military intervention in Guerguerat. On 14 November, the protests continued; now in support of Polisario's declaration of ending the ceasefire. The Saharawi journalist organization Equipe Media reported that, "*The streets of Samara, Tantan, Fasit, Mazwar, Al-Batimat, Al-Nahda, Hayy Al-Nahda, and Zenga Al-Sharif Al-Radi, witnessed hundreds of protesters, among them women and men*". The protests were reportedly met with excessive police violence and arrests.

On 15 November, and in response to the protests, the Moroccan police and intelligence forces raided several houses of Saharawi civilians and activists, reportedly looking for young Saharawis that participated in the demonstrations of 13 and 14 November. According to Equipe Media, at least seven young Saharawis were arrested. In the evening of 15 November, protests again erupted in the cities of the occupied territories in support of Polisario and the Sahrawi right to self-determination.

On 16 November, Moroccan forces raided the houses of several Saharawi activists and civilians. Reportedly, the police were looking for young Saharawis who had participated in the protests on the day prior. According to Equipe Media, following the raid of 16 November, a total of 25 young Saharawis have been arrested. The identity and current location of some remain unknown. On 16 November the police also raided the homes of Mohamed Haddi and Chrif Bakhil, two Sahrawi journalists from the media collective Nushatta Foundation. They were reportedly able to flee and they, as well as other journalists from , have gone into hiding. Front Line Defenders references this situation in its most recent [urgent appeal](#). Since November 13 Nushatta has covered the protests and communicated with international media.

On 17 November, reports received about the continued massive presence of military, police and intelligence forces. According to activists, the repression, including raids on homes and collective arrests of the days prior, has led to the muffling of demonstrations, with many civilians not daring to enter the streets. On 18 November, local activists reported arbitrary violence was carried out by Moroccan forces against Saharawi civilians and activists in the streets of the occupied cities.

Also on 18 November, Moroccan authorities at the El Aaiún airport prevented prominent Saharawi human rights defender Aminatou Haidar, president of ISACOM and winner of the Right Livelihood Award of 2019, from boarding an aircraft bound for the Spanish Canary Islands. Haidar [recorded a video](#) from the airport explaining what had happened and saying that her son had been allowed to board along with the rest of the passengers, while she had been told that she needed a negative PCR test. Spain will not be requiring PCR's from travellers until November 23 and Haidar reported that no other passenger was asked for a test. Please see below for follow up.

On 18 November, reports were also received that a 12-year-old Saharawi girl had been arrested and tortured by the Moroccan police after having attended school wearing a t-shirt with the flag of Western Sahara.

On 19 November, reports were received that prominent Saharawi activist and human rights defender Sultana Khaya was detained and abused at a checkpoint between the cities of El Aaiún and Bojador after returning to the occupied territories from Spain. Reports state that she was beaten while under police custody. According to local activists, she was released from custody after 1,5 hours, and before her release her house was surrounded by Moroccan police. Before Sultana arrived home, the police had raided her home and subjected her mother to aggression, leaving the mother in a critical condition after having hit her head. Activists are currently prevented from visiting them and the family is unable to obtain medical help from a trusted doctor.

On 19 November, and in response to Aminatou Haidar having denounced her illegal ban on travelling the previous day, Royal Maroc Airlines issued a statement that Aminatou Haidar had tested positive for COVID-19. Reporting about the incident, the BBC [quoted](#) the document by Royal Air Maroc stating that the reason for Haidar's flight ban was that she had tested positive for COVID-19, which Haidar promptly denied through another [videotaped statement](#) in which she also called on the ICRC and human rights organizations to assume responsibility in protecting human

rights defenders in Western Sahara. It appears that Haidar was singled out for discriminatory treatment through the weaponization of COVID-19.

A prominent pro-Morocco activist by the online name of Zine el abidine El ouali, whose profile information states he is Vice president of the Sahara League for Democracy and Human Rights (LSDDH), also [shared](#) on his Twitter account an official-looking document with Moroccan Ministry of Health letterhead that included Haidar's passport number, and which stated that on the 12th of November she had tested positive for COVID-19 per a lab called Kamar. We have not been able to verify the document, but we are deeply concerned about the nature of this type of online activity, which can induce to hatred, stigmatization and violence.

Currently, few Saharawi activists, journalists and human rights defenders dare to go to the streets in fear of retaliations, increasing the chances that human rights violations will go unreported.

2 The escalation of the Western Sahara conflict and the repression in the occupied territories

Below, the events of 13 November, 14 November, 15 November, 16 November, 17 November, 18 November and 19 November are provided in a chronological order.

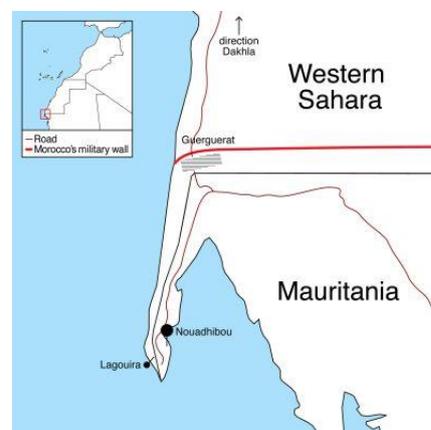
The present factsheet is not intended to be exhaustive but intends to provide an overview of the recent events. Names of Saharawi civilians have been removed from the present factsheet.

The events of 13 November

The first Moroccan military invasion and the end of a 29-year-long ceasefire

On Friday 13 November, in the early morning, Morocco launched a military operation in the area called Guerguerat, in the south-west corner of Western Sahara. The area is part of a 5-kilometer wide demilitarized area created as part of the UN-sponsored 1991 ceasefire agreement between Morocco and the Polisario Front, and it was a strictly no-go buffer zone for the military personnel or equipment of either party.

According to reports from the ground, the Moroccan military penetrated the buffer zone via three breaches that it had opened in the wall separating the Western Sahara occupied by Morocco from the buffer zone. Its aim was to forcibly remove a group of Sahrawi civilians who were staging a peaceful sit-in that for several weeks had blocked a road built and used by Morocco as a trade route from Western Sahara to Mauritania and beyond.



The road, located in the buffer zone to connect the last Moroccan checkpoint in occupied Western Sahara and the Mauritanian border and considered illegal by the Polisario Front, has become a major route for Morocco's export of products to Mauritania and West Africa. It is used to export products from Western Sahara that transit through the port of Nouadhibou, Mauritania. Spanish truckers also use the route to transport seafood.

Polisario refers to Morocco's use of Guerguerat as "illegal". Its claim is substantiated. When Morocco and Polisario entered into the ceasefire agreement in 1988, and the so-called Military Agreement No 1 in 1997, the trading point was not there. Eight years later, the EU started talks with Morocco for trade from Morocco and Western Sahara and in 2001, Morocco started the construction of the asphalted road across the buffer-strip in Guerguerat. The UN condemned the undertaking, stating it "involved activities that could be in violation of the ceasefire agreement", but never acted on the "commercial and civilian traffic" in the area, as it has been described in reports by the UN Secretary General.

In 2016, Morocco completed paving the road. According to an [article](#) published on August 30, 2016 by the Associated Press, a confidential U.N. document leaked to the news agency stated that the U.N. considered Morocco had violated the ceasefire agreement by deploying armed personnel and equipment to the construction site. While Polisario protested vehemently, tensions did not escalate into armed conflict.

On 20 October, a group of Sahrawi refugees who had travelled around 2000 kilometres from the refugee camps in Algeria staged a sit-in on the road, blocking transit. Along with protesting the road, which they said was used by Morocco to export plundered goods from their land, they demanded that the UN mission for Western Sahara finally implement its mandate and organise a long-promised referendum on self-determination. The protest included nonviolent direct actions such as chipping away at the asphalt, forming human chains, chanting, waving signs and flags, playing traditional Sahrawi games and even a visit to the nearby Atlantic Ocean, where the Sahrawi refugees dipped their feet in the water. The protesters filmed and photographed their actions and shared them with a wide network of solidarity organizations and supporters.

As days and weeks went by, the traffic in both directions grew in length. Protesters periodically allowed some to pass, such as Senegalese, Mauritanian and Moroccan citizens who were trying to get home, but they refused transit to trucks carrying goods from Western Sahara. Some drivers turned around, while others tried to wait out the protest. Stranded Moroccan truckers in Mauritania complained to the Moroccan consulate that they had run out of money. Bloomberg News [reported](#) on November 5 that around 150 trucks transit the road daily as Morocco tries to build trade relationships with sub-Saharan Africa after its economy took a dive from the effects of Covid-19 on tourism. The blockade, according to Bloomberg, had already affected prices for fresh produce in Mauritania, which gets most of its fruits and vegetables via this route.

On 6 November, reports began to emerge that the Moroccan troops deployed in Western Sahara were moving south in the direction of Guerguerat. In the next day, protesters reported hearing heavy machinery noises on the other side of the Morocco-built separation wall, and they photographed a bulldozer. On 8 November, Polisario announced that it remained committed to the ceasefire agreement, but that it would “take the necessary action” to protect Saharawi civilians should Morocco's military enter the buffer zone.

In the early hours of the 13 November, Polisario reported that the Moroccan military had entered the buffer zone via three breaches on the wall, and that a group of men dressed in civilian clothing had rushed towards the protesters. Videos emerged of columns of smoke, destroyed vehicles and what appeared to be civilians riding in a truck. Polisario said it had moved the protesters to safety. That morning, the Moroccan General Staff of the Royal Armed Forces said in a statement that “The Royal Armed Forces (FAR) set up, on the night of Thursday to Friday, a security cordon in order to secure the flow of goods and people across the Guerguarate buffer zone, linking Morocco to Mauritania”. Polisario responded that the military invasion was a violation of the ceasefire with Morocco having carried out a military invasion in the “liberated territories”.

During the night of 13 November, shooting was reported from the front line along a Moroccan built sand wall currently dividing Western Sahara in two. The Polisario Ministry of National Defense reported 13 November that Polisario had attacked the wall. The Saharawi media outlet Saharawi Voice reported:

“We've received official confirmation that the Saharawi People's Liberation Army has launched #artillery strikes against Moroccan military targets alongside the Moroccan military wall that divides Western Sahara.

The targets of the strikes are the following Moroccan military bases and surveillance points along the wall:

Moroccan Military Base No. 23 (Mahbes)

Moroccan Military Base No. 4 (Hauza)

Surveillance point No. 71

Moroccan Military Base No. 17 (Auserd)

Surveillance point No. 172

Moroccan Military Base No. 17 and No. 18

A press release from the Saharawi People's Liberation Army added that their shelling of Moroccan #military positions has caused losses of life and material losses to the Moroccan army, and that Moroccan soldiers fled some of their positions along the Moroccan wall”.

Several videos of artillery strikes circulated online. The videos have however not been verified.

The intensification of the military siege in the occupied territories and the persecution of a whole people

On 13 November, shortly after the attack on the Saharawi protesters in Guerguerat, reports from activists inside Western Sahara stated that Moroccan military, police and intelligence forces were effectively “flooding” into the cities of occupied Western Sahara. The Saharawi journalist organization Equipe Media issued the following statement:

“The occupation forces mobilize their units in all cities of occupied Western Sahara and terrifies civilians, militants and activists

*Equipe Media - El Aaiún
November 13, 2020*

Moroccan occupation authorities early hours deployed their forces in all streets of occupied Western Sahara cities and imposed strict security surveillance around the houses of Saharawi militants and human rights activists in what they believe to be an attempt to attack or intimidate them, such as attempts by occupying army units to control the illegal breach of the Guerguerat (Western Sahara).

Hundreds of occupying police and ancillary forces were seen on alert on the streets of El-Aaiún city, as well as various vehicles charged with collecting public information, as well as public employees in the occupied city of El Aaiún. They are still being used to collect information and pulse from the Saharawi population about what is happening in Guerguerat, south of occupied Western Sahara.”

Later in the evening, reports emerged that Saharawi human rights defenders and journalists were placed under surveillance with their houses being besieged. Some reported that their homes were attacked by military personnel, police and intelligence officers throwing rocks at their houses and knocking on their doors, threatening to enter. According to Equipe Media, young Saharawis took to the streets to protest the attack on the demonstrators in Guerguerat. The following day, Equipe Media explained the events of 13 November in the following way:

“Equipe Media 14 November 2020

Friday 13 November 2020, scores of Moroccan military and police have been deployed in the occupied El Aaiún to suppress any form of protest against Morocco or any demonstrations supporting the decision of the Frente Polisario in resuming war.

Raids were made by paramilitary and police forces of activist houses, such as the house of Fatimato Dhawar and the house of Ms. Doughila, wife of the civilian prisoner, Mohamed Bani.

In the evening, on Samara street, dozens gathered to express their support for the POLISARIO and chanted slogans against the Moroccan occupation but the police quickly intervened and violently attempted to end their peaceful protest.»

The Saharawi journalist organization Nushatta Foundation reported the same incidents of police violence against young Saharawis protesting.

On 13 November, news were also received stating that Saharawi political prisoners of the Gdeim Izik group held in Tifelt and Kentria prison were being subjected to ill-treatment and abuse in the form of verbal assaults, threats, increased isolation and revocation of phone rights. According to the families, the prisoners are being followed by a guard when they exit the cells, with a guard permanently sitting outside of their cells.

The events of 14 November

Massive presence of Moroccan military, gendarmerie, police and intelligence forces, intimidated both Saharawi civilians and prominent Saharawi activists. According to the local activists, the Moroccan authorities are using the corona-legislation already in place in order to limit the movements of activists, with the authorities having ordered a lockdown.

On 14 November, continued protests in support of Polisario ending the 29 year-long ceasefire took place. Reportedly, the protestors consisted mainly of young Saharawis. Equipe Media reported the following:

*“Equipe Media, Occupied
November 14, 2020*

Demonstrations continue in the occupied city of El Aaiún in support of the decision of the Frente POLISARIO to resume the armed struggle for the second day in a row despite the Moroccan police alert and demolition.

The streets of Samara, Tantan, Fasit, Mazwar, Al-Batimat, Al-Nahda, Hayy Al-Nahda, and Zenga Al-Sharif Al-Radi, witnessed hundreds of protesters from women and men in demonstrations during which they raised the Saharawi flags of the Republic and echoed slogans of enthusiasm. Passing cars joined the protests by honking their horns. The occupation forces with various devices surrounded the neighbourhood and violently dismissed the demonstration.

Eye-witnesses told Equipe Media reporters that protesters faced the oppression of the occupation forces with initially closing the roads and allies, to ensure that their demonstration continued, before reinforcements from various forces, including elements riding motorcycles and cars and police, chased them and seven young men were arrested. Equipe Media couldn't confirm their identities.»

On 14 November, further artillery strikes by Polisario on Moroccan military bases were reported. Deaths were also for the first time reported; with Polisario's news agency SPS reporting the following:

“Shaheed Al-Hafed, 14 November 2020 (SPS) –

Attacks of the Sahrawi People's Liberation Army units continue against various hiding places of the Moroccan enemy along its positions in the occupied parts of the Sahrawi territory, causing loss of lives and equipment's and disrupting its military plans.

The military communiqué No. 02 of the Ministry of National Defense confirmed that several military bases, support points and supply centers came under fire, the most recent of which was the attack last night on the 13th base of the 67th legion in the Bakari sector near Tinelik.

Meanwhile, Mahbas and Guerguerat sectors witnessed rocket shell and machine gun attacks. (SPS)”

On 14 November, it was also reported by the same news agency that Polisario had received a phone call from UN Secretary-General expressing serious concerns over the situation.

The events of 15 November

On 15 November, military and intelligence forces carried out several raids on different houses of Saharawi activists reportedly in search of young Saharawis having participated in the protests on 13 and 14 November. According to Equipe Media, at least seven young Saharawis were arrested:

“Occupation forces raid Saharawi houses in response to Friday and Saturday demonstrations in El Aaiún

*Equipe Media - Editing Department
Occupied El Aaiún November 15, 2020*

Moroccan special forces with police units and intelligence raided the houses of three Saharawi families Sunday afternoon without telling them the reasons. It concerns the houses of Belamish, Hamniha and Ismaili.

A source confirmed that it is about demonstrations in Zenga Al-Sharif Al-Radi yesterday to express Saharawi's support for the decision of the Frente POLISARIO to resume armed struggle.”

Later in the day, Equipe Media provided further information into the raids, calling on ICRC to urgently intervene:

“Equipe Media,

November 15, 2020,

Hordes of the occupation authorities raided a number of Saharawi houses in the occupied El Aaiún in Zamaleh neighbourhoods, and at the end of Tantan Street and Batmat, intimidating Saharawi families and arresting a number of young people on the pretext of their participation in the demonstrations in the city yesterday. We didn't get the overview of detainees and raided houses.

These Moroccan violations of Saharawi citizens come after protests in the Occupied El Aaiún over Morocco's violation of ceasefire. The declaration by the Frente POLISARIO to end the ceasefire and the beginning of war is a legal and legitimate justification, which obliges the International Red Cross to intervene to protect Saharawi civilians and enjoy all their rights, especially their right to peaceful demonstration....”

According to Equipe Media, the raids carried out on 15 November followed with arrests and torture.

On 15 November, the Saharawi journalist organization Nushatta published the names of two of the young Saharawis arrested, reporting that the two young men had been subjected to torture of a violent nature. Nushatta issued the following statement:

“Western Sahara: As War Begins, Morocco Escalates Violence Against Sahrawis

*Nushatta Foundation Staff
15 Nov 2020*

Al-Ayoun, occupied Western Sahara — The Nushatta Foundation, a non-profit media and human rights organization, based in the warzone of Moroccan-occupied Western Sahara, has learned that two days ago [victim], age nineteen, was abducted by the Moroccan authorities.

After breaking down the door of his family's home last Sunday, the Moroccan police forcibly removed [victim] and transported him to police headquarters in the down town of occupied city of Al-Ayoun.

Over the next 24 hours, [victim] was subjected to such horrific torture and abuse that he is currently unable to move or speak.

When his family attempted to ascertain his whereabouts, they were told that their son is being held as a civil prisoner in Ben Al Mahdi Hospital in Al-Ayoun.

In an interview with the Nushatta Foundation, [victim]'s mother described a conversation that the family had with the doctor who is in charge of her son. His family has been forbidden from seeing him, but they have been told by the doctor that he is currently being treated for mental and psychological issues resulting from his mistreatments at the hands of the occupying authorities. Furthermore, his doctor described his condition as “critical.”

The wrongful capture of [victim] is just one instance of a widespread campaign by Moroccan authorities to threaten, abduct, and silence Saharan citizens living in the occupied territory, whether they are ordinary citizens or political or human rights activists. These actions are understood to be a direct result of the situation that arose in the Guerguerat buffer zone last week.

On Friday, November 13th, Moroccan authorities attacked peaceful protesters, in a double violation to the international law - ending a thirty-year-old ceasefire agreement with the Polisario. The Saharawi protesters then returned fire, and this has led to a declaration of war by the Polisario.

Today, the situation continues to escalate as plain-clothes policemen have been leading a contingency of special forces from house to house searching for Saharan citizens who clashed with the Moroccan authorities yesterday.”

On 15 November, further Polisario attacks were reported. Its press agency reported:

“Bir Lahlou (Liberated Territories) 15 November 2020 (SPS) –

For the third consecutive day, the Sahrawi People's Liberation Army fighters continued their intensive attacks and shells on the trenches of the Moroccan occupation soldiers, last night and today, along the berm, despite the enemy's air sorties and the responses of its cannons.

According to the Military Communiqué No. 3 of the Ministry of National Defense, intensive attacks of the Sahrawi People's Liberation Army targeted the following Moroccan military positions:

Base 17 and base 18 of the Farsia sector.

Base 13 of the 67th corps in the Bakari sector.

Base 4 of the 64th corps in the Dirt region and surveillance point 71 of base 7 between Laarish and Fadrat Lagrab in the Hawza sector.

Base 13 at Gleib Dirt of the Hawza sector

Base 25 of the 40th corps in the Um-Lakta region of the Farsia sector.

Base 20 of the 68th infantry corps of the Awsard sector in the Atheim Ajloud region.

The Communiqué concluded that the attacks have left many dead and wounded soldiers, as well as those who deserted from battlefields, dealing a harsh blow to the morale of the soldiers and officers of the Moroccan army. (SPS)”

The events of 16 November

On 16 November, further raids of houses of Saharawi civilians and prominent Saharawi activists were carried out in the Saharawi neighbourhoods in the cities of occupied Western Sahara, with the Moroccan forces looking for youth who participated in the demonstrations.

According to Equipe Media, a total of 25 young Saharawis have been arrested in response to the protests carried out in the latest days. The raids, carrying with them intimidations, threats and abuse, was intended to intimidate Saharawi civilians and activists, according to Equipe Media. On 16 November, Equipe Media issued the following statement:

“Occupied El Aaiún: The arrests and intimidation campaign continues and raids on media activists houses

*Equipe Media - Editing Department
November 16, 2020*

Moroccan occupation forces raided several houses in the occupied El Aaiún to arrest a number of young men for participating in peaceful demonstrations organized in El Aaiún over the past three days to demand the independence of Western Sahara and in support of the decision of the Frente Polisario to resume the armed struggle, and the liberation of the Saharawi republic from Morocco.

These raids included the home of activists [victims] who were not in their homes during the raid

The Moroccan arrest and intimidation campaign continues, and the fate of the detainees is not yet known after the occupation authorities have banned their families from visiting them.”

On 16 November, the police also raided the homes of two Sahrawi journalists, Mohammed Haddi and Cherif Bakhil, from the media collective Nushatta Foundation. They were reportedly able to flee and they, as well as other journalists from Nushatta, have gone into hiding.

In the past years, media activists from Nushatta have reported being followed and monitored, and several have been arrested. Most recently, on May 15 2020, photographer Ibrahim Mrikli was arbitrarily detained in El Aaiún by agents in plainclothes and accused of, among other things, "insulting public servants" and "violating quarantine regulations". An [urgent appeal](#) from Front Line Defenders stated that the arrest was "in direct reprisal for his peaceful and legitimate human rights work, documenting violations in Western Sahara".

On 16 November, further Polisario attacks were reported. Its news agency stated:

“The Sahrawi People's Liberation Army units carried out today, Monday, intense attacks on the Moroccan military wall of defense, targeted different positions of the enemy forces, according to military communiqué No. 04 of the Ministry of National Defense.

The attacks targeted the following enemy positions:

*Warning point 71 of the Hawza sector, at 07:00 am.
 Base No. 04 of the Amgala sector, from 08:30 to 09:30 am.
 Base No. 20 near Rus-Sebti, at 12:30 pm.
 Warning point 191 of the Farsia sector, at 10:50 am and at 02:30 pm.
 Base No. 12 of the 47th corps, Um-Drega, at 11:50 am.
 Base No. 04 of the 63rd corps in the Bakari sector, at 02:15 pm.*

The valiant Sahrawi People's Liberation Army units continue to strike the invaders' strongholds along the wall of humiliation and shame, added the communiqué. (SPS)''

The events of 17 November

On 17 November, it was reported that the massive presence of military, police and intelligence forces was still increasing. According to local activists, the cities of the occupied territories is currently placed under a fierce siege with few people daring to leave their houses. According to activists, the repression has led to the muffling of demonstrations; with civilians not daring to enter the streets.

On 17 November, Equipe Media detailed the events of the latest days by publishing the following statement on their website:

“State of war and violent repression of civil protests in Western Sahara

Following the action of the Moroccan occupying forces in Gargarat against Saharawi civilians on November 13, 2020, and the response, also armed, by the Polisario against the Moroccan berm which cuts the country, the Saharawis of the various cities of Western Sahara have expressed their support for their national liberation movement and its war action.

In Morocco’s occupied Western Sahara west of the berm, towns have been besieged by Moroccan security forces, with checkpoints blocking all roads. The homes of Saharawi militants have been particularly monitored.

Every night since Friday, November 13, 2020, hundreds of demonstrators have taken to the streets of El Aaiún and Dakhla.

In the streets of all districts of El Aaiún, demonstrators shout and wave SADR flags, chanting “Free Western Sahara”. Long convoys of cars joined the demonstrators honking their horns. Clashes took place with the Moroccan security forces who wanted to disperse the crowds.

Encirclement of the neighbourhoods is not without difficulty everywhere.

In the district of the Red Apartments, the demonstrators succeeded in completely closing the streets, thus blocking the access of the occupying forces. They gathered to continue their protests until Moroccan reinforcements succeeded in dismantling the makeshift roadblocks. The protesters were then chased away by motorcycle squadrons, police cars and auxiliary forces.

25 young Saharawis were arrested after the demonstrations. They are in solitary confinement and banned from visitors. According to several accounts, Moroccan agents in masks or in civilian clothes, mixed with the crowds of demonstrators, film the activists, including the leaders, who are then chased and arrested.

In occupied Dakhla, protests took place in the Ksaikisat and Oum Tounsi neighbourhoods.

In the Oum Tounsi neighbourhood, whose inhabitants are Saharawis forced to leave their village of Bir Anzaran 150 km east of Dakhla, women came out in large numbers, shouting against the Moroccan occupation, and in support of their army.

“We want to return to our village, to live there free and without worry, under the flag of the Saharawi Republic. We are also interested in choosing our way of life without fear” says one participant.

In Boujdour, 4 Saharawi citizens arrested on November 16 are appearing today in El Aaiun.

Since November 15, long columns of Moroccan military reinforcements have been observed in El Aaiun, Tan-Tan, Dakhla and Smara.

Équipe Média, November 17, 2020”

The Saharawi human rights organization ISACOM published the following statement on its Facebook page:

“Statement on the kidnapping of Saharawi militants and raiding of family homes

The Saharawi Organ against the Moroccan Occupation (ISACOM) was notified on several raids carried out by the Moroccan occupation forces against a number of Saharawi family homes in the city of El Aaiun, after serious deterioration of the human rights situation in the occupied cities of the Saharawi Arab Democratic Republic. This has taken place after the military aggression launched on Friday 13 November by the Moroccan army against Saharawi civilians who were peacefully protesting in front of the illegal breach opened in El Guerguerat region. The raids are part of a retaliatory campaign targeting the Saharawi civilians, after Morocco violated the ceasefire agreement signed between the Frente POLISARIO and the Moroccan Kingdom in 1991.

In this regard, we have registered the following violations:

- *Raided houses in the occupied city of El Aaiun: [victim], [victim], [victim], [victim], [victim], [victim], [victim], [victim] and [victim], (one of this family members was bitten by security agents) and [victim] (their son [victim] was arrested).*
- *In the occupied city of Bojador, the Moroccan repressive forces arrested three minors, mainly: [victim], [victim] and [victim], in addition to young man [victim] on the evening of 16 November 2020, after they participated to a protest demanding independence and the immediate withdrawal of the Moroccan occupying forces from Western Sahara. The minors were presented under arrest before the Persecutor of the King in the First Instance Court of the Moroccan occupying state.*
- *We also received information from eyewitnesses regarding the persecution of peaceful demonstrators in the occupied cities of Dajla and Smara, who were also participating in demonstrations to demand the Saharawi people's right to freedom and independence.*
- *We further learned that the Saharawi activists Ali Saaduni and Nurdin Al-Argubi were abducted on November the 10th afternoon. Two police vehicles, from the Moroccan security services took part in the kidnapping operation near Tantan Street, in the occupied city of El Aaiun. The activists were intercepted by two security agents in plain clothes. These two police agents are well known torturers named Ali Al-Buifri and the other one known by the nickname ‘Uld Touhima’, both have committed numerous violent crimes and repressive practices against Saharawi civilians in total impunity.*
- *Ali Saaduni and Nurdin Argubi were bitten inside police vehicles then transported to separate directions towards the northern area of Al-Hagunia where they were, again, subjected to physical and psychological tortures in the outskirts of the city. Then they were threatened to be incarcerated and even raped if they continue expressing their demands for freedom and independence.*

The Sahrawi Organ against the Moroccan Occupation condemns the intimidation, violence and raids on the Sahrawi citizens during the past two days, as well as the kidnappings, torture and serious abuses committed against the Sahrawi activists Ali Saadouni and Nureddin Argubi, as a result of their peaceful struggle and their steadfast rejection to the continued Moroccan occupation of Western Sahara. We also would like to draw the attention of the international community towards the seriousness of the crime of forced disappearance previously carried out by the Moroccan authorities of occupation in the occupied city of El Aaiun against several members and militants of ISACOM as well as hundreds of other Sahrawi civilians, many of whom are still missing. This is one of the most heinous political crimes that require the attention of all peace loving people and to ensure that the perpetrators are taken to justice.

The Sahrawi Organ against the Moroccan Occupation, while we consider that the cowardly kidnappings of Ali Saaduni and Nureddin Argubi is a revenge measure deliberately committed by the Moroccan security services; And while we continue to be concerned about the constant monitoring and persecution of members of ISACOM by Moroccan police vehicles using special tag numbers, since the end of September 2020, and wonder if that is related to preparations to kidnap them.

- *We call on the International Red Cross to intervene urgently to pressure Morocco in order to implement and respect the Fourth Geneva Convention on the Protection of Civilians in Time of War, after the Moroccan occupation regime ignited a new war against the Sahrawi people on November 13. Therefore we remind the ICRC of responsibilities it has ignored for a long time under the pretext that there was no war in the territory.*
- *We also launch an urgent appeal to the United Nations and all international human rights organizations to intensify their pressure on Morocco to find out the truth and circumstances of the operation of kidnapping carried out by the Moroccan authorities. We also call for the perpetrators, mentioned above, and many others to be brought to international justice.*
- *We condemn the Moroccan regime's continued acts of intimidation against Sahrawi civilians, including physical and verbal attacks as well as raiding of their homes. We hold the United Nations responsible for Morocco's persistence in these violations due to its decades-long silence on this issue. We call on the United Nations High Commission for Human Rights and its related organs to dispatch investigation missions to the occupied territories, particularly now, in times of war.*
- *We renew our call to the ICRC to guarantee international protection for Sahrawi militants by virtue of its responsibilities in accordance with the Fourth Geneva Convention, and we hold the United Nations and its various*

organs responsible for the safety and security of the Sahrawi peoples, whom it has failed for 30 years on false promises and delays as a result of their submission to the Moroccan pressures.

*The Executive Bureau of the Sahrawi Organ against the Moroccan Occupation.
Occupied El Aaiún / Sahrawi Arab Democratic Republic.
17 November 2020”*

On 17 November, further Polisario attacks were reported. Its news agency reported:

“Bir Lahlou (SADR Liberated Territories), 17 November 2020 (SPS) - The Sahrawi People's Liberation Army (SPLA) fighters continued on Tuesday, for the fifth consecutive day, intense strikes on the enemy entrenchments along its wall of humiliation and shame, causing human and material damages, according to military communiqué No. 05 of the National Ministry of Defense.

The strikes of SPLA fighters targeted the following positions of the enemy army:

Warning Point 51 of the 29th corps of the Amgala sector, at 06:40 am.

Base 19 of the Mahbas sector, from 09:40 to 10:07 am.

Base 08 of the 70th corps of the Hawza sector in Fadrat-Alaash, from 13:00 to 13:15 pm.

At the same time, the Sahrawi loyal young people continue to join with pride the fighting fronts and military schools.”

On 17 November, news surfaced that Polisario's three demands for ending the war are (i) to close the Guerguerat crossing, (ii) to set a date for a referendum and (iii) to free Saharawi political prisoners.

A [report](#) published in April 2020 details the different cases of **Saharawi political prisoners**. Sahrawi human rights defenders advocating for social justice and activists who demand the celebration of a long-promised UN referendum on self-determination for Western Sahara are often charged with violent crimes, tortured into signing confessions and given long prison sentences, effectively ending or severely limiting their advocacy work. The arbitrary detention of Saharawi human rights defenders have been widely documented by the United Nations human rights mechanisms, particularly by the UN Working Group on Arbitrary Detention, whom has found that Saharawi's advocating in favour of self-determination is subjected to discriminatory practices in breach of the equality of human rights.

We are especially concerned about the health and safety of human rights defender and political prisoner Yahya Mohamed El Hafed Iaazza, who remains disappeared since October 13, when he was removed from his cell at Bouzairkam Prison and taken to an unknown location after telling his family that he had been exposed to a prisoner ill with COVID-19. We fear that Yahya's case may indicate Morocco's intent to weaponize COVID-19 against Saharawi political prisoners. In an [urgent appeal](#), Front Line Defenders has called for Morocco to allow his family access to El Hafed Iaazza and to release him.

The latest developments in the case of Yahya Mohamed fall in line with the continuous and systematic racial discrimination and punishment of Saharawi political prisoners, continuing throughout their detention, as also recently witnessed in other cases:

- Two of the members of the so-called Student Group were recently transferred within the prison of Bouzairkam, with one of them, Elkantawi Elbeur, being subjected to physical abuse before being forced to stand for six hours in the courtyard of the prison; under the scorching sun. Their case was treated in an opinion rendered by the UN Working Group on Arbitrary Detention, [Opinion No. 67/2019](#), holding that their detention is arbitrary and that the students should be released. Still, Morocco has not implemented the decision. On the contrary, the young students have been subjected to [acts of reprisals](#) in response to their appeal made to the United Nations (see [A/HRC/45/16](#)).
- On 21 October, a young Saharawi student Al-Hussein Al-Bachir Ibrahim was sentenced to 12 years in prison by the Appeal courts. Prior to this, his case had been treated in a joint communication issued 7 July 2020 by the UN Special Procedures ([Jal Mar 2/2020](#)), expressing serious concerns into the lack of evidence,

usage of confessions signed under torture as evidence and evidence that Hussein had solely been imprisoned due to his activism.

- The continued isolation and ill-treatment of Khatri Dadda, a 21-year old Saharawi activist and journalist recently sentenced to a total of 20 years in prison, remains of great concern, according to a joint communication issued 21 July 2020 by the UN Special Procedures ([JAL Mar 3/2020](#)). In the communication, the UN Special Procedures also expressed serious concerns into the violation of the right to due process.
- The continued isolation of several of the Gdeim Izik prisoners similarly remains of great concern, after having been held under arbitrary detention for nearly a decade following their arrest in conjunction with the dismantlement of the Gdeim Izik protest camp in the occupied territories of Western Sahara in November 2010. The case of the Gdeim Izik prisoners have amongst other been treated in a joint communication issued by the UN Special Procedures in July 2017 ([AL Mar 3/2017](#)) with the Special Rapporteurs expressing their concern over the violation of the right to due process and evidence showing that the activists had solely been arrested and imprisoned in response to their human rights activism and participation in the peaceful protest.

The events of 18 November

On 18 November, local activist reported the continuance of the fierce repression of the occupying forces. Still, few Saharawi civilians and activists dare to leave their houses, reportedly leading to the muffling of any demonstrations.

Local activists further reports of an “arbitrary campaign of violence” stating that Saharawi civilians whom enter the streets are targeted and subjected to arbitrary abuse and violence by Moroccan police officers. Activists reported that “Moroccan occupying forces are stopping cars and taxis to get people out of them and beat them up, and target those walking the streets”.

On 18 November, it was further reported of an escalation of the persecution of Saharawi human rights defenders with the president of the newly established Saharawi human rights organization ISACOM and winner of the Right Livelihood Award 2019, Aminatou Haidar, being prevented from travelling from the occupied territories of Western Sahara to the Canary Islands in Spain. She was prevented on the grounds that she needed to do a medical examinations prior to travelling to Spain. However, her son was allowed to travel to Spain, with activists informing that the rules of medical examinations in order to travel to Spain does not come into effect until 23 November. Through her [twitter account](#), Aminatou denounced, at the airport, that she was being illegally stopped from travelling, with the occupation authorities preventing Saharawi human rights defenders on discriminatory grounds from leaving the occupied territories.

On 18 November, reports were also being received that a 12 year-old girl had been arrested and tortured by the Moroccan police after having attended school wearing a t-shirt with the Western Sahara flag. Local activists reports that the child was subjected to torture and that she was, by the Moroccan police, forced to sing the Moroccan national anthem whilst paying tribute to the flag and the King of Morocco. Al Gargarat Media issued a statement detailing the arrest of the child:

*“Al Gargarat Media
18 November 2020*

A Sahrawi girl, [victim], tortured and kidnapped by the Moroccan occupation forces.

The Sahrawi girl [victim] was born in [victim] 2008. She was arrested at Al-Nahda secondary school last Monday and transferred to the Security Directorate of the Occupation of Morocco, where she was subjected to psychological and physical torture. The reason for her arrest is that she wore a military uniform and drew the Rasd national flag on her school uniform.

The Moroccan occupation forces and Moroccan intelligence teams are surrounding the house of the Sahrawi girl to prevent rights professionals and the Sahrawi media from visiting her,

It should be noted that the Moroccan occupation forces threatened the father of the girl that no Sahrawi journalist or human rights worker would be allowed to enter, or that the Moroccan occupation forces would punish him, And after all these events, a girl was in a state of fear and panic and could not return to the school for fear of being kidnapped and tortured by the Moroccan occupation forces."

Reports of attacks by Polisario were simultaneously being received. Its news agency reported:

"Bir Lahlou (SADR Liberated Territories), Nov 19 2020 (SPS) –

The Sahrawi People's Liberation Army (SPLA) fighters continued on Wednesday, for the sixth consecutive day, intense strikes on the enemy entrenchments along its wall of shame, causing human and material damages, according to military communiqué No. 06 of the National Ministry of Defense.

The strikes of SPLA fighters targeted military positions of the enemy in the Farsia, Amgala, Smara and Bagari Sectors."

The events of 19 November

On 19 November, reports were similarly being received of arbitrary violence against Saharawi civilians in the streets of the occupied territories of Western Sahara. The presence of military, police and intelligence forces continued to be massive, with Saharawi activists finding themselves being placed under continuous surveillance.

On 19 November, reports were received that prominent Saharawi activist and human rights defender Sultana Khaya was detained and abused at a checkpoint between the cities of El Aaiún and Bojador after returning to the occupied territories from Spain. Reports state that she was beaten while under police custody. According to local activists, she was released from custody after 1,5 hours, and before her release her house was surrounded by Moroccan police. This is a typical modus of Moroccan authorities in the occupied Western Sahara: whenever an activist returns from abroad or from prison, their homes are put under siege to prevent people from gathering and welcoming them. There are videos showing this siege taken from the home.

According to Sultana's own account and eyewitnesses including her sister and other family members, police entered the family's home on the afternoon of 19 November before Sultana arrived in order to remove several young men who had arrived to welcome her home. Sultana's 82 year-old mother, confronted the agents and told them to leave. One of them shoved her violently and she fell against a doorframe, hurting her back. He then pushed her again and she fell to the ground, hitting her head on the floor. There is [video](#) of the aftermath of the assault, with the mother lying still on the ground. At around 4am on 20 November her condition was so concerning that the family took her to the Bojador Provincial Hospital. The family was told that she was in serious condition and needed to be evacuated to the hospital in El Aaiún but that she could not be accompanied by anyone, so they decided to take her home.

It should be noted that due to prior experiences Sahrawis, particularly well-known activists, consider Morocco-run hospitals in Western Sahara to be unsafe places, and do not trust the medical teams, or treatments that they prescribe. The Bojador hospital did issue a medical report, which has been shared, noting injuries to her back and head. The cause was listed as "aggression". The family also has an x-ray, which they have also shared. There is serious concern for the mother's health but the family is too afraid to return to the hospital and is unable to transport her to El Aaiún, or to obtain medical help from a trusted doctor, because police is not allowing anyone to enter or leave the house.

On 19 November, and in response to Aminatou Haidar having denounced her illegal ban on travelling the previous day, Royal Maroc Airlines issued a statement that Aminatou Haidar had tested positive for COVID-19. Reporting about the incident, the BBC [quoted](#) the document by Royal Air Maroc stating that the reason for Haidar's flight ban was that she had tested positive for COVID-19, which Haidar promptly denied through another [videotaped statement](#) in which she also called on the ICRC and human rights organizations to assume responsibility in protecting human rights defenders in Western Sahara. It appears that Haidar was singled out for discriminatory treatment through the weaponization of COVID-19.

A prominent pro-Morocco activist by the online name of Zine el abidine El ouali, whose profile information states he is Vice president of the Sahara League for Democracy and Human Rights (LSDDH), also [shared](#) on his Twitter account an official-looking document with Moroccan Ministry of Health letterhead that included Haidar's passport number, and which stated that on the 12th of November she had tested positive for COVID-19 per a lab called Kamar. We have not been able to verify the document, but we are deeply concerned about the nature of this type of online activity, which can induce to hatred, stigmatization and violence.

Reports were further received that drones were flying over the occupied cities of Daklha, in Southern Western Sahara. Similar reports have also been received of drones flying over El Aaiún, terrorizing its citizens. The Saharawi news outlet [Saharawi Voice](#) outlet reported that the drones were acquired through a Moroccan-Israeli \$48m arms deal.

On 19 November, further attacks were carried out by Polisario. Its news agency [reported](#):

“Bir Lahlou (Sahrawi Republic), Nov 19th, 2020 (SPS) - The Sahrawi People's Liberation Army units conducted today, Thursday, intense attacks on the Moroccan military wall of defense, targeted different positions of the enemy forces causing significant damages among enemy ranks, according to military communiqué No. 07 of the Ministry of National Defense.

The strikes of SPLA fighters targeted for the seventh days consecutives military positions of the enemy in the Farsia, Amgala, Hauza and Am Draigga Sectors. SPS

125/090/TRA”

3 The Western Sahara conflict and relevant practice of the UN Human Rights mechanisms

Western Sahara is listed by the United Nations as a non-self-governing territory, subjected to the right to self-determination in conformity with the principles contained in UN General Assembly resolutions 1514 (XV) and 1541 (XV). In 1975, Morocco invaded Western Sahara; a territory in which it does not hold sovereignty over (ICJ Advisory Opinion, Western Sahara, 1975). At that time, Western Sahara fell under the administration of Spain as the administering power.¹ The fact that Western Sahara, at the time of the Moroccan invasion, was placed under the control and authority of Spain renders the conflict an international armed conflict (GCIV article 2 (2)). Morocco's presence in Western Sahara is therefore one of an “occupying power” falling under Article 42 of 1907 Hague Regulations and Article 2 of the Fourth Geneva Convention of 1949.

A part of Western Sahara (estimated to be around 80 percent) has thus been placed under occupation by the Kingdom of Morocco since 1975 and subsequently illegally annexed. To this day, the situation in the territory remains a humanitarian crisis with systematic, gross human rights violations and breaches of international humanitarian law being committed as direct consequence of the prolonged illegal military occupation. Morocco has, as the Occupying Power, the *de facto* control, both over most of the territory and the people living on the occupied land, who are deprived of their civil, political, economic, social and cultural rights.

The Moroccan authorities exercise power arbitrarily in occupied Western Sahara through the use of police and military forces in order to control the activities of citizens and to limit the freedom of people, in order to prevent further support for the call for the right to self-determination. The use of force against Saharawis forms part of a state policy intended to silence the call for self-determination, whereas Saharawis are subjected to systemic and systematic persecution by the Moroccan occupying forces, culminating in numerous human rights violations and violations of humanitarian law.

¹ Note that Spain is listed as the administering power of the non-self-governing territory Western Sahara by the United Nations General Assembly

The systematic and systemic persecution of Saharawi activists and civilians have been widely documented by the United Nations human rights mechanisms. The UN Working Group observed these trends, amongst other, during its visit to Morocco from 9 to 18 December 2013 (A/HRC/27/48/Add.5, para 62-71). After its Mission to Morocco in 2013, and its visit to El Aaiún/Western Sahara, the Working Group stated that it had considered the situation in El Aaiún, Western Sahara, and “found that torture and ill-treatment were used to extract confessions and that protestors were subjected to excessive use of force by law enforcement officials”.² It had also “received numerous complaints indicating a pattern of excessive use of force in repressing demonstrations and in arresting protestors or persons suspected of participating in demonstrations calling for self-determination of the Saharawi population”.³⁴ The Working Group found that “people arrested are beaten, insulted and forced to reveal names of other protestors”, and that these practices are “aimed at punishing and intimidating protestors in order to prevent further support for the call for independence”.⁵ Similar observations were also made by the United Nations Committee against Torture⁶ and the Special Rapporteur on Torture, having expressed their concerns regarding the systematic use of force against the Saharawi population, highlighting that people advocating for the right to self-determination are subjected to comprehensive police violence, abductions, torture, and subjected to arbitrary arrest and arbitrary detention.

The Working Group has similarly documented the political persecution of Saharawis in numerous decisions rendered; as documented in Opinion No. 39/1996, Opinion No. 4/1996, in Opinion no. 11/2017 concerning Salah Eddin Bassir, in Opinion No. 31/2018 concerning Mohamed Al-Bambary, in Opinion No. 58/2018 concerning Ahmed Aliouat, in Opinion No. 60/2018 concerning Mbarek Daoudi, Opinion No. 23/2019 concerning Laaroussi Ndour, in Opinion No. 67/2019 concerning the Student Group and latest in Opinion No. 52/2020 concerning Ali Saadouni.⁷ The opinions rendered documents how Saharawis are subjected to arbitrary arrest and detention in response to their opinions and their support for the right to self-determination; in breach of the equality of human rights with the persecution of Saharawis constituting racial discrimination.

The opinions rendered by the United Nations Working Group on Arbitrary Detention are supported by communications issued by the United Nations Special Procedures. Communications issued by the Special Procedures include inter alia the communication issued in relation to the arrest and torture and the breach of the right to a fair trial for the Gdeim Izik prisoners, who were arrested in response to their opinions and for their exercise of freedom of assembly in the peaceful protest camp Gdeim Izik (AL MAR 3/2017). In addition, the communication issued in response to the violent arrest of Saharawi journalist Walid Salek El Batal (AL MAR 3/2019), and communication issued in response to the illegal charges brought against the Saharawi journalist Naziha El Khalidi (AL MAR 2/2019 and AL MAR 1/2019) document thoroughly the persecution of Saharawi journalists. The latest communications issued relates to the imprisonment of the young Saharawi journalist Khatri Dadda (Al Mar 3/2020) and imprisoned Saharawi student Hussein Bachir Brahim (JAL Mar 2/2020), further documenting the systematic persecution of Saharawis by Morocco.⁸

² Report of the Working Group on Arbitrary Detention, Mission to Morocco. A/HRC/27/48/Add.5, para 63.

³ Report of the Working Group on Arbitrary Detention, Mission to Morocco. A/HRC/27/48/Add.5, para 64.

⁴ Similarly highlighted in: Report from the Human Rights Committee, Concluding observations on the sixth periodic report of Morocco. CCPR/C/MAR/CO/6. Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan E. Méndez. A/HRC/22/53/Add.2. See paragraph 61- 67.

⁵ Report of the Working Group on Arbitrary Detention, Mission to Morocco. A/HRC/27/48/Add.5. See para 64.

⁶ Committee against Torture, Consideration of reports submitted by States parties under article 19 of the Convention, concluding observations of the Committee against torture (CAT/C/MAR/CO/4)

⁷ See also Opinion No. 3/1994, Opinion no. 21/1993, Opinion No. 54/2013 concerning Moroccan citizens persecuted on the basis of freedom of expression and freedom of assembly (Category ii).

⁸ A report issued in April 2020 details the different decisions rendered by the UN Human Rights mechanisms: https://vest-sahara.s3.amazonaws.com/skvs/feature-images/File/101/Sea2b523bc7f3_PrisonerAppealApr2020Eng.pdf