

UN Human Rights Council

Joint report to the UN Committee on Enforced Disappearances (CED) 27th session (23
September – 4 October 2024) for the review of Morocco

Enforced disappearance and Western Sahara

In search of justice

20 August 2024

Submitted by

Working Group on Human Rights in the Occupied Territory of Western Sahara

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1 Introduction

1. The undersigned organizations present its joint report to the United Nations (UN) Committee on Enforced Disappearances for the review of the Kingdom of Morocco during its 27th session.¹ The report addresses Morocco's commitments to ensure compliance with the International Convention for the Protection of All Persons from Enforced Disappearance (Convention) in the parts of Western Sahara in which the State party has held under colonial domination and occupation since its invasion of the territory in 1975.
2. The effective control exercised by Morocco outside of its internationally recognized borders over the greater parts of Western Sahara and its people forms the starting point for the very application of the Convention to the occupied territory of Western Sahara and the international obligations of Morocco as an Occupying Power (ICJ, Wall Decision, 2004).

¹ This report is submitted by the Working Group on Human Rights in the Occupied Territories and the Norwegian Support Committee for Western Sahara. The Working Group is a group of local Saharawi human rights defenders, representing Saharawi civil society, working together with international activists. The Working Group's mandate is to document and report on human rights violations and violations of international humanitarian law in Occupied Western Sahara. The Working Group published its first annual report in 2024, covering the year 2023: [Voices Breaking Free from Repression](#)

As Western Sahara is a non-self-governing territory, separate and distinct from the Kingdom of Morocco, the Committee is requested to treat Western Sahara in their report separate and distinct from Morocco and to ensure proper reference to the non-self-governing territory of Western Sahara and the continued occupation of Morocco since 1975.

3. The undersigned organizations provide as annexes different lists, reports, statements and documentation produced by Saharawi civil society. The documentation underlines and provides context to the information provided in this report. Complete description of annexes follows on page 20. We note that informed consent has been provided by all victims and individuals mentioned in this report.

2 Legal context

4. Western Sahara is a non-self-governing territory entitled to the right to self-determination in accordance with UN resolutions 1514 (XV) and 1541 (XV). The Kingdom of Morocco has subjected Western Sahara to colonial, foreign, and alien occupation, thereby depriving its people of their right to self-determination through a series of measures culminating in the partition and annexation of the territory without consultation or UN supervision.²
5. The International Court of Justice, in its Advisory Opinion on Western Sahara, and the European Court of Justice have affirmed that Western Sahara is not part of the Kingdom of Morocco. Consequently, Morocco exercises effective control over part of a foreign territory. At the start of the occupation in 1975, Western Sahara was listed as a non-self-governing territory undergoing decolonization under Spanish administration, classifying the conflict as an international armed conflict when Morocco invaded a territory under the control of another “High Contracting Party.” The invasion did not immediately encounter armed resistance from Spanish forces, aligning with Article 2 (2) of the Fourth Geneva Convention (GCIV). In this context, the people of Western Sahara are considered “protected persons” under Article 4 (1) of the GCIV, as they are in the hands of an occupying power (Morocco) of which they are not nationals.
6. The International Court of Justice, in its Advisory Opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, stated that the protection offered by human rights conventions does not cease in cases of armed conflict. The

² Case C-266/16 *Western Sahara Campaign UK v Commissioner*, [2018] CJEU Opinion of Advocate General Wathelet, para 249

relationship between International Humanitarian Law and International Human Rights Law can result in three scenarios: some rights may be matters exclusively of international humanitarian law, others exclusively of human rights law, and yet others may fall under both branches of international law. In this interplay, human rights law serves as *lex generalis*, and international humanitarian law as *lex specialis*.³

7. The ongoing colonial domination, occupation, and illegal annexation of Western Sahara violate the legal principle prohibiting the acquisition of territory by force. This situation also breaches the right to self-determination of the people of Western Sahara. The UN General Assembly (UN GA 75/173) has confirmed that self-determination is a fundamental condition for the guarantee and observance of human rights. The violations observed are intertwined with the prolonged occupation and denial of the right to self-determination.⁴
8. The right to self-determination is to be regarded as a norm *erga omnes*, wherein all states are under an obligation not to recognize the illegal situation resulting from the breach of an obligation *erga omnes*. Moreover, the right to self-determination is to be regarded as a *jus cogens* rule and is as such binding on the UN as authoritative interpretation of the Charter's norms.

3 Enforced Disappearance and Abduction in Western Sahara

9. Article 1 of the International Convention for the Protection of All Persons from Enforced Disappearance states that “*no one shall be subjected to enforced disappearance*” and that “*no exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification for enforced disappearance*”. In the view of the submitting organizations, this prohibition is on a systematic basis violated by the Kingdom of Morocco as an Occupying Power in Western Sahara with enforced disappearances being used as a means of punishing Saharawi activists and suppress the call for the right to self-determination. The National Court of

³ Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, ICJ Reports 2004, Para 106

⁴ CAT/C/MAR/CO/4, Committee against Torture, Consideration of reports submitted by States parties under Article 19 of the Convention, concluding observations of the Committee against torture (2011); A/HRC/22/53/Add 2, Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan E Méndez, Mission to Morocco (2013). A/HRC/27/28/Add5, Report of the Working Group on Arbitrary Detention. Mission to Morocco (2013).

Spain considered that enforced disappearance constituted a systematic attack against the Saharawi civilian population by the Moroccan military and police forces with the intention of "totally or partially destroying" the native population⁵. It is estimated that more than 1,000 Saharawis have been direct victims of prolonged forced disappearance, of which the whereabouts of 440 are still unknown.⁶ Victims of enforced disappearance include newborns, children, women and elderly people.

10. As the Occupying Power, Morocco has *de facto* control both over most of the territory and the people living on occupied land, who are deprived of their civil, political, economic, social and cultural rights. The strategies used by the Moroccan military upon its invasion in 1975, involving enforced disappearances, willful killings of civilians, massive arbitrary collective detention and punishment, torture and secret detention centers⁷ were aimed at preventing the decolonization of Western Sahara, amounting to serious human rights violations and also war crimes and crimes against humanity.
11. The authors Carlos Martín Beristain and Eloisa Gonzalez Hidalgo highlight that Saharawis were "indiscriminately considered enemies as from the Moroccan and Mauritanian occupations in 1975"⁸ since, "a large majority of them opposed or rejected the occupation", but also due to a state policy, where "Hassan II's regime collectively classified the Saharawis as a group that had to be controlled, a group they had to be wary of and which had to be repressed."⁹ According to Beristain and Hidalgo, "human rights violations in the Western Sahara were imposed based on a collective identity in which the victims do not recognize themselves. Even victims of arbitrary detention or temporary disappearances have been tortured and often accused of not wanting to be Moroccan, disrespecting Morocco, wanting to be Saharawi or being "Polisario members".¹⁰
12. A joint investigation report of 2003 also documents how the Saharawi civilian population, upon the invasion, became the chosen target of the Moroccan military, both within Morocco

⁵ Summary of Judge Pablo Rafael Ruz, Prosecution order of 11 high-ranking military and civilian commanders, 9 April 2015, https://ceas-sahara.es/wp-content/uploads/2017/12/Auto_procesamiento_sahara.pdf

⁶ See footnote 7

⁷ Carlos Martín Beristain and Eloísa González Hidalgo, *Oasis of Memory: Historical Memory and Human Rights Violations in the Western Sahara, Summary Vol.3*, (Hegoa 2012), 34 (REF: Beristain and Hidalgo), (n118). We also refer to the works: (i) Carlos Martín Beristain and Eloísa González Hidalgo, *Oasis of Memory: Truth, justice and reparation in the Western Sahara*, (Hegoa). (ii) Carlos Martín Beristain and Francisco Etxeberria Gabilondo, *To know the truth at long last: Burial pits, forced disappearance and the right to truth in the Western Sahara*, (Hegoa, 2015), (iii) Carlos Martín Beristain and Francisco Etxeberria Gabilondo, *Meheris: A possibility of hope: Mass graves and the first Saharawi disappeared who have been identified*, (Hegoa, 2013)

⁸ Beristain and Hidalgo 34. See also Hanga (n28).

⁹ *ibid.*

¹⁰ *ibid* 77.

proper, and in Western Sahara, and documents violations of GCIV Article 3-1 a, GCIV Article 5, GCIV Article 31, GCIV Article 42, GCIV Article 129 and GCIV Article 47.¹¹ Both Beristain and Hidalgo, and the joint report (2003), base their findings on interviews with former victims, where both reports conclude that the targeting of the Saharawi population was part of a state policy, where perpetrators have not been held accountable.¹² Perpetrators have rather remained in important posts, or been promoted to higher positions of local governance or within the Moroccan military, and continue to harass their former victims in the streets of Western Sahara.¹³ The joint investigation (2003) holds that “the denial of the rights of the Saharawi civilian population is to this very day a matter of concern, in view of the impunity that still surrounds the torturers, and also because the same civilian population continues to endure other forms of arbitrary use of power from Moroccan authorities.”¹⁴

13. Upon the invasion of 1975, individuals and groups of various ages and backgrounds, including entire families, were subject to enforced disappearance. The phenomenon extended to Sahrawis also living outside of Western Sahara, especially in southern Morocco and Moroccan universities. The reason was because they were accused of being Sahrawis affiliated with the Polisario Front and supporters of Western Sahara's independence.
14. From late 1975 to 1979, enforced disappearances peaked, especially in Western Sahara and southern Morocco, including in cities such as El Aaiún, Tan-Tan, Laâyoune-Boujdour-Sakia El Hamra, and Tarfaya. Abducted individuals were initially held in police stations in Tan-Tan or El Aaiún, then transferred to the Agadir Commissioner's Office for several months. Subsequently, they were moved to secret detention centers in Agdez and Kalaat M'gouna before being released in June 1991.
15. During the early years of the occupation, especially from 1976 to 1980, those subjected to enforced disappearance were interrogated and tortured during interrogation, then held in unofficial centers or in hiding places within the military barracks of El Aaiún or Dakhla. Afterwards, they were transferred to the Civil Prison, and PC-CIM in El Aaiún or to military barracks with underground cells like Lahchaicha in El Aaiún, or gendarmerie and auxiliary forces barracks in Smara, Haggounia, and others. The victims endured inhumane

¹¹ France Libertés and AFASPA, 'Report: International Mission of Investigation in Western Sahara', (January 2003) 3-14 < <https://docplayer.net/63651439-Report-international-mission-of-investigation-in-western-sahara-28-th-october-to-5-th-november-2002.html> >

¹² Beristain and Hidalgo (n118) 79,99-112; France (n120) 19-20.

¹³ Beristain and Hidalgo (n118) 79; France (n120) 19-20.

¹⁴ France (n125) 14.

conditions, without trial, and were isolated from the outside world. Women, such as the group from Smara, were detained for periods up to two years in the Civil Prison in El Aaiún or for shorter durations in Lahchaicha barracks in El Aaiún or Dakhla.

16. In February 1976, eight persons, among them two children, were executed and disappeared in Meheris (Sahara). After 38 years, a team from the University of Basque Country discovered two mass graves with the remains of those eight persons, close to the wall constructed by Morocco. The Moroccan government has not officially recognized these graves, and the official version of the events was thus shown to be false, according to the analysis of the case carried out by an independent team. The evidence was presented to the United Nations FIDWG.
17. In 1993, Amnesty International published a list where 27 people died in the clandestine center of detention of Agdez (in Morocco) between 1976 and 1979.¹⁵ The deaths were mainly due to famine and deficiency diseases, and many of them occurred in the space of a few weeks, due to the generalized state of acute malnutrition to which the detainees were subjected.
18. Starting from late 1980 to late 1983, groups or individuals abducted during this period spent months under interrogation and torture, beginning at the Judicial Police Center in El Aaiún or the DST headquarters on Mecca Street in El Aaiún. Later, they would be transferred to PC-CIM center¹⁶ for further interrogation under torture, and some were released after a few weeks, months, or a year. Others were flown by military aircraft to Casablanca and from the airport to Derb Moulay Cherif in Casablanca for further interrogation and torture, remaining there for months before being directly transported to the Agdez hideout in southeastern Morocco.
19. Between 1983 and late 1987, abducted individuals from Dakhla, were transferred to PC-CIM in Dakhla and those from Boujdour, El Aaiún, were transferred to PC-CIM in El Aaiún and those from Smara were transferred to the royal military base near Smara. Later they would all be transferred to PC-CIM in El Aaiún for interrogation and torture, and after months, transferred to Kalaat M'gouna
20. Between November 1987 and June 1991, victims of enforced disappearance remained in PC-CIM in El Aaiún. During the first two weeks, they were held in an old Spanish colonial

¹⁵ Amnesty International, "Morocco: @The "disappeared" reappear, 1993, <https://www.amnesty.org/en/wp-content/uploads/2021/06/mde290051993en.pdf>

¹⁶ Poste de Commandement de la compagnie d'intervention mobile

barracks known as BIR¹⁷ on the beach of El Aaiún. This group, which included around 100 people, among them 20 women, saw the release of 10 women and dozens of men after three months. The remaining detainees were kept blindfolded in PC-CIM until their release on 19 June 1991, enduring inhumane conditions and psychological and physical torture.

21. In 1990 and 1991, numerous young men and women attempting to join Sahrawi refugee camps in Algeria were abducted at the Moroccan-Algerian border and transferred to PC-CIM in El Aaiún, where they experienced various forms of torture before being released after months of detention.
22. The last group, from 1992 to late 1993, included young men and women, including middle and high school students, who were subjected to various forms of torture and intimidation before being released after months or over a year of detention. Among them was the former disappeared Sahrawi Soukaina Jedahlou, who was released from Kalaat M'gouna in 1991 after ten years of forced disappearance, only to be abducted again with her son from 1992 to 1993.
23. As for individual cases and small groups abducted from time to time, spending short periods under forced disappearance, they numbered in the hundreds from 1976 to 1993.
24. There are currently over 400 Sahrawi victims of forced disappearances. Many other Sahrawis are also missing as a result of the bombings at Um Dreiga, Guelta and Tifariti by the Moroccan Air Force in 1976. About 80% of these disappearances occurred during the early years of the military occupation of the territory, especially between 1975 and 1977, and constituted the main *modus operandi* in the Moroccan repression. Concerning the fate and whereabouts of these victims, Morocco has provided fragmented, limited and partial information in the report issued by the Human Rights Advisory Council (HRAC) published online in December 2010, which, in most cases, states that they had “died due to the prevailing conditions” or “under custody” without any further details or information about their final fate. The same report also recognizes another 144 cases of people who were subject to disappearance without providing any data for their identification.

¹⁷ Batallon de Intervencion Rapida

4 The Moroccan Committee and its interaction with Sahrawi victims

25. In 1990, Morocco established the Advisory Council for Human Rights intending to settle human rights violations. On October 15, 1998, the Advisory Council for Human Rights issued a statement including a list of 112 individuals who had been released, all Moroccans except one Sahrawi released from Kalaat M'gouna in 1991. This act served as a test of the council's intentions, revealing its disregard for the Sahrawis, diminishing their significance, and bypassing their rights.
26. On August 16, 1999, Morocco established the Independent Arbitration Committee, which operated until 2003, focusing on financial compensation for victims. However, its handling of Sahrawi victims and their representatives was perceived as unfair and discriminatory, emphasizing disparities between Moroccan and Sahrawi victims. The authority forced victims to sign agreements not to contest the compensation they would receive. The Sahrawi Coordination Committee appointed by the released prisoners from Kalaat M'gouna and the PC-CIM center in occupied El Aaiún rejected this unfair treatment and addressed a memorandum to the Advisory Council in November 2007, expressing their views on addressing the remaining demands of the victims and their families, which included not only financial compensation but also official recognition, redress, integration, ensuring decent living conditions, revealing the truth, and determining the fate of the disappeared Sahrawis.
27. On January 7, 2004, Morocco established the Equity and Reconciliation Commission, aiming to formulate recommendations regarding violations committed by the Moroccan regime between 1956 and 1999. From the outset, the commission's approach demonstrated a lack of consideration for the victims and their demands. During hearings, victims were compelled not to mention the responsibility of King Hassan II for these crimes, nor to refer to the torturers by name among the members of the Moroccan security apparatus. Sahrawi victims and their families considered these conditions a violation of their right to expression and access to justice. From the view of the victims, the Equity and Reconciliation Commission was neither objective nor fair nor truthful in its investigation and analysis of the serious human rights violations in the non-self-governing territory of Western Sahara occupied by Morocco as it did not involve the victims and their families at all in its

proceedings, despite promising them when it obtained abundant and credible information from them.

28. After presenting the final report to the Equity and Reconciliation Commission in December 2005, the Advisory Council for Human Rights established a committee to implement the recommendations of the Equity and Reconciliation Commission in 2006, which continued its work until December 2010. However, the follow-up committee's work was neither objective nor participatory when dealing with the victims or their representatives. The committee's lack of response to repeated requests since 2006, when human remains were found by members of the Sahrawi Association for Victims of Serious Human Rights Violations committed by Morocco (ASVDH), demonstrates the double standards, discrimination, and injustice in the committee's treatment of Moroccan and Sahrawi victims and the lack of seriousness and objectivity in addressing the crimes against humanity in Western Sahara.
29. At the peak of the implementation of the committee's work, on January 4, 2007, a mass grave was discovered in the occupied city of Smara (see annex 1). The grave was discovered when a Moroccan construction company from Casablanca was working on building a covered hall at the site of a military barracks belonging to the auxiliary forces, where Sahrawi captives had been held since 1976 and 1977. Some of the captives had been released and some of them had disappeared. Neither the implementation committee nor the Moroccan authorities summoned the families concerned, who according to witnesses were in the same place where human remains were found. This is another indication of the lack of seriousness and objectivity in the investigations.
30. On November 28, 2007, while workers from the National Recovery Agency were digging and preparing a park adjacent to the wall of the civil prison in El Aaiún (known as the Black Prison), human remains were found at the worksite and transported to an unknown location (see annex 2). Sahrawi witnesses confirmed that they had passed through secret hiding places inside the prison in El Aaiún in 1976, 1977, 1978, and 1979 and that they had witnessed some of their friends being killed but knew nothing about their burial at the time. However, the relatives of the disappeared are known, and these relatives approached the Equity and Reconciliation Commission with requests for information regarding the fate of their loved ones. Strangely, the authorities did not contact those families whose relatives were said to have been killed in the same place, and even more so, a report from the implementation committee on page 62 of the first appendix on enforced disappearances in

the 2010 report acknowledges the death of 23 individuals from the group who were in the civil prison hideout.

31. In the case of the mass graves of Meheris, the chances of being able to search for the disappeared have been, for over three decades, if not nonexistent, entirely limited without any official response from the state of Morocco to contribute to put an end to the existing confusion and uncertainty. The report of the Equity and Reconciliation Commission (*Instance Équité et Réconciliation* - IER, 2006) does not provide information on this case. No members from that institution interviewed relatives of these victims who were in the Tindouf camps. Of the eight arrested people who were disappeared and who are included in this case of the Fadret Leguiaa graves, the aforementioned list from the Moroccan CCHR, published online in 2010, provides some data on four of them. About the rest no information is provided, although they were arrested on the same day and in the same place. In the four cases the aforementioned list detailed that they had been arrested there in Amgala, and taken to Smara headquarters where they died under custody. Reference to Salma Daf Sidi Salec, the list notes that he had been *arrested by the royal army in June 1976 in Smara, and was taken to one of their bases where he died*. The same is stated in the case of his 14-year-old son Bachir Salma Daf. About Mohamed-Ali Sidahmed, who had been *arrested in July 1976*, the list says he had *died during abduction at an uncertain date*. Finally, the list says Abdelah Ramdam was *arrested on 22/02/1976 in Amgala by the army, was taken to the military base in Smara where he died, at an uncertain date*. This information is not only vague and incomplete and does not conform to the minimum international standards, but has also been proven false. Both the dates, and the facts have been totally refuted by forensic research carried out.¹⁸ The arrests were collective and occurred on the same day. The case took place on 12th and 13th February, 1976. The detainees were not taken to any barracks. They were immediately executed on the spot, while under custody and in complete helplessness. This questions the information contained in the CCHR list. Of the other four missing prisoners, who were executed in the same circumstances, Morocco did not provide any information at all, as they do not exist as such in the official listings, in spite of the fact that the relatives of Sidi Salec (the child) filed a petition before the IER on November 25th, 2003 and again on December 13th, 2004, for which there was no follow up as the relatives had to appear before the entity in Morocco or in the occupied Western Sahara, and provide documentation.

¹⁸ Re footnote 7

32. Meanwhile, the answer given by the Moroccan authorities in many other cases was of the same character: no information or that probably the person had fled to the Tindouf camps, or any other explanation that denied the facts. For example, Mariam Lahmadi was arrested when she was about to cross the wall built by Morocco to go to the refugee camps in Tindouf, in 1993, in a desperate move to escape from Moroccan control with a group of young people. She was a minor at the time and was with her sister Fatma who was part of the group. Her sister has “disappeared” since then. After presenting her case to the IER, official authorities did not give any response regarding the disappearance of her sister. The information from official sources had always noted that she must have fled to the Tindouf camps. However, four years after the IER had finished their work, the Conseil consultatif des droits de l’Homme (CCDH – Consultative Council on Human Rights) published a list of people on the Internet who they claimed were dead, including Fatma Lahmadi. During all the time between 1993 and 2006 first, and then from 2006 when the IER completed its work until 2010, the Moroccan version of what happened to her sister denied the facts. This denial has been an attack on the psychological integrity and dignity of Mariam and her family, especially her mother. There are a lot of these cases about the right to information and truth above the IER.
33. Our observation of the report on the implementation of the recommendations of the Equity and Reconciliation Commission, reveals that it does not mention the secret detention centers in the Western Sahara where all the disappeared were held before being released or transferred to detention centers in Morocco. These centers were named and located in the 2010 report. Furthermore, the report contains many inaccuracies, including the classification of groups of children and men, with children sometimes being listed as men. Similarly, the list of released women on pages 77 and 78 falsely claims that 5 women (Salka Ayach, Amina Daoudi, Fatima Ayach, Khwaidija Ayach, and Minatou El-Mousawi) released from the PC-CIM prison in occupied El Aaiún were falsely claimed in the same report to have been released from Kalaat M'gouna, even though they were never in that hideout. Additionally, 5 women from the PC-CIM prison were omitted from being named, including Aminatou Haidar, Yeka El-Alam, Tfarrah Essalami, El Ghalia Djimi and Um Al-Mumineen El Mahmoudi. The same applies to the list of men on pages 100 and 101, which mentions 13 captives who spent about 4 years in the PC-CIM center in El Aaiún and were released from there, with a report from the implementation committee claiming they were released from Kalaat M'gouna. In sum, out of a total of 48 men released from El-Aaiún, only 13 are claimed to be from Kalaat M'gouna, and out of a total of 10 women released, only 5 are

mentioned. This is a blatant falsehood for a body claiming to conduct thorough and impartial investigations.

34. In the report of the Human Rights Advisory Council published on the Internet (2010), it is noted in numerous cases that the death of the victims during their capture occurred “in the midst of many sufferings” without further details or references about it. In other cases, it is simply stated that the person died, without no additional information. Most of the people identified as the deceased were young and had no history of major health problems, and numerous deaths occurred in the first two years of being detained and disappeared, so the causes of death are directly linked to the conditions of detention and torture suffered. However, no information has been provided to the relatives of these people about the treatment suffered, the details or circumstances of the arrest or death of their loved ones despite that State institutions have records about it, and have indicated that they investigated the facts. The information provided by said list is brief and limited, partial and fragmented. They report death in many cases without dates. Until this day, Sahrawi relatives have not received the remains of their loved ones.
35. An added problem is the exclusion of any information from family members who are refugees in the Tindouf camps, where a good part of them resides. The State of Morocco has not contacted them to provide information, nor has any official independent channel been established to allow it to do so. In the case of the relatives of the graves discovered in Meheris, who are in the refugee camps, for example, no response has been provided by Morocco in accordance with its international obligations. Efforts to share information directly with relatives living in the Moroccan-occupied Western Sahara were hindered by Moroccan authorities when a member of the group tried to visit El Aaiún, coordinating the visit with the victim relatives and the ASVDH and previously informing the Moroccan Human Rights Council. The police of the airport of El Aaiún response was that “his presence here is a State security problem.” After the complaint made to the GTDF, the response of the state of Morocco was the same, flagrantly violating the victims' right to know the information, the development of the exhumation and the results, with arguments that have nothing to do with the reality of a human rights investigation.
36. As for the list of men whom the 2010 report of the implementation committee claimed died in different detention centers, especially alleging that four of them died in a barracks in occupied Smara after being transferred from Amgala, in reality, they were found in a mass grave in "Fadret Laguea" in liberated territories, and these four were executed by gunfire,

thus refuting the claims of a committee that did not adhere to seriousness and neutrality in its investigations.

37. The Saharawi civil society represented by direct victims of enforced disappearance and members of ASVDH as well as the Committee of families of victims of enforced disappearance whose fate is still unknown have tried several times to present information and point of view on the file of enforced disappearance in Western Sahara, aiming to contribute to a fair and just handling of this black page in the history of the territory and the region. Not only by the Moroccan state who is the first and final responsible for the violations, but also by the international community who did nothing to hold Morocco accountable for the atrocities committed against Saharawi civilians since it's annexation of Western Sahara in 1975. However, these attempts have been disregarded and neglected, as is common practice by Morocco when it comes to the voices of Sahrawis and Saharawi organizations who advocate for self-determination. Annex 7 and 8 are examples of contributions made by Saharawi groups to bring their voices regarding the issue of enforced disappearance in Western Sahara.
38. Overall, the reconciliation approach in addressing the past serious violations of human rights in Morocco lacked the necessary independence and neutrality and failed to meet internationally recognized human rights standards of truth commissions worldwide, as evidenced by the following:
 1. Lack of any form of transitional justice, which is crucial for creating the necessary atmosphere for the establishment of truth commissions.
 2. Limitation of their tasks to investigate enforced disappearances and arbitrary detention without encompassing all serious violations of human rights
 3. Creating a barrier against holding individuals responsible for crimes against humanity. Individual responsibility is considered part of justice for the victims and society as a whole, serving as a fundamental criterion for combatting the phenomenon of impunity.
 4. Failure to stipulate the handing over of the remains of the deceased inside secret prisons and allowing their relatives to transfer them after autopsy to identify their identities.

5 Compensation for Sahrawi victims

39. The official approach of the Moroccan state failed to provide adequate compensation to Saharawi victims and to address their demands. The approach also failed to address the severity of the crimes and individual responsibility for the responsible. In effect, the process deprived the victims of their right to remedy, breaching the fundamental principle of accountability when addressing serious violations of human rights and combating impunity. The process did not adhere to the recommendations of the International Committee on Human Rights, and calls from international human rights organizations, including revealing the truth, providing evidence and addressing different forms of compensation.
40. Neither of the entities addressed the crimes committed by the Moroccan state in Western Sahara, including mass killings, burying people alive in mass graves, throwing others alive from planes or bombing refugee camps with prohibited weapons such as napalm and white phosphorus. Additionally, neither entity has discussed the mass displacement of Sahrawis to refugee camps and the suffering of women, children, and the elderly, nor crimes such as burning tents, poisoning or blowing up wells, destroying livestock, forced deportation to the outskirts of cities, and eradicating the Saharawi way of life. As referred by Amnesty International in their report to the UN Human Rights Committee of 2016, “Morocco’s courts have yet to hold accountable officials suspected to be responsible for gross human rights violations including torture and enforced disappearance in Morocco and Western Sahara during the “years of lead” between 1956 and 1999. Furthermore, some suspected perpetrators continued to remain in position as members and, in some cases, high-ranking officials, of the security forces”¹⁹.
41. Regarding financial compensation for the victims, instead of providing compensation to alleviate the suffering of the victims and their rights holders, the authority created a deep sense of injustice and discrimination against Sahrawi victims, by adopting unequal standards and perpetuating discrimination compared to victims in Morocco. For political reasons, the suffering of Sahrawi victims, who suffered for long periods in Moroccan secret hideouts, has been minimized, while Moroccan prisoners received compensation more than twice what was granted to Sahrawi victims. The families of Moroccan prisoners, including parents, siblings, spouses, and children, were compensated as indirect victims, while

¹⁹ Amnesty International, Morocco, Submission UN HRC, 118th session 2016, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCCPR%2FCSS%2FMAR%2F25239&Lang=en

Sahrawi families were excluded from benefiting from the same standard. Amnesty International has condemned this discrimination in its report submitted to the UN Human Torture Committee, highlighting the injustice suffered by Sahrawi victims and calling for the creation of a mechanism for appeals to review these decisions.²⁰

42. The Reconciliation and Compensation Authority linked the cases of hundreds of disappeared Sahrawis to their disappearance during armed clashes in Western Sahara. The list submitted to it by the families of the victims was however linked to cases of civilians who have not yet had their fate revealed after being abducted by Moroccan security apparatuses, under the supervision of officials who are still performing their duties in the region, and some have even been promoted. The information contained in the lists of the disappeared Sahrawis is tainted with distortions, indicating the lack of serious investigation.
43. The overwhelming majority of families of hundreds of disappeared Sahrawis have not benefited from any material or moral compensation due to their rejection of the authority's decisions and their failure to comply with the methods the Committee used to address their legitimate demands. Additionally, the authority did not respond to any inquiries from families of the disappeared regarding claims of revealing the fate of their relatives. For example, the authority stated that some of the disappeared were executed following judgments against them. In response, the families demanded copies of the issued judgments and the location of their burial. The authority refused to meet their demands and did not provide any information confirming the truth of these allegations.
44. The Reconciliation and Compensation Authority issued several recommendations regarding social integration. However, the failure to involve the victims in the decisions and recommendations issued by the authority, led the entities responsible for monitoring the recommendations to adopt a policy of procrastination and impose the status quo on the victims, exploiting their dire conditions to impose unfair solutions on them.
45. Despite thousands of files submitted to the authority, the victims have not been fully or satisfactorily integrated, with most of them being excluded without explanation or with weak excuses:
 - Some victims were granted permits with very low benefits, while others were given house numbers that do not meet decent housing standards.

²⁰ Amnesty International, Morocco/Western Sahara: Briefing to the Committee against torture (November 2003), <https://www.amnesty.org/en/documents/mde29/011/2003/en/>

- There was no follow-up in terms of treatment, and no centers were created for the treatment of psychological or mental illnesses. Additionally, healthcare coverage, in some cases, does not exceed 35 percent.
- Many victims and their rights holders have not yet settled their financial and administrative situations as former employees, and the policy of dismissal and cutting off livelihoods still hangs like a sword over every human rights or political activist.

46. Contrary to what the Reconciliation and Compensation Authority approved for areas inside Morocco regarding the right to collective compensation, the Western Sahara regions did not benefit from it. Additionally, the Moroccan state worked on erasing the collective memory associated with detention places in Western Sahara, which were destroyed, as is the case, for example, with the PC-CIM center in El Aaiún, Dakhla and Lahchaicha detention center.

6 Continuation of the policy of short-term disappearances in Western Sahara

47. Occupied Western Sahara continues to experience systematic repression characterized by arrests, abductions, unfair political trials, arbitrary detention, intimidation, torture, prevention of forming associations, deprivation of the right to peaceful assembly, freedom of opinion and expression, and the restriction of movement. Moroccan authorities continue to practice short-term enforced disappearances by kidnapping Sahrawis and then releasing them at varying intervals ranging from several hours to days, weeks, and even months.

48. One documented practice involves abduction of victims for several hours, during which they are interrogated and tortured inside a vehicle before being abandoned outside the city or in the desert. This type of abduction continues to be carried out continuously against activists demanding independence. Here are some examples,

- On December 25, 2005, 15 Sahrawi youth were abducted near the city of Boujdour. However, the Moroccan state continues to deny the families' claims regarding this abduction despite the families' communication with the UN Working Group on enforced disappearance.
- On August 18, 2007, Sahrawi human rights defender M'hamed Hali was abducted for seven days without his whereabouts being disclosed, during which he was subjected to various forms of torture.

- On January 19, 2021, human rights activist Bachri Ben Taleb was kidnapped and released after hours.
- On May 8, 2021, a group of plainclothes police officers abducted human rights defender Hassana Abba from his family's home and tortured him outside urban areas.
- On May 12, 2021, human rights activist Lahcen Dalil was kidnapped in the occupied city of El Aaiún and released after hours.
- On February 7, 2022, Sahrawi citizen Lahbib Aghrechi disappeared under mysterious circumstances in Dakhla. For more than two years, the Moroccan occupation authorities have delayed revealing the truth despite the family's communication with the UN Committee on Enforced Disappearances.

49. There are also many cases of short-term abductions targeting activists and journalists such as Mohamed Limam Sabbar, Abdelkarim Mbairkate, Ali Saadouni and Abdettawab Attaraki. Attaraki was kidnapped at 9pm on 17 May 2023 by plainclothed police officers in a police car before being transferred to a civilian car where he was tortured and threatened with physical liquidation and dissolution in acid. He was blindfolded and thrown out of the car north of the city. Unable to contact anyone, he was forced to walk back and arrived home after three hours of running in the dark. Attaraki's kidnapping followed his video statement to a Spanish tourist expressing his rejection of the Moroccan occupation of Western Sahara and his identification as a Saharawi belonging to the Sahrawi Republic, saluting the Polisario Liberation Front.
50. The Moroccan authorities also frequently conduct short-term enforced disappearance of activists, later bringing them to police stations to face criminal accusations and court proceedings. For example, Sahrawi activist Mohamed Dihani served his sentence, excluding the six months he spent in a secret hideout in Temara center, in Rabat, Morocco, in 2010. Similarly, Yahya Mohamed Elhafed Iaazza was arrested in 2008 and spent 15 years in prison, with the UN Working Group on Arbitrary Detention documenting his short-term enforced disappearance in a Moroccan police station and prison for a month²¹.
51. The practice of short-term enforced disappearance, where activists are arrested without being informed, held at secret locations or police stations for days, tortured, and forced to sign pre-written confessions before being presented in court, was also detected in the case

²¹ Opinion No. 46/2021 concerning Yahya Mohamed Elhafed Iaazza. URL: - <https://www.ohchr.org/sites/default/files/2022-03/A-HRC-WGAD-2021-46-Maroc-AEV.pdf>

of the Gdeim Izik prisoners. For instance, Hassan Eddah, El Bachir Khadda, and Mohammed Tahlil were abducted on December 4, 2010, by men in civilian clothes and masks, taken to an unknown location, and tortured for four days. On December 8, they were brought to the police station in El Aaiún, tortured again, and forced to sign pre-written confessions before being transported on a military plane to Rabat and presented to the Military Court. These three activists belong to the Gdeim Izik group, consisting of 19 Sahrawi activists sentenced to prison terms ranging from 20 years to life for their activism following the 2010 Sahrawi uprising, where thousands joined the peaceful protest camp named Gdeim Izik (see WGAD decision, A/HRC/ WGAD/2023/23).

7 Conclusions and recommendations

52. The situation in Occupied Western Sahara remains a humanitarian crisis characterized by systematic and gross human rights violations and breaches of international humanitarian law, directly resulting from the prolonged military occupation. As the occupying power, Morocco exercises *de facto control* over most of the territory and its inhabitants, depriving them of their civil, political, economic, social, and cultural rights.
53. Systematic enforced disappearances are used by Moroccan authorities to punish Sahrawi activists and suppress their call for self-determination, violating Article 1 of the International Convention for the Protection of All Persons from Enforced Disappearance. Perpetrators of these violations have not been held accountable, often remaining in power or being promoted, further perpetuating a culture of impunity. The situation is further exacerbated by restricted access to information. Families of the disappeared and human rights organizations encounter significant barriers when attempting to obtain information about the whereabouts of the disappeared individuals. This lack of transparency not only aggravates the suffering of victims' families but also impedes efforts to seek justice. Moreover, there is a notable absence of adequate support systems for the families of the disappeared. These families endure severe emotional and financial hardship without sufficient governmental or institutional support. Grave concerns is also raised into the apparent discriminatory practice vis a vis Saharawi victim, with Saharawi victims being granted less favorable treatment as compared to Moroccan victims. Furthermore, the Moroccan authorities continue to employ short-term enforced disappearances, arbitrary detentions, and torture against Sahrawi activists, demonstrating ongoing systematic repression.

54. Therefore, the following recommendations are presented:

- a. We urge the Committee to call on Morocco to comply with international humanitarian and human rights laws and to cease all forms of repression against Sahrawi civilians and HRDs.

The international community, particularly the UN, should unequivocally recognize and support the right of the Sahrawi people to self-determination and independence. Establishing an international oversight mechanism to monitor human rights violations in Western Sahara and ensure Morocco's compliance with international law and UN resolutions remains crucial.

- b. We urge the Committee to call on the establishment of an independent and impartial mechanism to investigate all cases of enforced disappearances in Western Sahara. This mechanism should be able to conduct thorough investigations, hold perpetrators accountable, and provide justice for victims and their families.

We call on the Committee to ensure transparency in handling cases of enforced disappearances. Families of the disappeared, as well as human rights organizations, must have access to information regarding the status and outcomes of investigations.

- c. We urge the Committee to call for the establishment of a robust support system for the families of the disappeared. This support system should include psychological counseling, legal assistance, and financial aid, ensuring that it is accessible and responsive to the needs of affected families. This system should also be constituted by independent persons that give trust and confidence to the victims. The role of the United Nations mechanisms and the CICR is crucial to ensure an international perspective and accountability of their work.

- d. We call on the Committee to demand Morocco to safeguard the rights of civil society organizations and human rights defenders working on enforced disappearances. Protect them from harassment, intimidation, and retaliation, and ensure that they can operate freely and effectively in advocating for the Sahrawi people's rights.

8 Annexes

Description of annexes

- **Annex 1:** Press release by CODESA about the discovery of a mass grave near the Al-Awda neighborhood in the occupied city of Smara / Western Sahara on January 4th, 2007.
- **Annex 2:** Press release by CODESA on a mass grave being unearthed near the building of the civilian prison (Lakhal Prison) in El Aaiún, Western Sahara on November 200
- **Annex 3:** Documentation on a request of death certificate, death certificate of Saharawi victim of enforced disappearance “Abdalahi Ramdan Mohamed Lamin” and a concluding document by the committee of the activation of the recommendations of the equity and reconciliation commission. The committee concludes that the victim died near Smara, while the same victim was found in the mass grave of “Fadret Lagueaa” in Mheriz, liberated territory of Western Sahara (paragraph 31).
- **Annex 4:** Response by Emmanuel Decaux president of the UN Committee on Enforced Disappearance to a letter sent by ASVDH regarding the case of the Saharawi victim of enforced disappearance Mohamed Abderahman Rabbani of April 2014.
- **Annex 5:** Updates provided to the UN Working Group on Enforced Disappearance on the situation of Saharawi victims of Enforced disappearance, the realized investigations and the lack of response from the Kingdom of Morocco.
- **Annex 6:** List of victims of enforced disappearance where the fate of the victim is still unknown and under the responsibility of the state of Morocco. The list only includes missing persons whose families live in the occupied territories of Western Sahara and who submitted files of their missing family members to the equity and reconciliation commission. (IER French abbreviation). The Moroccan Human rights council through its committee of follow up of the recommendations of the IER committee officially reported in 2010 that the majority of these people are dead. A response that the families considered “not convincing” and “lacking trust and proofs”.
- **Annex 7:** List of Saharawi victims of enforced disappearance from the beginning of the Moroccan annexation of Western Sahara in 1975-1976 and who were released in 1991. The list includes people from the occupied territories of Western Sahara and the south of Morocco who were held in Agdz and Kalaat t M’gouna as well as PC-CIM in occupied city of El Aaiún. The list also includes names of victims who died in the detention centers of

Agdz, Kalaat M'gouna and PC-CIM. The group includes 324 victims including 70 women. The list only includes those who were released in 1991 and is not a list of all Saharawi victims of enforced disappearance.

- **Annex 8:** The document is a memorandum sent by ASVDH to human rights organizations and the Moroccan Council of Human Rights providing testaments to Saharawi civil society participation and contribution. The memorandum provides the opinion of ASVDH on the violations of human rights against Saharawis from the beginning of the Moroccan annexation of Western Sahara in 1975.
- **Annex 9:** This document is a memorandum sent to the president of the Moroccan Council of Human Rights by the Committee of families of disappeared Saharawis whose fate is still unknown. The letter was sent in 2015 and serves as testament to participation of Saharawi victims.
- **Annex 10:** Testimonies provided by former victims of enforced disappearance, detailing the reason behind their disappearance, access to remedy and rehabilitation.

ANNEX 1



مقبرة جماعية بثكنة عسكرية سابقة بمدينة السمارة / الصحراء الغربية

تم العثور على مقبرة جماعية بالقرب من حي العودة بمدينة السمارة/ الصحراء الغربية بتاريخ 04 كانون الأول/ يناير 2007 أثناء شروع شركة بناء مغربية في الحفر لبناء قاعة مغطاة. وجاء اكتشاف هذه المقبرة الجماعية بعد توقف آلة الحفر عن العمل وبرز بقايا عظام بشرية، استدعت حضور كافة المسؤولين بالمنطقة، التي تمت محاصرتها في انتظار جمع العظام ونقلها إلى جهة مجهولة بعد ممارسة الضغط على عمال الشركة القادمة من الدار البيضاء المغربية. وحسب اللجنة الصحراوية للدفاع عن حقوق الإنسان بالسمارة/ الصحراء الغربية أن السلطات المغربية تحركت بسرعة لإخفاء معالم المقبرة الجماعية مرفقة ذلك بسرية وتكتم شديدين مخافة أن يتسرب الأمر إلى سكان المنطقة التي ارتكبت فيها انتهاكات جسيمة لحقوق الإنسان من قبل الدولة المغربية، حيث لازال المئات من المواطنين الصحراويين مجهولي المصير منذ سنة 1976. وأفاد بعض المواطنين أن المقبرة الجماعية تم العثور عليها في منطقة عسكرية كانت تابعة للقوات المساعدة المغربية إلى حدود سنة 2005 وتوجد بالقرب من السجن الإداري من مدينة السمارة/ الصحراء الغربية.

ومن المرجح جدا أن وجود مقبرة جماعية بهذا المكان، قد يثير العديد من التساؤلات حول مصير المختطفين الصحراويين بالمدينة ونواحيها منذ 1976 من قبل الدرك والجيش المغربيين. وجدير بالذكر أن سكرتارية تجمع المدافعين الصحراويين عن حقوق الإنسان إلى جانب عدة فعاليات حقوقية قد أشارت إلى العثور على مقبرة جماعية بالقرب من السجن المدني (السجن لكحل) بالعيون/ الصحراء الغربية، حيث طالبت بضرورة إجراء تحقيق علمي حول بقايا العظام البشرية التي تم العثور عليها بالمقبرة المذكورة.

والآن وبعد أن أسفرت عملية الحفر لشركة مغربية مختصة في البناء على وجود عظام بشرية، فإن السكرتارية تندد بمحاولة السلطات المغربية طمس حقيقة المقبرة الجماعية التي تم العثور عليها بثكنة عسكرية قديمة وتطالب بتوقيف عملية الحفر والبناء إلى حين إجراء بحث دقيق وعلمي تعرف بموجبه هوية وتاريخ الأشخاص المتواجدين في هذه المقبرة الجماعية، مع التشديد على ضرورة تسليم رفاتهم إلى ذويهم من أجل دفنها في أمكنة معلومة.

العيون/ الصحراء الغربية: 06 كانون الثاني/ يناير 2007
سكرتارية تجمع المدافعين الصحراويين
عن حقوق الإنسان

CODESA

ANNEX 1

Mass Grave in Former Military Barracks City of Smara / Western Sahara

A mass grave was discovered near the Al-Awda neighborhood in the city of Smara, Western Sahara, on December 4th, 2007, during excavation work by a Moroccan construction company preparing to build a covered hall.

The discovery was made after the excavation machinery stopped working, revealing human bones, which prompted the presence of all local officials. The area was cordoned off while the bones were collected and transported to an unknown location, following pressure exerted on the workers from the company, which had come from Casablanca, Morocco.

According to the Sahrawi Committee for the Defense of Human Rights in Smara, Western Sahara, Moroccan authorities quickly moved to conceal the existence of the mass grave with utmost secrecy, fearing that the information might leak to the local population. This area has witnessed severe human rights violations by the Moroccan state, with hundreds of Sahrawi citizens remaining unaccounted for since 1976.

Some citizens reported that the mass grave was found in a military zone that belonged to the Moroccan Auxiliary Forces until 2005, and it is located near the administrative prison in Smara, Western Sahara.

The presence of a mass grave at this location raises many questions about the fate of the Sahrawi detainees in the city and its surroundings, who have been missing since 1976, abducted by the Moroccan gendarmerie and army.

It is worth noting that the Secretariat of the Collective of Sahrawi Human Rights Defenders (CODESA), along with several human rights organizations, had previously pointed out the discovery of a mass grave near the civilian prison (Lakhal Prison) in Laayoune, Western Sahara. They called for a scientific investigation into the human remains found in that mass grave.

Now, following the discovery of human bones during the excavation work by a Moroccan construction company, the Secretariat condemns the Moroccan authorities' attempts to obscure the truth about the mass grave found at the old military barracks. They demand a halt to the excavation and construction work until a thorough and scientific investigation is conducted to determine the identity and history of the individuals in this mass grave. They also stress the importance of handing over the remains to their families for proper burial in known locations.

Laayoune / Western Sahara: January 6th, 2007
Secretariat of the Sahrawi Association of Human Rights Defenders (CODESA)

CODESA

ANNEX 2



Collectif des *Défenseurs Sahraouis*
DES DROITS DE L'HOMME
El Aaiun / SAHARA OCCIDENTAL
collectif.shrd@gmail.com

بيان

تواترت أنباء عن نبش قبر جماعي بجوار بناية السجن المدني (السجن لكحل) بالعيون/ الصحراء الغربية بتاريخ 20 تشرين الثاني/ نونبر 2007 .

وقد أذاعت قنوات تلفزيونية مغربية الخبر مساء يوم الأربعاء 28 تشرين الثاني / نونبر 2007 ، وقدمت تصريحات لأشخاص يزعمون أن القبر بمحتوياته يعود لثلاثينيات القرن الماضي وأن الرفات تخص أشخاص معروفين.

وإذ يسجل تجمع المدافعين الصحراويين عن حقوق الإنسان الملاحظات التالية:

. إن عملية استخراج الرفات لم تتم وفقا للمساطر القانونية، بل نتيجة حادث عرضي كان ناجما عن القيام بأعمال حفر .
. التكتّم على الحادث لما يقارب الأسبوع .

. اعتماد شهادة أشخاص لاستجلاء حقائق لاتتأتى إلا بوسائل علمية دقيقة (تحليل جيني، نظائر مشعة).

وعليه، فإن شكوكا تساورنا حول الاستنتاجات التي حاولت جهات رسمية مغربية الدفع بها في ملف تمت إحاطته بسرية وتكتم بالغين .
وإذ نخشى أن يكون لحادثة نبش هذا القبر الجماعي علاقة بالمختطفين الصحراويين - مجهولي المصير وضحايا المقابر الجماعية التي عرفتھا الصحراء الغربية في سبعينيات وثمانينيات القرن الماضي ، علما أن مختطفين صحراويين مروا من جناح سري بالسجن المدني (السجن لكحل) بالعيون / الصحراء الغربية سنوات 1976-1977-1978 و 19979 وأفادت شهادات بعض الناجين منهم بوفيات حدثت بينهم وقتها ،

وإذ نعتبر أن الكشف عن مصير المختطفين وفتح ملف المقابر الجماعية للصحراويين، ضحايا الانتهاكات الجسيمة لحقوق الإنسان المرتكبة من طرف الدولة المغربية، معركة كل الحقوقيين والديمقراطيين، فإننا :

- نستنكر السرعة في إصدار أحكام مسبقة حول هوية وعمر بقايا العظام البشرية التي تم العثور عليها في حفرة واحدة.
- نطالب الدولة المغربية بفتح تحقيق علمي دقيق و بنشر تقرير عن طبيعة هذه المقبرة الجماعية .
- إعادة دفن الرفات بعد التحقق من هويتها وعمرها في مقابر معلومة.

العيون/ الصحراء الغربية: 29 تشرين الثاني/ نونبر 2007

عن سكرتارية تجمع المدافعين الصحراويين

عن حقوق الإنسان

CODESA

ANNEX 2

Statement

Reports have emerged of a mass grave being unearthed next to the civilian prison (Lakhal Prison) in Laayoune, Western Sahara, on November 20th, 2007.

Moroccan television channels broadcast the news on the evening of Wednesday, November 28th, 2007, featuring statements from individuals who claim that the grave, along with its contents, dates back to the 1930s and contains the remains of known individuals.

The Sahrawi Association of Human Rights Defenders notes the following observations:

- The extraction of the remains did not follow legal procedures but occurred accidentally as a result of excavation work.
- The incident was kept secret for nearly a week.
- Testimonies from individuals were relied upon to uncover facts that can only be determined through precise scientific methods (genetic analysis, radiocarbon dating, etc.).

Therefore, we have doubts about the conclusions that Moroccan official authorities have attempted to promote in a case that has been surrounded by extreme secrecy.

We fear that the unearthing of this mass grave may be related to the Sahrawi disappeared persons—those whose fate remains unknown—and the victims of mass graves witnessed in Western Sahara during the 1970s and 1980s. It is worth noting that Sahrawi detainees were held in a secret wing of the civilian prison (Lakhal Prison) in Laayoune, Western Sahara, during the years 1976, 1977, 1978, and 1979, and the testimonies of some survivors indicate that deaths occurred among them at that time.

Considering that revealing the fate of the disappeared persons and addressing the issue of mass graves of Sahrawis—victims of serious human rights violations committed by the Moroccan state—is a battle for all human rights defenders and advocates of democracy, we:

ANNEX 2

- Condemn the hasty issuance of premature judgments regarding the identity and age of the human remains found in a single pit.
- Demand that the Moroccan state conduct a thorough scientific investigation and publish a report on the nature of this mass grave.
- Advocate for the proper reburial of the remains after their identity and age have been verified in known graves. Laayoune, Western Sahara: November 29th, 2007

Laayoune, Western Sahara: November 29th, 2007

Secretariat of the Sahrawi Association of Human Rights Defenders (CODESA)

ANNEX 3

04 جويلية 2011



المملكة المغربية
وزارة العدل
مديرية الشؤون الجنائية والعفو
خلية حقوق الإنسان

مجل حداد

505 لسنة 3

من وزير العدل

إلى

السيد وكيل الملك لدى المحكمة الابتدائية بالسمارة

تحت إشراف

السيد الوكيل العام للملك لدى محكمة الاستئناف بالعيون

الموضوع : حول تسجيل وفاة

صلاه تاه بوجود مولانا الإمام

وبعد،

في إطار تنفيذ توصيات هيئة الانصاف والمصالحة التي يشرف المجلس الاستشاري لحقوق الإنسان على متابعة تنفيذها

يشرفني أن أبعث إليكم رفقة نسخة من مقرر تحكيمي صادر في القضية المتعلقة باختفاء السيد عبد الله بن رمضان ولد محمد لمين الذي يستفاد منه أن المعني بالأمر ازداد سنة 1925 واعتقل بتاريخ 22 فبراير 1976 من طرف أفراد الجيش واقتيد إلى الثكنة العسكرية بالسمارة التي احتجز بها وتوفي أثناء احتجازه في نفس السنة.

طالبنا منكم العمل على تقديم ملتمس إلى المحكمة قضا امتصدار حكم بتسجيل وفاة الهالك المذكور بسجلات الحالة المدنية، وموافاتي بشهادة الوفاة الخاصة به بعد التسجيل باللغة العربية والفرنسية وبنسخة من الحكم الصادر في الموضوع وذلك على وجه الاستعجال وبواسطة الفاكس.

والسلام.

مدير الشؤون الجنائية والعفو

محمد عبد القناري

المرفقات:

- نسخة من مقرر تحكيمي



من وكيل الملك لدى المحكمة الابتدائية بالسماارة
 الى السيد رئيس المحكمة الابتدائية بالسماارة

الموضوع : طلب تسجيل وفاة بسجلات الحالة المدنية.

سلام تام بوجود مولانا الإمام

وبعد، علاقة بالموضوع المشار إليه أعلاه،
 وبناء على كتاب السيد وزير العدل مديرية الشؤون الجنائية والعبور- خلية حقوق
 الإنسان- عدد 505 س3 وتاريخ 04 فبراير 2011، المرفق بتقرير المجلس الاستشاري
 لحقوق الإنسان ملف عدد 10214، واللذان يستفاد منهما أن المسمى عبد الله بن
 رمضان ولد محمد لمين قد توفي بمدينة السمارة سنة 1976 وأن وفاته ولحد الآن لم
 تضمن بسجلات الحالة المدنية.

واستنادا إلى المادة الثالثة من قانون الحالة المدنية رقم 37.99.

لأجله :

فإن هذه النيابة العامة تلتزم من محكماتكم الموقرة مايلي :
 - إصدار أمر بتسجيل وفاة المسمى قيد حياته عبد الله بن رمضان ولد محمد لمين
 بالسماارة سنة 1976 بسجلات الحالة المدنية بالسماارة، وذلك على سبيل الاستعجال.
 وتقبلوا فائق التقدير والاحترام، والسـلام./.

الإمضاء

أ.ذ. مزهر مرفيق
 نائب وكيل الملك

لمرفقات :

- كتاب السيد وزير العدل الشؤون الجنائية والعبور عدد 505 س3 وتاريخ 04 فبراير 2011.
- تقرير المجلس الاستشاري لحقوق الإنسان ملف عدد 10214

أمر بتفويض وفاة
بمسجل الحالة المدنية
باسم جلالة الملك

المملكة المغربية
وزارة العدل
مكتبية الإحصائيات والرسوم
المحكمة الابتدائية بالسمارة

ملف حالة مدنية

رقم : 11/10

حكم رقم : 11/17

صدر بتاريخ : 11/02/04

القاضي المكلف بالقضية

السيد : محمد رضى عكلى

نحن محمد رضى عكلى القاضي المكلف بقضايا الحالة المدنية

وبحضور السيد رفوق زهور ممثلا للنيابة العامة

وبمعاونة السيد محمد ماع العيوني كاتب الضبط

بعد الإطلاع على الطلب الذي قدم إلى كتابة ضبط هذه المحكمة من طرف السيد وكيل الملك لدى هذه المحكمة .

بتاريخ 2011/02/04 والمعنى منى أداء الرسوم القضائية . الرامي إلى تفويض وفاة المسمى عبد الله بن رمضان ولد محمد لمين ، المزداد بتاريخ 1925 والذي وافاه الأجل المحتوم سنة 1976 بمدينة السمارة وذلك بسجل الوفيات للحالة المدنية .

و أرفق مقاله بكتاب المد وزير العدل مديرية الشؤون الجنائية والعمو (خاية حقوق الإثمان عدد 505 س / 3 بتاريخ 2011/02/04 ونقير المجلس الاستشاري لحقوق الإثمان عدد 10214 .

وبعد الإطلاع على المقرر التحكيمي الصادر عن المجلس الاستشاري لحقوق الإنسان في ملف عدد 1024 مقرر رقم 16139 بتاريخ 20 يوليو 2007 والذي جاء فيه أن المعنى بالأمر قد توفي سنة 1976 .

وبعد الإطلاع على المستندات الكتابية للسيد وكيل الملك الرامية إلى تطبيق القانون .

ثبت أن المسمى عبد الله بن رمضان ولد محمد لمين ، قد توفي بالسمارة سنة 1976 . وحيث أن هذه الوفاة لم يصرح بها في الأجل القانوني .

وحيث أن النظام العام يقتضي تسجيل كل الوفيات في سجلات الحالة المدنية .

وبناء على مقتضيات ظهير 03 دجنبر 2002 المتعلق بالحالة المدنية كما وقع تغييره وتتميمه والفصل 217 من قانون المسطرة المدنية .

لهذه الأسباب

نصرح علنيا ابتدائيا و حضوريا .

في الشكل : بقبول الطلب .

في الموضوع : نصرح نتيجة ذلك بأن المسمى عبد الله بن رمضان ولد محمد لمين المذكور أعلاه توفي بالسمارة سنة 1976 . مع إبقاء الصائر على رافعه .

نأمر بتفويض ذلك بسجل الحالة المدنية للسنة الجارية لمحل الوفاة مع الإشارة الموجزة إلى مضمون هذا الأمر بطرة نفس السجل في التاريخ الذي كان يجب أن يتم فيه التقييد .

حرر بالسمارة في 2011/02/04

كاتب الضبط

القاضي

0104-22000

المملكة المغربية

المجلس الاستشاري لحقوق الإنسان

لجنة تفعيل توصيات هيئة الإنصاف والمصالحة

في مجال جبر الأضرار

مقرر تحكيمي

ملف عدد : 10214

قضية : عبد الله بن رمضان ولد محمد لمين

مقرر رقم : 16139

بتاريخ : 20 بوليوز 2007

إن لجنة تفعيل توصيات هيئة الإنصاف والمصالحة
ففي مجلس جبر الأضرار؛

بناء على القرار الملكي السامي المعلن عنه ضمن خطاب جلالة
الملك بتاريخ 5 ذي الحجة 1426 (6 يناير 2006)، والقاضي بتكليف المجلس
الاستشاري لحقوق الإنسان بتفعيل توصيات هيئة الإنصاف والمصالحة؛

وبناء على الظهير الشريف رقم 1.04.42 الصادر بتاريخ
19 صفر 1425 (10 أبريل 2004) بالمصادقة على النظام الأساسي لهذه
الهيئة؛

وبناء على نتائج التحريات المنجزة تقديراً لتلك التوصيات؛

وبعد الاطلاع على الطلبين المسجلين بكتابة هيئة الإنصاف
والمصالحة في 8 دجنبر 2003 و14 دجنبر 2004، والمقدمين من طرف
ذوي حقوق السيد عبد الله بن رمضان ولد محمد لمين وهم :

- 1 ابنه، السيد سيدي خطري لبييه (ب.ت. ورقم SH5680)
- 2 ابنه، السيد المصطفى لبيهي رمضان المزداد سنة 1957
- 3 ابنه، السيد محمد فاضل لبيهي رمضان المزداد سنة 1959
- 4 ابنه، السيد الزين لبيهي رمضان المزداد سنة 1961
- 5 ابنته، السيدة ابتيلة لبيهي رمضان المزدادة سنة 1963
- 6 ابنه، السيد المهدي لبيهي رمضان المزداد سنة 1965
- 7 ابنه، السيد محمد لبيهي رمضان المزداد سنة 1967

عواتهم : شارع الأمير مولاي عبد الله، زنقة 1، رقم 3، العيون

والذين يعرضون فيهما أن السيد عبد الله بن رمضان ولد محمد لمين
اعتقل من قبل أفراد من الجيش سنة 1976 بضواحي أمكالة، وأنه توفي نتيجة
التعذيب، وضاعت منه ممتلكاته المنقولة، ملتجئين الكشوف عن الحقيقة
والتعويض المادي والمعنوي وجبر باقي الأضرار؛

2

وبعد دراسة الملف من لدن اللجنة بعد استكمال كل البيانات
والوثائق الخاصة بالملف في ضوء القرار الذي اتخذته هيئة الإنصاف
والمصالحة في هذا الشأن بتاريخ 2005/11/30؛

وبعد المداولة طبق أحكام النظام الأساسي لهيئة الإنصاف
والمصالحة، خلال اجتماع اللجنة المنعقد بتاريخ 20 يوليوز 2007؛

من حيث الشكل:

حيث إن الطالب قدم وفق الشروط المتطابقة؛

من حيث الموضوع:

حيث إن الطالب الذي تقدم به ذو حقوق السيد عبد الله بن رمضان ولد
محمد لمين يرمي إلى جبر الأضرار المادية والمعنوية اللاحقة به جراء
اعتقاله واختفائه سنة 1976؛

وحيث أنه تبين للجنة من خلال التحريات المنجزة أن السيد عبد الله بن
رمضان ولد محمد لمين المزداد سنة 1925 اختطف يوم 22 فبراير 1976
بأمكالة من قبل أفراد الجيش، واقتيد إلى التكنة العسكرية بالسمارة، ثم انقطعت
أخباره، وثمة قرائن قوية على أنه توفي أثناء احتجازه بالتكنة العسكرية
بالسمارة؛

وحيث تبين من دراسة مستندات الملف أن قضية السيد عبد الله بن
رمضان ولد محمد لمين تدخل ضمن حالات الاختفاء القسري، اعتمادا على
مقتضيات التشريع الوطني وتطبيقا للقواعد والمواثيق الدولية المتعلقة بحقوق
الإنسان التي صادق عليها المغرب وأدرج اعتمادها في ديباجة الدستور، لأن
هذا الاختفاء مسبق باحتجاز غير ذي سند شرعي، ولا مأمور به من طرف
القضاء وبدون محاكمة، ولم يتم بمعتقل نظامي، وترتبت عنه أضرار مختلفة
خطيرة لأهله وذويه، الأمر الذي يجعله مفقدا لكل أساس قانوني، وبالتالي
يستلزم تعويض ذوي حقوقه عما لحقهم من أضرار مادية ومعنوية؛

وحيث أن اللجنة بعد دراستها للوثائق المدلى بها، وبالنظر لما أصاب
الطالب من أضرار مادية ومعنوية تمثلت أساسا في فقدان السيد عبد الله بن
رمضان ولد محمد لمين باعتباره كان رأس العائلة ومعيلها واعتبار الما قاساه
الطالب من آلام وما تحمله من معاناة وحرمان، واعتبار السن المفقود الهالك
ومتبقى عمره النشط فإن اللجنة بما توفر لديها من عناصر التقدير المتمثلة في
الحرمان من الحرية والمعاملة القاسية، والحرمان من الحق في الحياة،
والتستر على المصير، وفي إطار العدل والإنصاف، تقرر استحقاق ذوي حقوقه
لتعويض إجمالي قدره ستمائة وأربعة وستون ألفا وثلاثمائة (664.300,00)
درهم؛

لهذه الأسباب:

تقرر:

أولاً: اختصاصها للنظر في الطلب الذي تقدم به ذوو حقوق السيد عبد الله بن رمضان ولد محمد لمين؛

ثانياً: أداء:

- | | | | |
|---|-----------------------------|------|---|
| 1 | للسيد سيدي خطري لبييه | مبلغ | أربعة وتسعين ألف وتسعمائة (94.900,00) درهم؛ |
| 2 | للسيد المصطفى لبيهي رمضان | مبلغ | أربعة وتسعين ألف وتسعمائة (94.900,00) درهم؛ |
| 3 | للسيد محمد فاطل لبيهي رمضان | مبلغ | أربعة وتسعين ألف وتسعمائة (94.900,00) درهم؛ |
| 4 | للسيد الزين لبيهي رمضان | مبلغ | أربعة وتسعين ألف وتسعمائة (94.900,00) درهم؛ |
| 5 | للميدة ابتيلة لبيهي رمضان | مبلغ | أربعة وتسعين ألف وتسعمائة (94.900,00) درهم؛ |
| 6 | للسيد المهدي لبيهي رمضان | مبلغ | أربعة وتسعين ألف وتسعمائة (94.900,00) درهم؛ |
| 7 | للسيد محمد لبيهي رمضان | مبلغ | أربعة وتسعين ألف وتسعمائة (94.900,00) درهم؛ |

ثالثاً: التوصية بمواصلة جميع الإجراءات الكفيلة بتحديد مكان دفن المرحوم وإخبار ذويه بذلك وتسليم شهادة الوفاة؛

رابعاً: توجيه نسخة من مقررهما هذا إلى السيد الوزير الأول، وتسليم نسخة أخرى للطالبين؛

بهذا صدر المقرر التحكيمي في التاريخ أعلاه، ووقعه رئيس اللجنة، رئيس المجلس الاستشاري لحقوق الإنسان، وأعضاؤها.

المجوب المصيبة



أحمد جوي



مصطفى المرزاسني



محمد مصطفى الريموني



ملف رقم: 10214

ANNEX 3

Kingdom of Morocco **and Pardons Human Rights Cell**
Ministry of Justice [Stamp of the Kingdom of
Directorate of Criminal Affairs Morocco]

[Signature with the handwritten name: Maajal Jada]

From the Minister of Justice

to

The King's Prosecutor at the Court of First Instance of Smara,
under the supervision of
The King's Prosecutor at the Court of Appeal of Laayoune

Topic: On registering a death

In the context of implementing the recommendations of the Equity and Reconciliation Commission, which are overseen by the Advisory Council for Human Rights. I am honoured to transmit to you herewith a copy of the arbitration decision issued in the case concerning the disappearance of Mr Abdallah Ben Ramadan Ould Mohamed Lemine. According to said decision, he was born in 1925, arrested on February 22th (1976) by members of the army and taken to the military barracks in Smara, where he was detained and died in custody in the same year.

I kindly request that you submit a petition to the court in order to obtain a judgment for the registration of the death of the aforementioned individual in the civil status records. Additionally, please provide me with his death certificate, duly registered in both Arabic and French, along with a copy of the issued judgment. This should be done as a matter of urgency and sent by fax.

Attachments

Copy of an arbitration decision

Director of Criminal Offences and Pardons

Mohamed Abdelnabawi Yassa Elkayari
[Stamp of the
Kingdom of Morocco]

**From the King's Prosecutor at the Court of First Instance of Smara
To Mr President of the Court of First Instance of Smara**

Subject: Request to register a death in the civil status records.

In accordance with the letter from the Minister of Justice, Directorate of Criminal Affairs and Pardons - Human Rights Cell, No. 505 S/3 dated 04 February 2011, attached to the report of the Advisory Council for Human Rights, file No. 10214, which states that Abdallah Ben Ramadan Ould Mohamed Lemine passed away in Smara in 1976 and that his death has not been recorded in the civil status records.

Based on Article 3 of the Civil Status Law No. 37.99

Therefore:

The Public Prosecution requests that your honourable court order the registration of the death of Abdallah Ben Ramadan Ould Mohamed Lemine in Smara in 1976, in the civil registry of Smara, as a matter of urgency.

Accept the assurances of my highest consideration.

Annexes:

- Letter from the Minister of Justice, Criminal Affairs and Pardons No. 505 S/3 dated 04 February 2011
- Report of the Advisory Council for Human Rights File No. 10214

Signature

Zahir Rafiq, Vice King's Deputy

| | |
|--|--|
| <p>Kingdom of Morocco Ministry of Justice Court of First Instance in Amara</p> <p>Civil case file No.: 11/10 Verdict No.: 11/17 Date: 11/02/94</p> <p>Judge assigned to the case: Mohamed Radi Aakli</p> | <p style="text-align: center;">Order to register a death in the civil status register In the name of His Majesty the King</p> <p>Mohammed Rada Aakli, the judge in charge of civil status cases Rafiq Zahir, Vice King's prosecutor Mohamed Malainine, Secretary of the court</p> <p>Having reviewed the application submitted to the registry of this court by the King's Prosecutor of this court dated 2011/02/04 and exempted from the payment of judicial fees, to register in the civil status death register the death of Abdallah Ben Ramadan Ould Mohamed Lemine, born in 1925 and who died in 1976 in the city of Smara.</p> <p>I attach the letter from the Minister of Justice, Directorate of Criminal Affairs and Pardons, Human Rights Cell No. 505 S/3 dated 2011/02/04 and the report of the Advisory Council for Human Rights No. 10214.</p> <p>After reviewing the written conclusions of the King's Prosecutor aimed at applying the law, it was established that Abdallah Ben Ramadan Ould Mohamed Lemine died in Smara in 1976 and that this death was not declared within the legal time limit.</p> <p>WHEREAS, public order mandates that all deaths be registered in the civil status registers, in accordance with the Dahir of 03 December 2002 concerning civil status, as amended and supplemented, and with Article 217 of the Code of Civil Procedure:</p> <p style="text-align: center;">For these reasons</p> <p>We hereby publicly declare at first instance and in court:</p> <p>In form: Accepting the application</p> <p>On the subject: We hereby declare that the above-mentioned Abdallah Ben Ramadan Ould Mohamed Lemine died in Smara in 1976. The applicant must pay the court costs.</p> <p>We hereby order that an entry be made in the civil status register for the current year and place of death, with a brief indication of the content of this order in the same register, on the date on which the entry should have originally been made.</p> <p style="text-align: right;">Done in Smara on 2011/02/04 [Judge Signature] [Secretary court signature]</p> |
|--|--|

Kingdom of Morocco

Advisory Council for Human Rights

**Committee for the Implementation of the Recommendations
of the Equity and Reconciliation Commission**

In the domain of reparations

Arbitration course

File no: 10214

Cause: Abdullah Ben Ramadan Ould Mohamed Lemine

Decision no: 16139

Dated : 20 July 2007

The Committee for the Implementation of the Recommendations of the Equity and Reconciliation Commission In the Domain of Reparations:

Pursuant to the Sovereign's decision announced in His Majesty the King's speech of 5 Dhul Hijjah 1426 (6 January 2006) to mandate the Advisory Council for Human Rights to implement the recommendations of the Equity and Reconciliation Commission:

Pursuant to Dahir No. 1.04.42 of 10 April 2004, approving the statutes of the Commission:

Based on the findings of the investigations conducted in the implementation of these recommendations, and following a review of the two requests registered at the office of the Equity and Reconciliation Commission on 8 December 2003 and 14 December 2004, which were submitted by the relatives of Mr. Abdallah Ben Ramadan Ould Mohamed Lemine, namely:

- 1) His son Mr Sidi Khatri Lebihy (National Card No. SH5680)
- 2) His son Mr Al Mostafa Lebihy Ramadan, born in 1957
- 3) His son Mr Mohamed Fazal Lebihy Ramadan, born in 1959
- 4) His son Mr Ez-Zein Lebihy Ramadan, born 1961

ANNEX 3

- 5) His daughter Mrs Ibtala Labihi Ramadan, born in 1963
- 6) His son Mr Al Mahdi Labihi Ramadan, born in 1965
- 7) His son Mr Mohammed Labihi Ramadan, born in 1967

Their address: Amir Moulay Abdallah Street, corner 1, number 3, Laayoune. They state that Mr Abdallah Ben Ramadan Ould Mohamed Lemine was arrested by members of the army in 1976 on the outskirts of Amgala, that he died as a result of torture, and that his movable property was lost, requesting disclosure of the truth, material and moral compensation and reparation for other damages.

Having examined the file after completing all the data and documents relating to the file in the light of the decision taken by the Equity and Reconciliation Commission in this regard on 30 November 2005;

And after deliberating in accordance with the provisions of the statute of the Equity and Reconciliation Commission during the meeting of the Commission held on 20 July 2007;

In form:

Whereas the application has been submitted in accordance with the required conditions.

In terms of subject:

WHEREAS the application filed by the relatives of Mr Abdallah Ben Ramadan Ould Mohamed Lemine seeks to address the material and moral damage resulting from his arrest and disappearance in 1976.

WHEREAS the Commission, following its investigation, determined that Mr. Abdallah Ben Ramadan Ould Mohamed Lemine, born in 1925, was abducted on 22 February 1976 in Amgala by members of the army, taken to the military barracks in Smara, where he subsequently disappeared, with strong evidence suggesting that he died while in detention at the Smara military barracks.

ANNEX 3

WHEREAS, an examination of the documents in the case file indicates that the case of Mr. Abdallah Ben Ramadan Ould Mohamed Lemine constitutes an enforced disappearance, in accordance with national legislation and in line with the international human rights norms and conventions ratified by Morocco, as incorporated into the preamble of the Constitution. This disappearance was preceded by an unlawful detention, which was neither ordered by a judge, nor subjected to a trial, and did not occur in a recognized prison, thereby inflicting serious harm upon his family and relatives. These circumstances render the detention legally baseless, thereby necessitating compensation to his beneficiaries for the material and moral damages incurred.

WHEREAS, the Commission, having thoroughly examined the submitted documents, and considering the material and moral damages suffered by the applicant, particularly the loss of Mr. Abdallah Ben Ramadan Ould Mohamed Lemine, who was the head and primary provider of the family, and taking into account the pain, suffering, and deprivation endured by the applicant, as well as the age and remaining active life of the deceased; The Commission, taking into consideration the elements of deprivation of liberty, cruel treatment, violation of the right to life, and concealment of the events, and within the framework of justice and equity, determines that he is entitled to a total compensation of six hundred and sixty-four thousand three hundred (664,300.00) dirhams.

The Commission, considering the elements of deprivation of liberty, cruel treatment, violation of the right to life and concealment of the events, and in the framework of justice and equity, decides that he is entitled to a total compensation of six hundred and sixty-four thousand three hundred (664,300.00) dirhams.

For those reasons:

Decide,

First: The Court has jurisdiction to hear the application filed by the relatives of Mr Abdallah Ben Ramadan Ould Mohamed Lemine;

Secondly: Payment

- 1) For Mr Sidi Khatri Lebihiy the sum of ninety-four thousand nine hundred (94,900,00) dirhams;
- 2) For Mr El Mostafa Lebihiy Ramadan the sum of ninety-four thousand nine hundred (94,900,00) dirhams;
- 3) For Mr Mohamed Fazal Lebihiy Ramadan the sum of ninety-four thousand nine hundred (94,900,00) dirhams;
- 4) For Mr El Zine Lebihiy Ramadan the sum of ninety-four thousand nine hundred (94,900,00) dirhams;
- 5) For Mrs Ibtilla Lebihiy Ramadan the sum of four hundred (94,900,00) dirhams; 6) For Mr Al Mahdi Lebhi Ramadan (94,900,00) dirhams;
- 7) For Mr Mohamed Lebhi Ramadan (94,900,00) dirhams.

Third: Recommending the continuation of all procedures necessary to determine the place of burial of the deceased, to inform his family and to provide them with the death certificate.

Fourth: Forward a copy of this decision to the Prime Minister and deliver another copy to the applicants.

The arbitration decision is hereby issued on the above date and signed by the Chairman of the Committee, the President of the Advisory Council for Human Rights, and its members.

| |
|---|
| [Signature of Ahmed Arzani] [Signature of El Mahjub El Heiba] |
|---|

| |
|--|
| [Signature of Mustafa El Yaznasni] [Signature of Mohamed Mustafa El Raisuni] |
|--|

ANNEX 4



HAUT-

COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND

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REFERENCE: G/SO CED-UA MAR(GEN)
ED/APP/mbe 2014

8 avril 2014.

Excellence,

En tant que Président du Comité contre les disparitions forcées, j'ai l'honneur de me référer à une requête d'action urgente reçue par le Comité le 25 mars dernier, au sujet de la disparition de M. Mohamed Abderrahman Rabbani, en application de l'article 30 de la Convention pour la protection de toutes les personnes contre les disparitions forcées, présentée par l'Association Sahraouie des Victimes des Violations Graves des Droits Humains Commises par l'Etat Marocain.

Après avoir analysé la requête de référence, le Comité a conclu ne pas être compétent pour enregistrer l'action urgente conformément aux dispositions de l'article 30 de la Convention. Le Comité considère toutefois nécessaire de manifester à l'État partie sa préoccupation quant à la situation qui a été portée à sa connaissance.

Selon les informations fournies par les auteurs de la requête, M. Mohamed Abderrahman Rabbani aurait été détenu chez lui à El Aaiún le 26 août 1980 par des membres de la Direction de Sécurité Territoriale marocaine (DST). Aucune information n'a été reçue sur son sort depuis lors. Il semblerait que les restes du corps de M. Mohamed Abderrahman Rabbani puissent se trouver dans une fosse trouvée près d'El Aaioun à l'occasion d'un processus d'identification d'autres fosses qui a eu lieu en juin 2013, dans le Sahara Occidental.

Les auteurs indiquent que la zone où se trouvent les restes est gravement menacée par les mouvements des dunes, qui pourraient bientôt empêcher l'accès au lieu et l'exhumation nécessaire à l'identification des restes qui s'y trouvent. Ils mentionnent également le risque que la fosse et les restes qui s'y trouvent soient manipulés ou détruits, ce qui empêcherait définitivement l'identification du corps localisé.

Le Comité souligne donc l'urgence que l'État partie adopte les mesures nécessaires pour procéder à l'exhumation de la fosse de référence par des professionnels qualifiés, pour protéger les éléments de preuve en lien avec les restes mortels concernés, et pour les restituer à la famille de la victime, conformément à l'ensemble des standards internationaux en vigueur en la matière. Le Comité se permet de rappeler que ces obligations découlent des articles 24, paragraphe 3, 15, 17 paragraphe 3 (g) et 18 paragraphe 1(g) de la Convention, entrée en vigueur au Maroc après sa ratification le 14 mai 2013.

Je vous prie d'agréer, Excellence, l'expression de ma très haute considération.



Emmanuel Decaux
Président
Comité contre la Disparition Forcée

English version :

REFERENCE: G/SO CED-UA MAR(GEN)
ED/APP/mbe 2014

April 8, 2014.

Your Excellency,

As President of the Committee on Enforced Disappearances, I have the honor to refer to an urgent action request received by the Committee on March 25th concerning the disappearance of Mr. Mohamed Abderrahman Rabbani, submitted under Article 30 of the International Convention for the Protection of All Persons from Enforced Disappearance. This request was presented by the Sahrawi Association of Victims of Grave Human Rights Violations Committed by the Moroccan State.

After reviewing the request, the Committee has concluded that it does not have the competence to register the urgent action in accordance with the provisions of Article 30 of the Convention. Nevertheless, the Committee considers it necessary to express its concern to the State Party regarding the situation that has been brought to its attention.

According to the information provided by the authors of the request, Mr. Mohamed Abderrahman Rabbani was allegedly detained at his home in El Aaiún on August 26, 1980, by members of the Moroccan Directorate of Territorial Security (DST). No information has been received about his fate since then. It is believed that the remains of Mr. Mohamed Abderrahman Rabbani may be located in a mass grave found near El Aaiún during the identification of other graves in June 2013, in Western Sahara.

The authors of the request indicate that the area where the remains are located is under serious threat from shifting dunes, which could soon make access to the site and the necessary exhumation for identification impossible. They also mention the risk that the grave and the remains it contains could be tampered with or destroyed, which would permanently prevent the identification of the body.

The Committee, therefore, emphasizes the urgency for the State Party to take the necessary measures to exhume the referenced grave by qualified professionals, to protect the evidence related to the mortal remains, and to return them to the victim's family, in accordance with all applicable international standards. The Committee wishes to remind the State Party that these obligations arise from Articles 24, paragraph 3, 15, 17 paragraph 3(g), and 18 paragraph 1(g) of the Convention, which entered into force in Morocco following its ratification on May 14, 2013.

Please accept, Your Excellency, the assurance of my highest consideration.

Emmanuel Decaux

President

Committee on Enforced Disappearances

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ACTUALIZACIÓN AL GTDF DE LA SITUACIÓN DE LOS DESAPARECIDOS SAHARAUIS, LAS INVESTIGACIONES REALIZADAS Y LA FALTA DE RESPUESTA DEL REINO DE MARRUECOS

El Grupo de Trabajo de Desaparición Forzada realizó un informe en 2009 sobre los casos de desapariciones forzadas en el Sáhara donde remarcó la obligación del Estado de Marruecos de investigar esos casos, realizar exhumaciones y devolver los restos a sus familiares, así como sancionar a los responsables. A partir de 2010, un equipo de la Universidad del País Vasco realizó diversas investigaciones sobre víctimas y desaparición forzada en el Sahara Occidental. El conjunto de dichas investigaciones está accesible en: <http://www.hegoa.ehu.es/articles/text/sahara3>

1. Los casos de fosas comunes y desaparecidos. Existen numerosas fosas comunes donde se encuentran personas que fueron detenidas y posteriormente asesinadas y desaparecidas que han sido siempre negadas por el Estado de Marruecos.

Una de ellas es la fosa de Lemsayed que fue el escenario del horror de la tortura hasta la muerte de numerosos hombres, la mayoría de ellos miembros del Polisario, y algunos niños a finales de 1975. Para nuestro estudio entrevistamos al único superviviente de la fosa de Lemsayed, El Batal Lahbib, que dio detalles muy precisos de dos fosas, una de tortura, donde fue testigo de varias muertes, y otra de entierro de los cuerpos. Al menos tres niños murieron en ese lugar cuyos nombres aparecen en el listado de la IER.¹ El Batal Lahbib fue testigo de la muerte por torturas de Mohamed uld El Bu uld ElBachir. Su nombre aparece en el listado oficial de Marruecos señalando que fue conducido el cuartel de Lemsayed, y “fallecido a causa de las condiciones”, según fuente del Consejo de DDHH de Marruecos². Y los datos de varios testigos fueron contrastados confirmando los hechos. Lemsayed es un cuartel al sur de Marruecos, cerca de Tan Tan, y dichas fosas nunca han sido admitidas por Marruecos ni investigadas

Otras fosas y entierros desconocidos se dieron en los centros clandestinos de detención como Agdez, Kalaat Magouna, la cárcel Negra o el PCCMI de El Aaiún. Al menos 46 de estas personas murieron en centros clandestinos de detención de Agdez y Kalaat Magouna, que se encuentran en territorio marroquí, pero los cuerpos aún no han sido identificados, ni devueltos a sus familiares. Lo mismo sucede en otros centros clandestinos de detención como el PCCMI o la Cárcel Negra de El Aaiún. Ningún mapa ni identificación o protección de estos lugares se ha hecho hasta la actualidad de forma oficial.

En otras fosas se encuentran los restos de personas que murieron tras los bombardeos de población civil en el 19 de febrero de 1976 en Un Dreigha entre otros lugares. No

¹ Anexos del informe de seguimiento de las recomendaciones de la Instancia Equidad y Reconciliación. Anexo 1: Los casos de las desapariciones forzadas.

² Ver: El Oasis de la Memoria, C. Martín Beristain y Elo González, Ed. Hegoa, 2012. pag. 198, nota 141.

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existe acceso de la población saharauí a dichas fosas y enterramientos que se dieron en medio de los bombardeos, ya que dicho territorio se encuentra bajo control marroquí. Ninguna recuperación de los restos ni investigación de los hechos se ha dado hasta ahora. Los datos más elaborados con listado de víctimas, muertas y desaparecidas y heridas, aparecen en el informe El Oasis de la Memoria (Capítulo 1. Los bombardeos a población civil) y el informe Los otros vuelos de la Muerte (Ed. Hegoa, 2016).

Recientemente HEGOIA presentó un mapa de fosas que contiene las informaciones básicas sobre las distintas fosas comunes de las que se tiene conocimiento (ver: http://www.hegoa.ehu.es/mapa_sahara/index.html). Dichos lugares fueron señalados en el informe El Oasis de la Memoria (Hegoa, 2012) donde se documentan varios de esos casos: fosas de bombardeos, fosas de Lemsayed, centros clandestinos de detención de Agdez, Kalaat Magouna, BIR y PCCMI de El Aaiún, cuartel de Smara, entre otros. Se necesita una investigación Independiente con supervisión internacional de estas fosas.

En el libro Saber al Fin (C. Martín Beristain et al. Ed. Hegoa, 2015), se incluye un documento que compara la información recogida por nuestro equipo en las distintas investigaciones, contrastada con lo referido en las informaciones oficiales de Marruecos, mostrando la falta de veracidad en algunos casos y las contradicciones evidentes en otros muchos. *Ver anexo 1: Información y análisis del problema de la desaparición forzada y las respuestas del estado de Marruecos a las demandas sobre desaparecidos saharauis.*

2. Los casos de desaparición forzada. Existen todavía hoy en día cerca de 400 personas saharauis desaparecidas por las fuerzas de seguridad marroquíes. La problemática de las personas desaparecidas sigue presente en las vidas de sus familias, dada la incertidumbre sobre su destino y la herida permanentemente abierta con la que viven. La negación a proporcionar información relevante y veraz sobre su destino es parte considerada por parte de tribunales internacionales como una forma de tortura³. Hay que tener en cuenta que la práctica sistemática y generalizada de desaparición forzada se califica de crimen de *lesa humanidad*⁴. Desde el punto de vista jurídico la

³ Este principio se encuentra consagrado en el Artículo 24, párr. 1, de la Convención internacional para la protección de todas las personas contra las desapariciones forzadas (2007, ratificada por Marruecos el 14 de mayo de 2013), y ha sido reconocido repetidamente por la jurisprudencia de la Corte Interamericana de Derechos Humanos (véase, entre otros, caso González Medina y familiares v. República Dominicana, sentencia del 27 de febrero de 2012, párr. 270-275); de la Corte Europea de Derechos Humanos (entre otros, caso Er y otros v. Turquía, sentencia del 31 de julio de 2012, párr. 94-97); y del Comité de Derechos Humanos de Naciones Unidas (entre otros, caso Guezout y Rakik v. Argelia, observaciones de 19 de julio de 2012, párr. 8.6).

⁴ Artículo 7, párr. 1 f), del Estatuto de Roma de la Corte Penal Internacional; y Artículo 5 de la Convención internacional para la protección de todas las personas contra las desapariciones forzadas. La desaparición forzada está prohibida también de acuerdo con el derecho internacional humanitario consuetudinario (Norma 98).

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desaparición forzada tiene el carácter de delito permanente hasta que no se investiguen los hechos, se realicen en su caso exhumaciones y procesos de búsqueda efectiva, y se devuelvan los restos a los familiares.

De 207 de esas personas aún desaparecidas, el Reino de Marruecos dio una respuesta en el informe del Consejo Consultivo de Derechos Humanos en diciembre de 2010, que fue publicado en internet sin ningún contacto previo con los familiares. En la mayor parte de los casos señala que “*murieron debido a las condiciones*” o “*en medio de sufrimientos*”. Las informaciones proporcionadas por dicho listado son escuetas y limitadas, fragmentadas e imprecisas. Por ejemplo, Mohamed Ayach según testigos, como Brahim Dahane o Dah Mustafa Ali Bachir detenidos junto con él cuando se disponían a hacer una manifestación pacífica por la llegada de una misión de Naciones Unidas y la OUA en 1987, habría muerto tras una paliza con un palo con un clavo en la punta que le originó una herida abdominal y después de una larga agonía en presencia de sus compañeros detenidos, y de su propia madre Salka Ayach en la celda contigua, a finales de noviembre de 1987 en el BIR de El Aaiún. Sin embargo el citado informe del Consejo Consultivo de DDHH de Marruecos únicamente señala que “*murió el cuartel militar de las fuerzas auxiliares conocido por el cuartel de “Albir” en el puerto de el Aaiún*” sin precisar fecha ni ninguna otra información, como por ejemplo su destino final o su lugar de entierro. La familia no ha tenido ninguna información, ni realizado una exhumación, ni se le han devuelto los restos de su hijo, ni ha podido hacer su duelo, rechazando incluso la indemnización ofrecida por Marruecos y a pesar de su extrema pobreza. De otras 144 personas, además de las 207, señala que conoce sus identidades y que murieron en enfrentamientos militares pero no da ninguna referencia de las mismas. De 12 de ellas dice que quedaron calcinadas. Ninguna información o dato ha sido proporcionado sobre dichos casos, ver: AFAPREDESA.

3. El descubrimiento de las primeras fosas e identificación de desaparecidos. En junio de 2013 un equipo de investigación y forense de Hegoa y la Fundación Aranzadi acompañados por varios familiares y miembros de la Asociación de Familiares de Presos y Desaparecidos Saharauis (AFAPREDESA) visitó un lugar en la zona de Fadret Leguiaa, región de Smara, en medio del desierto, a 400 km de los campamentos de refugiados de Tinduf. Este lugar se encuentra bajo jurisdicción de la MINURSO, a apenas un kilómetro de distancia del lado Este del muro de 2720 kilómetros de largo, construido por Marruecos a partir de 1982 que es en realidad un sistema de seis barreras protegido por búnkeres, minas y presencia militar cada 5 kilómetros.

Se encontraron dos fosas comunes con los restos de 8 beduinos desaparecidos, dos de ellos niños. Los resultados del hallazgo, la investigación testimonial y antropológico-forense y los estudios genéticos fueron publicados en el informe Meheris. La esperanza posible. Se publicó un resumen de dicha investigación en castellano, francés, inglés y árabe. Dicho informe incluyó: 1) la recogida de testimonios de testigos y familiares, y la construcción del caso colectivo, incluyendo los hechos, los impactos en los familiares y sus demandas; 2) el proceso de realización de la exhumación, las características de las fosas, la realización de los procedimientos estandarizados para el análisis osteológico de los restos, así como la toma de muestras para el análisis genético; 3) la realización

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de un estudio fotográfico y un documental en vídeo que da cuenta de todo el proceso; 4) la realización de análisis de ADN por el laboratorio genético del Grupo Consolidado BIOMICs de la Universidad del País Vasco UPV/EHU. Un documental sobre el caso está disponible en la web de Hegoa.

Se da la circunstancia de que de 4 de ellos, el informe del Consejo Consultivo de DDHH de Marruecos señalaba en 2010 que habrían sido detenidos en la zona en diferentes fechas, y llevados lejos de dicha zona, al cuartel de Smara que se encuentra a unos 80km, donde posteriormente habrían fallecido, sin dar mayor explicación de las circunstancias de su muerte. De los otros 4 no se ofrecía ninguna información. Este hallazgo muestra la falsedad de dichas informaciones y pone en cuestión, con la evidencia científica, el listado proporcionado por las autoridades marroquíes. Además hay que tener en cuenta que esta es la segunda, o tercera respuesta en algunos casos, dada por Marruecos. En una anterior, proporcionada al enviado del secretario general de NNUU James Baker, señaló que algunos habrían muerto en enfrentamientos entre el ejército marroquí y el Polisario. De uno de ellos, el niño de 14 años Baschir Selma Daf se informó en 1995 al Grupo de Trabajo de Desaparición Forzada de NNUU de que se encontraba vivo en El Aaiún y habría cambiado de nombre. Sobre una de ellas, Salma Mohamed Sidahmed solo unos meses antes de descubrimiento dicho comité señaló que había muerto en combate. Los hechos ocurrieron el 12 de febrero de 1976, tal y como lo relató Aba Ali, testigo ocular de dos de las ejecuciones, cuyo relato se vio totalmente confirmado por las evidencias científicas de la investigación forense. Los muertos presentaban heridas de bala típicas de ejecuciones extrajudiciales y se encontraron restos de la munición empleada por el ejército marroquí en las fosas. El equipo encontró incluso dos Documentos de Identidad españoles (DNI) pertenecientes a los dos asesinados y desaparecidos en la fosa 2 de Fadret Leguiaa, dado que en ese tiempo el Sahara era la provincia 53 de España.

Amnistía Internacional publicó un comunicado recogiendo ese hallazgo y señalando la necesidad de revisar el listado proporcionado por Marruecos por una fuente independiente como el GTDF y pidiendo que, bajo la garantía de Naciones Unidas, se realice *“una investigación independiente, imparcial y exhaustiva sobre la muerte de los ocho saharauis y que las personas que resulten responsables respondan de sus actos ante la justicia”*. El Consejo de DDHH de Marruecos respondió a través de un comunicado en que señalaba que había investigado esos 8 casos y que iba a ponerse en contacto con los familiares que se encuentran en los campamentos de Tinduf. En septiembre de 2013, el equipo de Hegoa y Aranzadi realizó gestiones ante el GTDF y el relator para el derecho a la verdad sobre dichos casos, demandando la protección de las fosas, la revisión de la información proporcionada y las garantías para los familiares de desaparecidos. Ningún contacto de las autoridades de Marruecos con las víctimas se ha establecido cuatro años después. *Las fichas de esos 8 casos de los desaparecidos de esas dos fosas se encuentran en el documento anexo 2.*

En noviembre de 2013, nuestro equipo regresó a Fadret Leguiaa, presentó los resultados a la MINURSO en Meheris, y devolvió los cuerpos de las personas identificadas a los familiares, en una ceremonia en el mismo lugar de los hechos con

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presencia de las autoridades saharauis de la zona y en presencia de una patrulla de MINURSO. El impacto positivo de dicho proceso en los familiares de las víctimas y en el resto de la población saharauí abrió una puerta de esperanza. Nuestro equipo encontró otras dos fosas, con los restos de tres personas. una de ellas pudo ser identificada con pruebas de ADN realizadas por el laboratorio BioMICS de la Universidad del País Vasco como Mohamed-Ahmed Haisen Sidi-Salem en la fosa 2 de Fadret Budreiga.

Los resultados fueron publicados en otra investigación y facilitado al GTDF, titulada **Saber al fin** (Ed, Hegoa, 2015). En la web de HEGOIA se encuentra la investigación completa y un resumen de la misma: http://publicaciones.hegoa.ehu.es/assets/pdfs/327/Resumen_saber_al_fin_cast.pdf?1498816309

5. Respuesta de Marruecos al GTDF e informaciones complementarias enviadas al GTDF por nuestro equipo de investigación en 2015.

En 2015, Marruecos respondió al GTDF sobre dichas fosas en 2015. Nuestro equipo de la Universidad del País Vasco envió una respuesta del equipo de investigación y forense dirigido por el Dr. Carlos Martín Beristain del Instituto Hegoa y el Dr. Francisco Etxeberría Gabilondo presidente de la Sociedad de Ciencias Aranzadi a las alegaciones realizadas por el Reino de Marruecos al GTDFI sobre las ocho víctimas de desaparición forzada encontradas en dos fosas comunes en Fadret Leguia en junio de 2013. Dicho documento fue enviado al GTDF y en él se analizan todas alegaciones de Marruecos con los datos pormenorizados a cada una de ellas. Respecto al destino de otro de los desaparecidos que se encontraron en dichas fosas, la respuesta de nuestro equipo mostrando la falsedad de la información oficial relativa al destino de uno de estos desaparecidos en el punto 5 del documento enviado por Marruecos al GTDF:

Como se señaló en el informe Meheris. La esperanza posible, el informe del CCDH señaló que cuatro de estas personas habían sido detenidas en diferentes épocas y llevadas al cuartel de Smara donde habían muerto debido a las condiciones, lo cual se mostró que no es cierto. De otras cuatro de ellas no daba cuenta en dicho informe, sencillamente no aparecían como personas desaparecidas a pesar de que sus expedientes estaban en la IER desde 2004. Además, en uno de los casos el de Salma Mohamed Sidahmed, el CCDH elaboró una respuesta enviada por correo postal al Sr. Sidanna Labaihi sobrino de la víctima, por la demanda sobre el paradero de su tío desaparecido Salma Mohamed Sidahmed. En la resolución del 07/03/2012, dossier 16069, resolución número 18170 del Comité de seguimiento de la IER y el Consejo Nacional de DDHH, se concluye que la IER demostró que Salma uld Mohamed uld Sidahmed falleció en un enfrentamiento militar en Amgala y que su investigación ni la demanda de reparaciones por daño no formaba parte del mandato del IER ni de la comisión de seguimiento. Por ello decreta su incompetencia para dar respuesta a la demanda del Sr. Sidanna Labaihi y envía una copia de su resolución al peticionario. La resolución está firmada por miembros del Comité de seguimiento y del Consejo Nacional de Derechos Humanos. Sin embargo, Salma Mohamed Sidahmed es uno del grupo de los ocho desaparecidos al que hacemos referencia, se trataba de un civil y fue

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encontrado en la fosa 1 de Fadret Leguiaa con heridas por arma de fuego, junto con las otras personas ejecutadas, dos de ellas niños.

Todas estas y otras alegaciones de Marruecos fueron respondidas por el equipo y las informaciones fueron enviadas al GTDF en un documento firmado por el equipo de investigación, el Dr. Carlos Martín Beristain y el Dr. Francisco Etxeberria Gabilondo. *Ver documento anexo 3.*

6. Bloqueo a la entrada de investigadores en el Sahara Occidental para el contacto con as víctimas de desaparición forzada, por parte de Marruecos.

En octubre de 2016 las autoridades de Marruecos bloquearon la entrada del Dr. Carlos Martín Beristain y en Casablanca de dos colaboradoras de HEGOA Gloria Guzmán y Arantza que se disponían a participar en la primera actividad para las víctimas de la recién legalizada por Marruecos ASVDH asociación de víctimas saharauis. El equipo informó al GTDF de dicha situación y posteriormente Marruecos respondió al GTDF acusando a los miembros del equipo de ir a participar en actividades contra el orden público, lo cual supone una amenaza directa al trabajo de derechos humanos en el Sahara Occidental. *Ver documento anexo 4: Objeto: Seguimiento a la solicitud de intervención inmediata de 12 de octubre de 2016 con respecto a Marruecos por parte del Grupo de Trabajo de las Naciones Unidas sobre las Desapariciones Forzadas o Involuntarias (GTDF) con arreglo a lo establecido por el párr. 32 de sus Métodos de Trabajo.*

English version:

Update to the UN Working Group on Enforced Disappearances (WGED) on the Situation of Sahrawi Disappeared Persons, Investigations Conducted, and the Lack of Response from the Kingdom of Morocco

In 2009, the Working Group on Enforced or Involuntary Disappearances (WGEID) published a report on cases of enforced disappearances in Western Sahara, highlighting Morocco's obligation to investigate these cases, conduct exhumations, return the remains to families, and sanction those responsible. Since 2010, a team from the University of the Basque Country has conducted extensive research on victims and enforced disappearances in Western Sahara. These investigations are available at: <http://www.hegoa.ehu.es/articles/text/sahara3>.

1. Cases of Mass Graves and Disappeared Persons

Numerous mass graves exist where individuals who were detained, subsequently killed, and disappeared, are buried, yet the Moroccan state has consistently denied their existence.

One such grave is the Lemsayed pit, which became a site of torture and death for many, mainly Polisario members and some children, in late 1975. Our study included an interview with the sole survivor, El Batal Lahbib, who provided detailed accounts of two pits: one used for torture and the other for burial. At least three children, listed by the Equity and Reconciliation Commission (IER)⁵, died there. El Batal Lahbib witnessed the torture and death of Mohamed uld El Bu uld ElBachir, whose name appears in Morocco's official records as having died due to "conditions." The details provided by multiple witnesses confirmed these facts. Lemsayed is a military barracks in southern Morocco⁶, near Tan Tan, and these graves have never been acknowledged or investigated by Morocco.

⁵ Annexes of the Follow-up Report on the Recommendations of the Equity and Reconciliation Commission. Annex 1: Cases of Enforced Disappearances

⁶ For further details, refer to: *El Oasis de la Memoria*, C. Martín Beristain and Elo González, Ed. Hegoa, 2012, p. 198, note 141.

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Other mass graves and undisclosed burials occurred in clandestine detention centers like Agdez, Kalaat Magouna, the Black Prison, and the PCCMI in El Aaiún. At least 46 people died in clandestine detention centers in Agdez and Kalaat Magouna, located in Moroccan territory, but their bodies have yet to be identified or returned to their families. Similar situations exist in other detention centers like the PCCMI and the Black Prison in El Aaiún. No official maps, identifications, or protections of these sites have been made to date.

Additional graves contain the remains of those who died during bombings of civilian populations on February 19, 1976, in Un Dreigha, among other places. Sahrawi civilians have no access to these graves as the territory is under Moroccan control. No recovery of the remains or investigation into the events has occurred thus far. Comprehensive data, including lists of victims—deceased, disappeared, and injured—are detailed in the report "El Oasis de la Memoria" (Chapter 1. Civilian Bombings) and "Los otros vuelos de la Muerte" (Ed. Hegoa, 2016).

Recently, HEGOA presented a map of mass graves, providing basic information about known mass graves (see: [HEGOA Map](#)). These sites were documented in the report "El Oasis de la Memoria" (Hegoa, 2012), including graves from bombings, the Lemsayed pits, clandestine detention centers in Agdez, Kalaat Magouna, BIR, PCCMI in El Aaiún, and the Smara barracks. Independent investigation with international supervision of these graves is necessary.

The book "Saber al Fin" (C. Martín Beristain et al., Ed. Hegoa, 2015) includes a document comparing information collected by our team with official Moroccan records, revealing inconsistencies and falsehoods. See Appendix 1: Information and Analysis of the Problem of Enforced Disappearance and Morocco's Responses to Sahrawi Disappeared Persons.

2. Cases of Enforced Disappearance

Today, approximately 400 Sahrawi individuals remain disappeared by Moroccan security forces. The issue of missing persons continues to impact their families, who live with the uncertainty and permanent anguish regarding their fate. The denial of relevant and truthful information about their whereabouts is considered a form of

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torture by international courts⁷. Systematic and widespread enforced disappearances constitute a crime against humanity⁸. Legally, enforced disappearance is considered a continuing offense until investigations are conducted, exhumations are performed, effective search processes are initiated, and the remains are returned to the families.

Of the 207 people still missing, Morocco provided a response in a report by the Consultative Council on Human Rights (CCDH) in December 2010, published online without prior contact with the families. In most cases, it is stated that they "died due to conditions" or "amid suffering." The information provided is brief, fragmented, and imprecise. For instance, Mohamed Ayach, according to witnesses detained with him during a peaceful demonstration in 1987, died after being beaten with a spiked stick, causing an abdominal wound and prolonged agony in front of his detained comrades and his mother, Salka Ayach, in the adjacent cell, in late November 1987 at the BIR in El Aaiún. However, the CCDH report only states he "died at the military barracks of the auxiliary forces known as 'Albir' in the port of El Aaiún" without specifying a date or further details, such as his final destination or burial place. The family has received no information, exhumation, return of remains, or closure, and they rejected the compensation offered by Morocco despite their extreme poverty. For another 144 individuals, Morocco acknowledges knowing their identities and that they died in military confrontations but provides no further details. For 12 of these, it is stated they were incinerated. No information or data has been provided on these cases; see AFAPREDESA.

3. Discovery of the First Graves and Identification of Disappeared Persons

In June 2013, a research and forensic team from Hegoa and the Aranzadi Foundation, accompanied by several family members and members of the Association of Families of

⁷ This principle is enshrined in Article 24, paragraph 1, of the International Convention for the Protection of All Persons from Enforced Disappearance (2007, ratified by Morocco on May 14, 2013), and has been repeatedly recognized by the jurisprudence of the Inter-American Court of Human Rights (see, among others, *González Medina and Family v. Dominican Republic*, judgment of February 27, 2012, paragraphs 270-275); the European Court of Human Rights (among others, *Er and Others v. Turkey*, judgment of July 31, 2012, paragraphs 94-97); and the United Nations Human Rights Committee (among others, *Guezout and Rakik v. Algeria*, observations of July 19, 2012, paragraph 8.6).

⁸ Article 7, paragraph 1(f) of the Rome Statute of the International Criminal Court, and Article 5 of the International Convention for the Protection of All Persons from Enforced Disappearance. Enforced disappearance is also prohibited under customary international humanitarian law (Rule 98).

ANNEX 5

Sahrawi Prisoners and Disappeared Persons (AFAPREDESA), visited a site in Fadret Leguiaa, Smara region, in the desert, 400 km from the Tindouf refugee camps. This location is under MINURSO jurisdiction, just a kilometer east of the 2,720 km-long wall built by Morocco from 1982, which is a system of six barriers protected by bunkers, mines, and military presence every 5 km.

Two mass graves were found, containing the remains of 8 Bedouins, including two children. The findings, including testimonial, anthropological-forensic, and genetic studies, were published in the report "Meheris. The Possible Hope." A summary of this research is available in Spanish, French, English, and Arabic. The report included: 1) collection of testimonies from witnesses and families, construction of the collective case, detailing the facts, impacts on families, and their demands; 2) exhumation process, grave characteristics, standardized procedures for osteological analysis of remains, and sample collection for genetic analysis; 3) photographic study and documentary video covering the entire process; 4) DNA analysis by the BIOMICs Consolidated Group genetic laboratory of the University of the Basque Country UPV/EHU. A documentary on the case is available on the Hegoa website.

For 4 of these individuals, the CCDH report in 2010 indicated they were detained in the area at different times, taken to the Smara barracks (about 80 km away), and died due to conditions, which has been proven false. No information was provided for the other 4 individuals. This discovery contradicts Moroccan authorities' claims with scientific evidence. Additionally, Morocco had previously provided contradictory responses to UN envoy James Baker, suggesting some died in military confrontations. For instance, the 14-year-old boy Baschir Selma Daf was reported alive in El Aaiún in 1995 under a different name. The report falsely claimed Salma Mohamed Sidahmed died in combat just months before the discovery. The events occurred on February 12, 1976, as recounted by eyewitness Aba Ali, whose account was confirmed by forensic evidence. The victims had gunshot wounds typical of extrajudicial executions, and ammunition used by the Moroccan army was found in the graves. The team even found two Spanish identity documents (DNI) belonging to the victims buried in Fadret Leguiaa grave 2, as Western Sahara was Spain's 53rd province at the time.

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Amnesty International issued a statement acknowledging the discovery and calling for an independent review of Morocco's list by a source like WGEID, demanding an independent, impartial, and thorough investigation under UN guarantee into the deaths of the eight Sahrawis and accountability for those responsible. The Moroccan CCDH responded, claiming to have investigated the eight cases and would contact families in the Tindouf camps. In September 2013, the Hegoa and Aranzadi team approached WGEID and the Special Rapporteur on the right to truth, requesting protection for the graves, review of the information provided, and guarantees for the families of the disappeared. Four years later, no contact has been made by Moroccan authorities with the victims. Case files for the eight disappeared individuals found in the two graves are in Appendix 2.

In November 2013, our team returned to Fadret Leguiaa, presented the findings to MINURSO in Meheris, and returned the bodies of the identified individuals to their families in a ceremony held at the site of the events. The ceremony was attended by Sahrawi authorities from the area and a MINURSO patrol. The positive impact of this process on the victims' families and the broader Sahrawi population opened a door of hope. Our team also discovered two additional graves containing the remains of three individuals. One of them was identified through DNA testing conducted by the BioMICS laboratory at the University of the Basque Country as Mohamed-Ahmed Haisen Sidi-Salem, found in Grave 2 at Fadret Budreiga.

The results were published in another study and provided to the GTDF, titled *Saber al Fin* (Ed. Hegoa, 2015). The full study and a summary are available on the HEGOA website:

http://publicaciones.hegoa.ehu.es/assets/pdfs/327/Resumen_saber_al_fin_cast.pdf?1498816309.

5. Morocco's Response to the GTDF and Additional Information Sent by Our Research Team in 2015

In 2015, Morocco responded to the GTDF regarding these graves. Our team from the University of the Basque Country, led by Dr. Carlos Martín Beristain from the Hegoa Institute and Dr. Francisco Etxeberria Gabilondo, President of the Aranzadi Science

ANNEX 5

Society, sent a response addressing Morocco's allegations concerning the eight victims of enforced disappearance found in two mass graves in Fadret Leguia in June 2013. This document, sent to the GTDF, thoroughly analyzed all of Morocco's claims with detailed data.

Regarding the fate of another of the disappeared individuals found in these graves, our team demonstrated the falsehood of the official information related to the fate of one of these disappeared individuals mentioned in point 5 of the document sent by Morocco to the GTDF:

As noted in the *Meheris Report: The Possible Hope*, the CCDH report stated that four of these individuals had been detained at different times and taken to the Smara barracks, where they died due to conditions there, which was proven untrue. The report did not account for the other four individuals, who were simply not listed as missing persons despite their files being with the IER since 2004. Furthermore, in the case of Salma Mohamed Sidahmed, the CCDH provided a response sent by postal mail to Mr. Sidanna Labaihi, the nephew of the victim, concerning the whereabouts of his missing uncle Salma Mohamed Sidahmed. In the resolution dated 07/03/2012, dossier 16069, resolution number 18170 of the IER Monitoring Committee and the National Human Rights Council, it was concluded that the IER showed that Salma Uld Mohamed Uld Sidahmed died in a military confrontation in Amgala, and that neither his case nor the claim for reparations fell within the mandate of the IER or the monitoring commission. Therefore, it declared itself incompetent to respond to Mr. Sidanna Labaihi's request and sent a copy of its resolution to the petitioner. The resolution is signed by members of the Monitoring Committee and the National Human Rights Council. However, Salma Mohamed Sidahmed is one of the group of eight disappeared persons referenced earlier; he was a civilian and was found in Grave 1 at Fadret Leguiaa with gunshot wounds, alongside other executed individuals, two of whom were children.

All these and other allegations from Morocco were addressed by our team, and the information was sent to the GTDF in a document signed by the research team, Dr. Carlos Martín Beristain, and Dr. Francisco Etxeberria Gabilondo. See attached document 3.

6. Blockade of Researchers' Entry into Western Sahara by Morocco, Hindering Contact with Victims of Enforced Disappearance

In October 2016, Moroccan authorities blocked the entry of Dr. Carlos Martín Beristain and two HEGOA collaborators, Gloria Guzmán and Arantza, in Casablanca. They were set to participate in the first activity for victims organized by the recently legalized ASVDH, an association for Sahrawi victims recognized by Morocco. The team informed the GTDF of this situation, and Morocco later responded to the GTDF, accusing the team members of participating in activities against public order, which constitutes a direct threat to human rights work in Western Sahara. See attached document 4: Subject: Follow-up to the request for immediate intervention dated October 12, 2016, regarding Morocco by the United Nations Working Group on Enforced or Involuntary Disappearances (GTDF) in accordance with paragraph 32 of its Working Methods.

ANNEX 6

**La Liste des portés disparus présentée au comité des familles des disparus
Sahraouis aux territoires occupés du Sahara Occidental.**

| N | Nom et Prénom | Date de naissance | Date d'enlèvement | Lieu de l'enlèvement | Force responsable de l'enlèvement |
|----|-------------------------------------|-------------------|-------------------|---------------------------|-----------------------------------|
| 01 | Ali Salem Bachri Brahim Alamin | 1951 | 10/07/1976 | Smara | Gendarmerie Royale |
| 02 | Mbarek Daf Sid Salek | 1923 | ??/??/1976 | Amgala | Force Armée Royale |
| 03 | Bachri Alamine Alamine | 1953 | 10/07/1976 | Smara | Gendarmerie Royale |
| 04 | Elhefd Hamma Mbarek | 1937 | 10/07/1976 | Smara | Gendarmerie Royale |
| 05 | Boulaila Lehbib Daoud | 1925 | 12/11/1975 | Jdairia | Force Armée Royale |
| 06 | Hadia Mohamed Mbarek Zaidan | 01/01/1943 | 10/07/1976 | Smara | Gendarmerie Royale |
| 07 | Bouzaid Alamine Abdallah | 1941 | 10/07/1976 | Smara | Gendarmerie Royale |
| 08 | Islem Mohamed Emhaimed | ??? | 10/07/1976 | Smara | Gendarmerie Royale |
| 09 | Salama Mohamed Ali Sidahmed | 1940 | 1976 | Amgala | Force Armée Royale |
| 10 | Omar Bouzaid Ahmed Baiba | 1930 | 10/07/1976 | Smara | Gendarmerie Royale |
| 11 | Mohamed Salem Hamdi Abdallahi | 1936 | 10/07/1976 | Smara | Gendarmerie Royale |
| 12 | Hamoudi Mohamed Lehbib Biri | 1937 | 10/07/1976 | Smara | Gendarmerie Royale |
| 13 | Mohamed Mohamed Mbarek Brahim | 1948 | ??/??/1976 | Erbayeb (Region de Smara) | Force Armée Royale |
| 14 | Abdati Mohamed Salem Brahim | 1924 | 10/07/1976 | Erbayeb (Region de Smara) | Gendarmerie Royale |
| 15 | Aayya Najem Fekou | 1953 | 10/07/1976 | Smara | Gendarmerie Royale |
| 16 | Sidahme Babbih Bhayya | 1924 | 10/07/1976 | Smara | Gendarmerie Royale |
| 17 | Hamoudi Saleh Brahim | 1940 | 10/07/1976 | Smara | Gendarmerie Royale |
| 18 | Mohamed Lamine Mohamed Fadel Cheikh | 1925 | 10/07/1976 | Smara | Gendarmerie Royale |
| 19 | Hmaidi Brahim Salem Moulay | 1961 | 12/11/1975 | Jdairia | Force Armée Royale |
| 20 | Mohamed Salem Salek Belkacem | 1950 | 10/07/1976 | Smara | Gendarmerie Royale |
| 21 | Limam Brahim Teyeb | 1948 | 10/07/1976 | Smara | Gendarmerie Royale |

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|----|---|------|------------|-----------------|--|
| 22 | Blaila Omar Elmahjoub | 1948 | 10/07/1976 | Smara | Gendarmerie Royale |
| 23 | Lehbib Ghalla Elhoucine | 1944 | 10/07/1976 | Smara | Gendarmerie Royale |
| 24 | Mrabih Mohamed Mbarek Sidahmed | 1953 | 10/07/1976 | Smara | Gendarmerie Royale |
| 25 | Mohamed Najem Lekhlifa | 1934 | 10/07/1976 | Smara | Gendarmerie Royale |
| 26 | Mohamed Ali Abderrahmane Boujemaa | 1958 | ??/??/1976 | Amgala | Force Armée Royale |
| 27 | Ahmed Lemaadal Mohamed Elmahdi | 1948 | 10/07/1976 | Smara | Gendarmerie Royale |
| 28 | Ehmeti Sidi Abdallah | 1927 | ??/12/1975 | Jdairia | Force Armée Royale |
| 29 | Baba Sidi Omar | 1912 | ??/12/1976 | Oued Saguia | Force Armée Royale |
| 30 | Hammadi Sidi Mohamed | 1945 | 10/07/1976 | Smara | Gendarmerie Royale |
| 31 | Ehmednah Barka SIDI Learoussi | 1950 | ??/??/1976 | Smara | Force Armée Royale |
| 32 | Khatri Hamdi Badda | 1917 | ??/??/1976 | Tafilalet | Force Armée Royale |
| 33 | Brahim Salem Ahmadou Hmada | 1956 | ??/07/1976 | Amgala | Force Armée Royale |
| 34 | Ouahmane Nafii Emailid | 1957 | ??/??/1988 | Oued Saguia | Force Armée Royale |
| 35 | Mohamed Fadel Bachir Sidahmed Elhainane | 1939 | ??/02/1976 | Oued Saguia | Gendarmerie Royale |
| 36 | Bachir Salma Daf Sid Salek | 1962 | ??/??/1976 | Amgala | Force Armée Royale |
| 37 | Salka Bachri Bay | 1940 | ??/??/1978 | Marrakech | Police Judiciaire |
| 38 | Sama Daf Sid Salek | 1925 | ??/??/1976 | Amgala | Force Armée Royale |
| 39 | Baali Mustapha Mohamed Esghir | 1922 | 10/07/1976 | Smara | Force Armée Royale |
| 40 | Brahim Mohamed Salem Dahmouch | 1955 | ??/??/1976 | Region El Aaiun | Force Armée Royale |
| 41 | Mohamed Saleh Ahmed Didi Elbachir | 1954 | 12/11/1975 | Jdairia | Force Armée Royale et Gendarmerie Royale |
| 42 | Sidahmed Brahim Ahmed Salem Lemahhad | 1945 | ??/??/1976 | Region Smara | Force Armée Royale |
| 43 | Mehdi Salek Biri | 1956 | ??/07/1976 | Amgala | Force Armée Royale |
| 44 | Mohamed El Bou El Bachir | 1950 | 12/11/1975 | Jdairia | Force Armée Royale |
| 45 | Haimmad Omar Bahia | 1932 | ??/??/1976 | Amgala | Force Armée Royale |
| 46 | Abdellah Lazrag Elhoucine | 1926 | ??/??/1976 | Region Zag | Force Armée Royale |

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|----|-----------------------------------|------|------------|----------------------------|--------------------|
| 47 | Said Ali Salem Jaaa | ??? | ??/??/1975 | Zag | Gendarmerie Royale |
| 48 | Mohamed Mohamed Mbarek Elbouhali | 1950 | ??/??/1976 | Haouza | Force Armée Royale |
| 49 | Khatri Mohamed Lamine Bjaija | 1930 | ??/??/1976 | Taouleket (Region Tarfaya) | Force Armée Royale |
| 50 | Abdi Ahmed El Fater | 1945 | ??/??/1975 | Taghajijet (Sud du Maroc) | Force Armée Royale |
| 51 | Mailid Brahim Ali Salem | 1954 | ??/01/1976 | Region Smara | Force Armée Royale |
| 52 | Najem Brahim Ahmed Salem Lemahhad | 1955 | ??/??/1976 | Region Smara | Force Armée Royale |
| 53 | Sid Salek Lekouairi | 1953 | ??/??/1975 | Taghajijet (Sud du Maroc) | Force Armée Royale |
| 54 | Hmednah Barka Sidi Learoussi | 1950 | ??/01/1976 | Region Smara | Force Armée Royale |

| | | | | | |
|----|----------------------------------|------------|------------|---------------|-----------------------------------|
| 55 | Mohamed Ali Abderrahmane Boujema | 1958 | ??/??/1976 | Amgala | Force Armée Royale |
| 56 | Elaarbi Labuat Sagri | 08/02/1949 | 11/11/1975 | Amgala | Gendarmerie |
| 57 | Sid Ahmed Sagri | 1930 | ??/02/1976 | Amgala | Force Armée Royale et Gendarmerie |
| 58 | Ahmed Med Salem Elaarbi | 1945 | 10/07/1976 | Smara | Gendarmerie |
| 59 | Sid Ahmed Elhaj Baidalla | 1945 | ??/11/1976 | Jdairia | Force Armée Royale et Gendarmerie |
| 60 | Mustapha Belkacem Aanay | ??? | 22/12/1976 | Gueltet Zamou | Force Armée Royale |
| 61 | Mohamed Salek Najem | ??? | 1976 | Bir Lehlou | Force Armée Royale |
| 62 | Bachir Lahbib Lebaihi | 1951 | 10/07/1976 | Smara | Gendarmerie |
| 63 | Zaed Mohamed Malaainine | 1956 | 10/07/1976 | Smara | Gendarmerie |
| 64 | Bachir Limam Elhairech | 1939 | 20/05/1977 | El Aaiun | Policiers en civil |
| 65 | Sidemou Salma Mohamed | ??? | 1976 | Amgala | Force Armée Royale |
| 66 | Salma Med Sidahmed | ??? | 1976 | Amgala | Force Armée Royale |
| 67 | Said El Kairaouane | 28/10/1965 | 28/10/1992 | El Aaiun | DST |
| 68 | Mohamed Ahmed El AArbi | 1945 | 10/07/1976 | Smara | Gendarmerie |
| 69 | Mustapha Saleh Hnini | 1948 | 1976 | Haouza | Force Armée Royale |

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|----|---|------------|-------------|--------------------|----------------------|
| 70 | Sidahmed Brahim Sidahmed | 1945 | 10/07/1976 | Smara | Gendarmerie |
| 71 | Salem Bachir Med Lehdad | 1953 | 10/12/1975 | Region Foug Lehcen | Force Armée Royale |
| 72 | Bachir Khatri Ali | 1956 | ??? | ??? | Force Armée Royale |
| 73 | Nafaa Bachir Abdelkader | 1924 | 27/04/1976 | El Hagounia | Force Armée Royale |
| 74 | Mrabih Mohamed Bennou | 1940 | 10/07/1976 | Smara | Gendarmerie |
| 75 | Brahim Mahmoud Brahim | 1936 | ??/01/1976 | Smara | Force Armée Royale |
| 76 | Ehmannan Emhamed Nafaaa | 1936 | ??/02/1976 | Smara | Gendarmerie |
| 77 | Mohamed Bachir Ailla | 1958 | ??/ ??/1976 | Smara | Gendarmerie |
| 78 | Sidi Mohamed Med Najem Elmoussaoui | 01/10/1971 | ??/10/1987 | El Aaiun | ??? |
| 79 | Mohamed Abdallahi Ramdan Med Lamine | 1927 | 22/02/1976 | Amgala | Force Armée Royale |
| 80 | Mouloud Lehcen Saida | 1938 | 10/07/1976 | Smara | Gendarmerie |
| 81 | Mohamed Salem Mbarek Ali Bouhem | 1942 | 10/07/1976 | Smara | Gendarmerie |
| 82 | Elhafed Yehdih El Koteb | 1974 | 07/11/1992 | El Aaiun | Police Judiciaire |
| 83 | Hassanna Omar Eskenna | 1945 | ??/06/1987 | Casablanca | DST |
| 84 | Fatimatou Ahmed Salem Baad | 1924 | 04/04/1984 | Agadir | Police Judiciaire |
| 85 | Med Mouloud Brahim Mahmoud | 1968 | ??/01/1976 | Region de Smara | Force Armée Royale |
| 86 | Taqi Baddad Sidi Mohamedd | 1921 | 26/03/1976 | El Hagounia | Force Armée Royale |
| 87 | Hassanna Bachri Sidi | 1955 | ??/??/1976 | Jdairia | Force Armée Royale |
| 88 | Mohamed Ahmed Mohamed Abderrahman Rabbani | 21/01/1949 | 26/09/1980 | El Aaiun | Police Judiciaire |
| 89 | Hammadi Bachri Sidi | 1953 | ??/??/1976 | Jdairia | Force Armée Royale |
| 90 | Hammadi Baba Mbarek Sidi Hammad | 18/03/1958 | ??/03/1976 | El Aaiun | ??? |
| 91 | Mohamed Fadel Ahmed Ali Hammad | 1953 | 26/03/1976 | El Hagounia | Force Armée Royale |
| 92 | Ghailli Yahdih El Bourhimi | 1951 | 22/02/1985 | El Aaiun | Police Judiciaire |
| 93 | Mohamed Najem Lakhliifa | ??? | 10/07/1976 | Smara | Gendarmerie |
| 94 | Omar Najem Sid Ahmed Eskenna | 1926 | ¿?/06/1959 | Glaimim | Force Auxilliaire |
| 95 | Taleb Mohamed Mouloud Zbeir | 1954 | 17/11/1975 | El Aaiun | Force Armée Royale |
| 96 | Mohamed Bachir Mohamed Brahim Baayya | 03/06/1953 | ??/11/1975 | Smara | ??? |
| 97 | Faraji Mohamed Salem Baih Obarka | 06/04/1943 | 06/04/1976 | El Aaiun | Gendarmerie et force |

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|-----|--|------|--------------|---|---|
| | | | | | d'intervention mobile CIM |
| 98 | Mustapha Brahim Mahmoud | 1966 | ??/01/1976 | Smara | Force Armée Royale |
| 99 | Mukhtar Mbarek Mohamed Braira | 1925 | 26/03/1976 | El Hagounia | Force Armée Royale et Gendarmerie |
| 100 | Sid Salek Salma Ahmed Hamma | 1961 | 22/02/1976 | Amgala | Force Armée Royale |
| 101 | Ali Mohamed Mbarek Allal | ?? | ??/11/1975 | Haouza | Force Armée Royale |
| 102 | Hamma Ballali Mohamed Salem | 1933 | 10/07/1976 | Smara | Gendarmerie |
| 103 | Brahim Sidi Hanin | 1942 | ??/??/1976 | El Farsia | Force Armée Royale et Gendarmerie |
| 104 | Faraji Letayem | 1949 | ??/ ??/1976 | EL Aaiun | Force Armée Royale |
| 105 | Abderrahman Lehib Brahimi Nour | 1972 | ??/05/1995 | Lebraigua | ??? |
| 106 | Hamia Hamdi Moussa | 1948 | 14/11/1980 | Dakhla | Police Judiciaire |
| 107 | Mohamed Mahmoud Mohamed Ahmed El Hasnaoui | 1936 | ??/??/1981 | Gueltet Zamour | Gendarmerie |
| 108 | El Hanafi Thali Mbarek Boutabbaa | 1936 | 06/03/1986 | EL Aaiun | ??? |
| 109 | Sid Ahmed Mayya Mohamed Abdallahi (Ahel Sayed) | 1966 | 14/12/1990 | Dakhla | ??? |
| 110 | Abdeljalil Mohamed Fadel Baida(Oulad Cheikh) | 1960 | ??/02/1980 | Dakhla | Responsable au dépôt de la municipalité de Dakhla |
| | | | | | |
| 111 | Hamdi Sidahmed Mohamed Fadel | | 11/11/1975 | Region de Smara Occupé | Les Forces Armées Royale |
| 112 | Najem Braika Ahmed | | 1975 | Sabkhet Oum Dhbaa | Les FAR |
| 113 | Bah Sid El Kaouri SidMbarek El Abd | | 06/10/1998 | La frontière Algero-Marocaine(tué par Bal) | Les FAR |
| 114 | Bah Sidi Ali Salem Sid Elkaouri | | 1976 | Bir Lehlou | Les FAR |
| 115 | Bentaleb Med Salem Mohamed Saleh Ali Salem | | 1976 | Region de Smara | Les FAR |
| 116 | Laaziz Mouhamdi ould Mouloud Hammad | | Janvier 1976 | Region Aaglet Elbel | Les FAR |

ANNEX 7

ANNEX 7

A // La Liste des hommes Sahraouis survivants de la disparition forcée à Kalaat Megouna

| N | Nom et Prenom | Carte d'identité | Date de naissance | Date d'enlèvement | Lieu de l'enlèvement | Lieu de detention | Date de liberation |
|----|--------------------------------|------------------|-------------------|-------------------|----------------------|-------------------|--------------------|
| 01 | Abdeslam Mahfoud Gareh | SH 76689 | 1943 | 27/02/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 02 | Cheikh Mayara | SH 76625 | 1920 | 27/02/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 03 | Saydah Mayara | SH 76624 | 1920 | 27/02/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 04 | Hamdi Ahmed Benfando | SH 76924 | 1935 | 27/02/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 05 | Slama Ahmed Salem Aazat | SJ 7788 | 1936 | 28/02/1976 | Guelmim | Kalaat Megouna | 12 Juin 1991 |
| 06 | Salama Omar Bahan | SH 76953 | 1956 | 28/02/1976 | Ouarzazat | Kalaat Megouna | 12 Juin 1991 |
| 07 | Abderrahman El Bachir Bougrayn | J 1788 | 1940 | 04/03/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 08 | Moulay El Makhtar Eday | J 1468 | 1931 | 05/03/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 09 | Abdrahman Mohamed Khwaja | JA 42759 | 1953 | 17/03/1976 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 10 | El Mekhtar Brahim El Idrissi | SH 77055 | 1948 | 20/03/1976 | Guelmim | Kalaat Megouna | 12 Juin 1991 |
| 11 | Saleh Taki Dawdi | SH 76801 | 1958 | 23/03/1976 | Assafi | Kalaat Megouna | 12 Juin 1991 |
| 12 | Salek Mohamed Eday | SH 76769 | 1963 | 01/04/1976 | Rabat | Kalaat Megouna | 12 Juin 1991 |
| 13 | Mohamed Haiba Boujalad | SH 76742 | 1952 | 02/04/1976 | Lebayrat | Kalaat Megouna | 12 Juin 1991 |
| 14 | Mohamed Sidahmed Sahel | A 34145 | 1953 | 04/04/1976 | Lebayrat | Kalaat Megouna | 12 Juin 1991 |

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|----|------------------------------------|----------|----------------|------------|---------|----------------|--------------|
| 15 | Limam Said Baba | SJ 7747 | 1956 | 01/05/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 16 | Elhamdo Boushab Elbatal | JF 15006 | 1943 | 03/05/1976 | Agadir | Kalaat Megouna | 12 Juin 1991 |
| 17 | Sid Brahim Benjamaa | JF 15003 | 12/06/1 957 | 18/03/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 18 | El Mahjoub Mohamed Boukhayr | SH 76785 | 1955 | 27/01/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 19 | Mohamed Salem Azaz | SH 76771 | 1953 | 18/01/1976 | Agadir | Kalaat Megouna | 12 Juin 1991 |
| 20 | Brayk Mahou | JA 42962 | 1932 | 26/02/1976 | Guelmim | Kalaat Megouna | 12 Juin 1991 |
| 21 | Lamjad Sidi Boulehya | SJ 7903 | 1946 | 18/03/1976 | | Kalaat Megouna | 12 Juin 1991 |
| 22 | El Hassan Fatahi | | | 1976 | Tiznit | Kalaat Megouna | 12 Juin 1991 |
| 23 | Elh=khadir Dawdi | JF 14800 | | 18/03/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 24 | Mohamed Salek Dawed | JF 14801 | | 17/03/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 25 | Mohamed Aayad Dawed | JF 14799 | 1957 | 27/02/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 26 | Mbarek Baali | JF 15973 | 1955 | 01/04/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 27 | Mohamed Elmahjoub Lemdaymigh | | | 1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 28 | Lehbib Khalili Erguibi | IA 31596 | 1948 | 30/03/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 29 | Ahmed Moutali | JE 91154 | 1949 | 12/04/1976 | Rabat | Kalaat Megouna | 12 Juin 1991 |
| 30 | Mohamed Ali Elhayssen | SH 76653 | 1957 | 1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |

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| | | | | | | | |
|----|----------------------------------|----------|------------|------------|------------|----------------|--------------|
| 31 | Moulay El Aadmi | SH 76589 | 02/12/1952 | 1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 32 | Mohamed Fadel Lilli | JF_14970 | 1959 | 11/03/1976 | Kenitra | Kalaat Megouna | 12 Juin 1991 |
| 33 | Mohamed Lamin Barka Hami | SJ_7772 | 1938 | 05/12/1975 | | Kalaat Megouna | 12 Juin 1991 |
| 34 | Salek Ali Mouloud Sekali | JF_14762 | 1924 | 27/12/1976 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 35 | Mohamed Salem Maylid Elakhdar | SJ_7794 | 1935 | 01/01/1976 | Akka | Kalaat Megouna | 12 Juin 1991 |
| 36 | Mohamed Ali El Barbouchi | SH_76654 | 1960 | 27/01/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 37 | Mohamed Lamin Erguibi | SH_76931 | 1946 | 1976 | Assa | Kalaat Megouna | 12 Juin 1991 |
| 38 | Slayma Sraysser | JF_15075 | 1924 | MARS 1976 | Guelmim | Kalaat Megouna | 12 Juin 1991 |
| 39 | Mohamed Maylid Laman | SJ_7760 | 1929 | 02/01/1976 | Akka | Kalaat Megouna | 12 Juin 1991 |
| 40 | Mohamed Abdmolana El Aali | SJ_8015 | 1910 | 04/01/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 41 | Ahmed Swaidi Chajai | SH_76727 | 1939 | 07/01/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 42 | Masour Brahim Duihi | SH_76791 | 1951 | 12/01/1976 | Tarfaya | Kalaat Megouna | 12 Juin 1991 |
| 43 | El Ghali ould Ahmed Elghali Bari | SH_77074 | 1942 | 13/01/1976 | Oued Daraa | Kalaat Megouna | 12 Juin 1991 |
| 44 | Mohamed Ould Ahmed Bari | SH_76909 | 1954 | 13/01/1976 | Oued Daraa | Kalaat Megouna | 12 Juin 1991 |
| 45 | El Houcine Elmaaloum Chakouti | SJ_7701 | 1925 | 14/01/1976 | Oued Daraa | Kalaat Megouna | 12 Juin 1991 |
| 46 | Laziz Yahdi Erguibi | JF_14907 | 1954 | 15/01/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |

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| | | | | | | | |
|----|--|----------|------|------------|--------------------|----------------|--------------|
| 47 | El Bachir Othman Lekhfawni | SH_16204 | 1951 | 15/01/1976 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 48 | Sidemou Babouzid | JF_14822 | 1954 | 26/01/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 49 | Mohamed Fadel Lefraytis | SH_76986 | 1959 | 27/01/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 50 | Salouk Mohamed Erguibi | JF_14933 | 1929 | 27/01/1976 | Guelmim | Kalaat Megouna | 12 Juin 1991 |
| 51 | Mohamed Mbarek Bentaleb | JF_90741 | 1953 | 03/02/1976 | Akka | Kalaat Megouna | 12 Juin 1991 |
| 52 | Said Ali Bougalba | SH_77249 | 1948 | 05/02/1976 | Oued Daraa | Kalaat Megouna | 12 Juin 1991 |
| 53 | Salouk Mailid Elakhdar | SJ_7704 | 1938 | 12/02/1976 | Zak | Kalaat Megouna | 12 Juin 1991 |
| 54 | Ali Fahmi | SJ_8062 | 1937 | 25/02/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 55 | Cheikh Safar | P_2145 | 1953 | 26/02/1976 | Ouarzazat | Kalaat Megouna | 12 Juin 1991 |
| 56 | Abdi Sidahmed Asfari | JF_14756 | 1930 | 26/02/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 57 | Abdelkhalek Abdeslam Khona | J_1484 | 1940 | 26/02/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 58 | Elwali Sidahmed Babayt | SH_76807 | 1919 | 27/02/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 59 | Ahmed Naji Enayji | SK_939 | 1933 | 27/02/1976 | Tarfaya | Kalaat Megouna | 12 Juin 1991 |
| 60 | Ali Salem Mohamed Ihdih Bousawla | SH_76728 | 1926 | 27/02/1976 | Tarfaya | Kalaat Megouna | 12 Juin 1991 |
| 61 | Salama Menou Daylal | JF_14827 | 1935 | 27/02/1976 | Saguia El Hamra | Kalaat Megouna | 12 Juin 1991 |

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| | | | | | | | |
|----|-------------------------------------|---------------|----------------|------------|-----------|----------------|--------------|
| 62 | Ali Elmostapha Daih | SH_76839 | 1942 | 27/02/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 63 | Mohamed Fadel Abdallah | | | 1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 64 | El Khalil Elkawri Emay | | | 1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 65 | El Bachir Mayara | SH_76674 4 | 1939 | 09/01/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 66 | Yehdih Daymani | SJ_7737 | | 28/02/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 67 | Esghir Elmaghrawi | SH_77057 | 1958 | 28/02/1976 | Ouarzazat | Kalaat Megouna | 12 Juin 1991 |
| 68 | Maatala Babadih | | | 1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 69 | Mohamed Elmojahid | JF_14898 | 22/11/1 959 | 26/01/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 70 | Bamba Elghaylani | JF_14755 | 1935 | 28/02/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 71 | Mohamed Mbarek Lemmahad | | | 1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 72 | Hbib Ahmed Laziz | | 1957 | 1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 73 | Boujemaa Ould Mohamed Lemadan | | 1917 | 27/02/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 74 | Hamma Elballal Batal | | 1954 | 03/05/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 75 | Salama Ould Ramdan | | 1930 | 28/02/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 76 | Mohamed Salem Wahman | SJ_7707 | | 27/11/1975 | Assa | Kalaat Megouna | 12 Juin 1991 |
| 77 | Mohamed Mbarek Bosseta | SJ_7720 | 1962 | 01/04/1979 | Lebayrat | Kalaat Megouna | 12 Juin 1991 |
| 78 | Mohamed Lehbib Berkan | SJ_7705 | 1960 | 01/04/1979 | Lebayrat | Kalaat Megouna | 12 Juin 1991 |

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| | | | | | | | |
|----|------------------------|-----------|------------|------------|----------|----------------|--------------|
| 79 | Mohamed Saleh Daylal | SH_ 77696 | 1960 | 01/04/1979 | Lebayrat | Kalaat Megouna | 12 Juin 1991 |
| 80 | Salek Daylel | SH_77697 | 1962 | 01/04/1979 | Lebayrat | Kalaat Megouna | 12 Juin 1991 |
| 81 | Sidahmed Bahemou | SH_76649 | 1937 | 06/11/1979 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 82 | Fdili Adaham | J_ 802755 | 1949 | 06/12/1979 | Tan-Tan | Errich | 12 Juin 1991 |
| 83 | Mohamed Salem Elkhalek | J_806085 | 1945 | 06/12/1979 | Tan-Tan | Errich | 12 Juin 1991 |
| 84 | El Mekhtar Maatallah | SH_219 | 1950 | 24/09/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 85 | Mohamed Salem Fahim | SH_1788 | | 25/09/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 86 | Brahim Sbairi | SH_3136 | 1954 | 28/09/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 87 | Mohamed Fadel Msaiid | SH_76565 | 01/09/1964 | 02/10/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 88 | Taher Yazidi | SH_ 18923 | 1960 | 02/10/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 89 | Lehbib Elidrissi | SH_2361 | 1956 | 02/10/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 90 | Abdallahi Lebrayhmani | SH_13936 | 1959 | 26/02/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 91 | El mami Yahdih | | | 1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 92 | Sid Brahim Aabaylil | SH_2435 | 1962 | 02/02/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 93 | Mohamed Fadel Fdili | J_71335 | 1958 | 28/12/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 94 | Mohamed Salem Aamayra | SH_7780 | 1945 | 31/01/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 95 | Obayd Ahel Abdelkader | | | | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 96 | Mohamed Salem Erguibi | SH_22628 | 1957 | 14/01/1981 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 97 | Erguibi Bouchalga | | 1957 | 14/01/1981 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |

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| | | | | | | | |
|-----|--------------------------------|----------|------|------------|----------|----------------|--------------|
| 98 | Boussawla Mohamed Bayha | SH_77045 | 1964 | 16/01/1981 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 99 | Abdemajid Tanji | SH_76864 | 1966 | 16/01/1981 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 100 | Aami Mohamed Said Sarid | | 1960 | 16/01/1981 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 101 | Elmahjoub Hmad | SH_26072 | 1963 | 16/01/1981 | Daoura | Kalaat Megouna | 12 Juin 1991 |
| 102 | Swayeh Otman | SH_24080 | 1959 | 16/01/1981 | Daoura | Kalaat Megouna | 12 Juin 1991 |
| 103 | El Houcine Tanji | SH_76827 | 1965 | 16/01/1981 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 104 | Brahim Ismali | SH_16380 | 1961 | 17/01/1981 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 105 | Laghdaf Leassiri | SH_23712 | 1962 | 19/01/1981 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 106 | El Bachir Boutabaa | | 1958 | 19/01/1981 | Tarfaya | Kalaat Megouna | 12 Juin 1991 |
| 107 | El Mostapha Elbambari | | 1949 | 19/01/1981 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 108 | Masaoud Baydillah | SH_4785 | 1936 | 19/01/1981 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 109 | Omar Bahan | SH_14972 | 1935 | 19/01/1981 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 110 | Sidahmed Errahali | SH_281 | 1941 | 20/01/1981 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 111 | Mohamed Abdallahi Babayt | SH_19986 | 1960 | 20/01/1981 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 112 | Barka Elboughali Dayhan | JF_18336 | 1962 | 21/01/1981 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 113 | Walda Elboukhari | SJ_7811 | 1958 | 21/01/1981 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 114 | Mohamed Salem El | SH-22459 | 1961 | 22/01/1981 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |

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| | | | | | | | |
|-----|---------------------------------------|------------|----------------|------------|----------|----------------|--------------|
| | Otmani | | | | | | |
| 115 | Mohamed Mohamed Fadel Boussawla | SH-7958 | 1943 | 23/01/1981 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 116 | Hassan Ali Mohamed Salem | SH-16320 | 1960 | 05/02/1981 | Tarfaya | Kalaat Megouna | 12 Juin 1991 |
| 117 | Laaroussi Boutabaa | SH-1096 | 1929 | 24/01/1981 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 118 | Mbarek Eddaha | SH - 14619 | 1952 | 07/02/1981 | Tarfaya | Kalaat Megouna | 12 Juin 1991 |
| 119 | Sidi Mohamed Enayji | SH-18186 | 1960 | 08/02/1981 | Tarfaya | Kalaat Megouna | 12 Juin 1991 |
| 120 | Ahmed Salem Daiyhan | SJ-7795 | 1962 | 18/02/1981 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 121 | Mohamed Eljoumaïi | J-152258 | 1957 | 25/02/1981 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 122 | Bachir Eamenna | SH-383 | 1944 | 1981 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 123 | Ihdih Agadr | JF-15011 | 1962 | 03/03/1981 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 124 | Aalwat Balla | | 1956 | 10/10/1981 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 125 | Abdelhadi Benali | OD-904 | 1943 | 14/08/1981 | Dakhla | Kalaat Megouna | 12 Juin 1991 |
| 126 | Brahim Hamoudi Sabbar | OD 541 | 06/08/1 959 | 15/08/1981 | Dakhla | Kalaat Megouna | 12 Juin 1991 |
| 127 | Mbarek Elhoucine Hijji | JA 42852 | 1959 | 17/08/1981 | Guelmim | Kalaat Megouna | 12 Juin 1991 |
| 128 | Mohamed Ali Jdidi | OD 1624 | 1962 | 17/08/1981 | Dakhla | Kalaat Megouna | 12 Juin 1991 |
| 129 | Mohamed Salem Malaaynine | QD 581 | 1955 | 18/08/1981 | Dakhla | Kalaat Megouna | 12 Juin 1991 |
| 130 | Sadik Ihdih | JA 43117 | 1958 | 19/08/1981 | Dakhla | Kalaat Megouna | 12 Juin 1991 |

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| | | | | | | | |
|-----|-------------------------------------|------------|------|------------|----------|----------------|--------------|
| | Bellahi | | | | | | |
| 131 | Mbarek Faraji El Masaoudi | | 1962 | 19/08/1981 | Dakhla | Kalaat Megouna | 12 Juin 1991 |
| 132 | Elhoucine Semllali | | | 19/08/1981 | Dakhla | Kalaat Megouna | 12 Juin 1991 |
| 133 | Mohamed Salem Abba Elghallawi | SH 8266 | 1958 | 23/01/1981 | Dakhla | Kalaat Megouna | 12 Juin 1991 |
| 134 | Mohamed Elhoucine Ochrih | SH 6784 | 1951 | 02/02/1981 | | Kalaat Megouna | 12 Juin 1991 |
| 135 | Salek Tarouzi | 02/02/1981 | 1957 | 11/02/1981 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 136 | Najib El Ifriqui | | | 12/02/1981 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 137 | Moulay Bouhada | | | 17/02/1981 | Daoura | Kalaat Megouna | 12 Juin 1991 |
| 138 | Saleh Zaygham | JF 14883 | | 15/02/1981 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 139 | Omar Boutaknich | JF 15083 | 1960 | 20/02/1981 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 140 | Mahmoud Elaatmani | | | 20/02/1981 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 141 | Mohamed Askaran | | | 20/02/1981 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 142 | Bechraya Abahazem | | | 20/02/1981 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 143 | Ali Boujlal | JF 15002 | 1958 | 26/02/1981 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 144 | Brahim Ballagh | | | 11/02/1981 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 145 | Salek Bahiya | OD 16901 | | 09/11/1981 | Dakhla | Kalaat Megouna | 12 Juin 1991 |
| 146 | Mohamed Bouya Abayri | SH 20548 | | 19/01/1981 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 147 | Elballal | | | 1981 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |

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| | | | | | | | |
|-----|-----------------------------------|----------|------|------------|----------|----------------|--------------|
| | Efdayd | | | | | | |
| 148 | Teyeb Ayach | | | 1981 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 149 | Brahim Bouregaa | J 825915 | 1945 | 13/08/1981 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 150 | Mohamed Mouloud Bouhadda | SH 30697 | 1935 | 24/03/1982 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 151 | Mohamed Alam Lemhayfid | | 1938 | 1983 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 152 | Ebbati Salhi | SH 428 | 1944 | 04/06/1983 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 153 | Mohamed Mouloud Lekhdayem | | 1940 | 1983 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 154 | Mohamed Boujemaa Zraiguinat | SH 7363 | 1956 | 13/10/1981 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 155 | Mohamed Fadel Lehbib | SH 11640 | 1939 | 1983 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 156 | Mahmoud Elayyachi | SH 11196 | 1958 | 16/10/1983 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 157 | Salama Ennasri | SH 6949 | 1952 | 10/10/1983 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 158 | Mohamed Mbarek Zrayguinat | SH 13211 | 1957 | | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 159 | Brahim Ali Zerwali | SH 10457 | 1959 | 13/10/1983 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 160 | Brahim Elguarhi | SH 76924 | 1950 | 14/10/1983 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 161 | Ahmed Lehbib Zrayguinat | J 59861 | 1957 | 15/10/1983 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 162 | Sidi Elmoostapha Abdi | SH 6335 | 1940 | 07/10/1983 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |

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| | | | | | | | |
|-----|------------------------------|----------|------|------------|-----------|----------------|--------------|
| 163 | Mostapha Ahmed Elidrissi | SH 16899 | 1942 | 15/02/1983 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 164 | Ahmed Lemaysi Lembarki | SH 5987 | 1942 | 08/06/1983 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 165 | Mohamed El Bachra | SH 13211 | | 1983 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 166 | Adaha Zerwal | SH 2223 | | 07/02/1984 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 167 | Brahim Ahel Ahmed Baba | SH 4052 | | 14/02/1984 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 168 | Mohamed Mbarek Hamanna | SH 2373 | 1934 | 06/04/1984 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 169 | Sidi Saleh Elidrissi | SH 18915 | 1944 | 02/07/1984 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 170 | Sidi Ihdih Erguibi | SH 9863 | 1952 | 23/02/1984 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 171 | Nasser Elballal Errayguas | SH 36671 | 1964 | 03/04/1985 | Oujda | Kalaat Megouna | 12 Juin 1991 |
| 172 | Jamea Daych | SH 71681 | 1960 | 14/05/1985 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 173 | Sidi Abdelbaki Elfilali | SH 4738 | 1952 | 22/02/1985 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 174 | Mohamed Salem Ali Bayba | SH 31412 | 1963 | 03/02/1985 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 175 | Ali Najem Elkarcha | SH 25248 | 1937 | 14/06/1986 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 176 | Ali Salem Swayeh | SH 12001 | 1962 | 03/02/1987 | Ouarzazat | Kalaat Megouna | 12 Juin 1991 |
| 177 | Sid Ahmed El Yadassiya | SH 8348 | 1959 | 06/02/1987 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 178 | Brahim Swayeh | SH 13263 | 1958 | 02/02/1987 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 179 | Alwat Lebayhat | SH 30694 | 1963 | 02/02/1987 | Tetouan | Kalaat Megouna | 12 Juin 1991 |

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| | | | | | | | |
|-----|--------------------------------|----------|------|------------|----------|----------------|--------------|
| 180 | El Mahjou Noumria | SH 29196 | 1957 | 17/02/1987 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 181 | Hammadi Noumria | SH 10845 | 1960 | 24/02/1987 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 182 | Elkawri Nwaysser | SH 24490 | 1961 | 10/03/1987 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 183 | Mohamed Lamiin El Ayachi | SJ 7752 | 1963 | 26/04/87 | Smara | Kalaat Megouna | 12 Juin 1991 |
| 184 | Yarba Errachidi | SH 51795 | 1966 | 26/07/85 | Agadir | Kalaat Megouna | 12 Juin 1991 |
| 185 | El Kanti Balla | | 1970 | 18/07/87 | Smara | Kalaat Megouna | 12 Juin 1991 |
| 186 | Brahim Noumria | SH 41998 | 1965 | 05/03/87 | Tetoun | Kalaat Megouna | 12 Juin 1991 |
| 187 | Sowailem Noumria | SH 32752 | 1962 | 15/06/89 | Zagoura | Kalaat Megouna | 12 Juin 1991 |
| 188 | Mahjoub Mohamed Noumria | SH32717 | 1963 | 15/06/89 | Zagoura | Kalaat Megouna | 12 Juin 1991 |
| 189 | Mohamed Mouloud Noumria | SH62313 | 1970 | 15/06/89 | Zagoura | Kalaat Megouna | 12 Juin 1991 |
| 190 | Brahim Bousnayna | | | 15/09/89 | Zagoura | Kalaat Megouna | 12 Juin 1991 |
| 191 | Abdallah Fancha | JI 12046 | 1962 | /03/87 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 192 | Elhoucine Azlay | | | .././1987 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 193 | Hamma Sid Elmahfoud | | | ../.1987 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 194 | Alamin Darragui | SH_765 | 1953 | 02/01/81 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |

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| | | | | | | | |
|-----|---------------------|----------|------|------------|----------|----------------|--------------|
| 195 | Elmahfoud Elhihi | SH_77285 | 1955 | 04/02/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
|-----|---------------------|----------|------|------------|----------|----------------|--------------|

Liste des hommes Martyrs Decedés aux bagnes secrets d'Agdez et Megouna :

A AGDEZ

| N | Nom et Prénom | Lieu de décès | Date de décès |
|----|---------------------------------|---------------|---------------|
| 01 | Benasser Hmednah | Agdez | 02/01/1976 |
| 02 | Haboub Mailid Sidali | Agdez | 07/01/1976 |
| 03 | Iaich Bennasser | Agdez | 29/06/1976 |
| 04 | Mohamed Said Sallami | Agdez | 28/08/1976 |
| 05 | Zamouti Hssayna Biri | Agdez | 30/08/1976 |
| 06 | Dih Dih Elmahjoub | Agdez | 02/09/1976 |
| 07 | Mohamed Cheikh Sabti | Agdez | 23/09/1976 |
| 08 | Sidi Mouloud | Agdez | 04/10/1976 |
| 09 | Mohamed Lamin Ould Hamma | Agdez | 08/10/1976 |
| 10 | Hamdi Bouzayd Wayssi | Agdez | 15/10/1976 |
| 11 | Khatari Mohamed Habaddi | Agdez | 21/10/1976 |
| 12 | Ahmed Elbachir Charramha | Agdez | 04/11/1976 |
| 13 | Najib Taher Alouh | Agdez | 29/01/1977 |
| 14 | Mohamed Malaainine Learoussi | Agdez | 12/02/1977 |
| 15 | Hmednah Elmoumen | Agdez | 18/04/1977 |
| 16 | El Ballal Lehbib El Ballal | Agdez | 07/05/1977 |

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| | | | |
|----|----------------------------------|-------------------------|-------------|
| 17 | Ayyad Ali Damiri | Agdez | 19/05/1977 |
| 18 | Mohamed Abderrahmane Baouba | Agdez | 10/06/1977 |
| 19 | Abayd Souhayli Ali | Agdez | 22/07/1977 |
| 20 | El Haiba Mayara Mohamed | Agdez | 27/09/1977/ |
| 21 | El Mahdi Ahmed Bara Lehcen | Agdez | 27/09/1977 |
| 22 | Karkoub Jeyed Mahmoud | Agdez | 19/10/1977 |
| 23 | Chighali Ahmed Makia | Agdez | 16/07/1978 |
| 24 | Ennafaa Abdallah Mayara | Agdez | 29/11/1978 |
| 25 | Salama Abourek Ali | Agdez | 03/11/1980 |
| 26 | Mohamed Cheikh Mohamed Salem | Agdez | 23/11/1980 |
| | Les Martyrs Sahraouis | A Kalaat Megouna | |
| 01 | Ahmed Swaylem Terfass | Kalaat Megouna | 28/07/1981 |
| 02 | Salek Abdessamad | Kalaat Megouna | 27/05/1983 |
| 03 | Mohamed Brahim Bedda | Kalaat Megouna | 13/11/1983 |
| 04 | Lehbib Ahmed Lehcen | Kalaat Megouna | 17/04/1986 |
| 05 | Sidati Mohamed Lekwara | Kalaat Megouna | 16/05/1986 |
| 06 | Mahjoub Lemdaymigh | Kalaat Megouna | 18/05/1986 |
| 07 | Mohamed Najem Bidi | Kalaat Megouna | 19/06/1986 |
| 08 | Mohamed Adnan | Kalaat Megouna | 02/07/1986 |
| 09 | Najem Ahmed Lehcen | Kalaat Megouna | 04/02/1987 |

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| | | | |
|----|---------------------------------------|----------------|------------|
| 10 | Abdelali Abdelmajid | Kalaat Megouna | 28/03/1987 |
| 11 | Mohamed Lehbib Elwannat | Kalaat Megouna | 15/01/1988 |
| 12 | Sidi Jdoud Lekhlifa | Kalaat Megouna | 29/06/1989 |
| 13 | Slayka Salek abdallahi | Kalaat Megouna | 19/12/1989 |
| 14 | Mohamed Abdallahi Mnayssir | Kalaat Megouna | 21/12/1989 |
| 15 | Yahya Dahi Najem | Kalaat Megouna | 23/02/1990 |
| | | | |
| 01 | Nafii Mohamed Boujemaa El Berdissi | Rich | ../../.. |
| | | | |

Liste des femmes Martyrs Decedées aux bagnes secrets d'Agdez et Megouna

| N | Nom et Prénom | Lieu de décès | Date de décès |
|----|------------------|---------------|---------------|
| 01 | Ennaaja Berhemma | Agdez | 11/11/1976 |
| 20 | | Agdez | 16/06/1977 |

B// Liste des femmes Sahraouies survivantes de la disparition forcée à Kalaat Megouna

| N | Nom et Prenom | Carte d'identité | Date de naissance | Date d'enlevement | Lieu de l'enlevement | Lieu de detention | Date de liberation |
|----|-------------------------|------------------|-------------------|-------------------|----------------------|-------------------|--------------------|
| 01 | Mbarka Alina Mayled | SJ 7954 | 1952 | 10/03/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 02 | Aicha Chafii Hanouni | SH 79289 | 1954 | 10/03/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |

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| | | | | | | | |
|----|---------------------------------|--------------|------|------------|----------|----------------|--------------|
| 03 | Jwayria Salek Boulsan | SH 77079 | 1958 | 10/03/1976 | Tarfaya | Kalaat Megouna | 12 Juin 1991 |
| 04 | Fatma Salek Boulsan | | 1956 | 17/03/1976 | Tarfaya | Kalaat Megouna | 12 Juin 1991 |
| 05 | Fatimatou Darwar | SH_1504 5 | 1957 | 21/02/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 06 | Maymouna Abdallahi Fadel | JF_ 15036 | 1926 | 21/02/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 07 | Mariam Taghla Lili | JF_ 15026 | 1950 | ../../1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 08 | Demaha Ali Daykhan | SH_7680 0 | 1957 | 26/02/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 09 | Fatma El Ghalia Lili | JF_ 14971 | 1952 | 07/01/1976 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 10 | Siyda Ment Mohamed | | | ../../1981 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 11 | Minatou Mansour | | | 01/04/1979 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 12 | Khadijatou Mansour | | | 01/04/1979 | Lebayrat | Kalaat Megouna | 12 Juin 1991 |
| 13 | Aziza Daylal | SJ_77698 | 1953 | 01/04/1979 | Lebayrat | Kalaat Megouna | 12 Juin 1991 |
| 14 | Khadijatou Mohamed Tounsi | SJ_7761 | 1962 | 01/04/1979 | Lebayrat | Kalaat Megouna | 12 Juin 1991 |
| 15 | Minatou Mohamed Tounsi | SJ_7762 | 1964 | 01/04/1979 | Lebayrat | Kalaat Megouna | 12 Juin 1991 |
| 16 | Fatma Abdelfatah Mayara | SJ_7777 | 1955 | 01/04/1979 | Lebayrat | Kalaat Megouna | 12 Juin 1991 |
| 17 | Khadijatou Mayara | SJ_7874 | 1960 | 03/04/1979 | Lebayrat | Kalaat Megouna | 12 Juin 1991 |
| 18 | Rahma Daylal | SJ_8147 | 1957 | 01/04/1979 | Lebayrat | Kalaat Megouna | 12 Juin 1991 |
| 19 | Soukaina Bourajaa | SH_1121 6 | 1961 | 12/05/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |

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| | | | | | | | |
|----|-------------------------------|--------------|------|------------|----------|----------------|--------------|
| 20 | Ghlaymina Yazidi | SH_7773 | 1948 | 24/09/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 21 | Fatma Boussawla | SH_6120 | 1959 | 24/09/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 22 | Ghaya Bamba Mohamed | SH_259 | 1953 | 27/09/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 23 | Minatou Injourni | SH_ 6750 | 1959 | 27/09/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 24 | Siyda Boutabaa | SH_ 3659 | 1949 | 31/01/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 25 | Salma Lili | SH_3671 | 1939 | 09/01/1981 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 26 | Siyda Lembarki | SH_3777 3 | 1952 | 10/01/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 27 | Minatou Lembarki | SH_7695 7 | 1963 | 26/02/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 28 | Mbarka Bentaleb | | | 26/09/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 29 | Abida Darja | SH_2035 2 | 1959 | ../../1980 | Dakhla | Kalaat Megouna | 12 Juin 1991 |
| 30 | Khdayja Mohamed Elaabed | SH_2024 3 | 1958 | 09/11/1980 | Dakhla | Kalaat Megouna | 12 Juin 1991 |
| 31 | Elmaalouma Darja | CD_1713 2 | 1963 | 09/11/1980 | Dakhla | Kalaat Megouna | 12 Juin 1991 |
| 32 | Mana Ali Bahia | SH_2014 2 | | 09/11/1980 | Dakhla | Kalaat Megouna | 12 Juin 1991 |
| 33 | El batoul Elwaaban | | 1945 | 18/12/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 34 | Fatimatou Elhayrech | SH_8676 | 1957 | 18/12/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 35 | Degja Lachgar | SH_7275 | 1958 | 21/12/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 36 | Elmagboula Elbechraoui | SH_3146 | 1956 | 22/12/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 37 | Sraidi Salka | SH_9073 | 1950 | 25/12/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |

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| | | | | | | | |
|----|-------------------------------------|--------------|------|------------|----------|----------------|--------------|
| 38 | Ment Akhwalha Elkherchi | SH_2542 | 1947 | 25/12/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 39 | Elmestehia Elballal | SH_1013 4 | 1958 | 28/12/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 40 | Ihdiha Elballal | SH_1007 0 | 1949 | 28/12/1980 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 41 | Salka Baba Khayya | SH-77103 | 1932 | 14/01/1981 | Boujdour | Kalaat Megouna | 12 Juin 1991 |
| 42 | Nafissa Elidrissi | SH_6884 | 1934 | 14/01/1981 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 43 | Soukaina Jed Ahlou El Idrissi | SH_1050 | 1957 | 15/01/1981 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 44 | Mariam El Boukhari | J-50451 | 1958 | 21/01/1981 | Tan-Tan | Kalaat Megouna | 12 Juin 1991 |
| 45 | Hendou Enayji | SH-14362 | 1962 | 28/02/1981 | Tarfaya | Kalaat Megouna | 12 Juin 1991 |
| 46 | Raghia Ment Elkadiri | | | ../../1981 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 47 | Khadijatou Learoussi | | | 24/02/1981 | Guelmim | Kalaat Megouna | 12 Juin 1991 |
| 48 | Najat Khnyabila | J 46309 | 1955 | 13/08/1981 | Guelmim | Kalaat Megouna | 12 Juin 1991 |
| 49 | Soukaina | SH 6775 | 1950 | 06/06/1983 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 50 | Dekala Zaydan | | | ../../1983 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 51 | Lalla Lehbayla Bourhim | SH 7169 | 1956 | 04/03/1985 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 52 | Fatma Meftah Elomari | SH 11955 | 1956 | 05/03/1985 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 53 | Soukaina | SH 7340 | 1952 | 02/03/1985 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 54 | Oum Elkhayer Abaylil | SH 13261 | 1956 | 14/06/1986 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |

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| | | | | | | | |
|----|----------------------|----------|------|------------|------------|----------------|--------------|
| 55 | Ghlayla Dawdi | SH 8114 | 1958 | 12/03/1987 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 56 | Aziza Moussa | SH 8987 | 1952 | 25/03/1987 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 57 | Demaha Ghaiti Mayara | SH 4605 | 1954 | 19/04/1987 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 58 | Lalla Baya | SH 10854 | 1930 | 19/04/1987 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |
| 59 | Dida Elfares | SH 34534 | 1960 | 19/04/1987 | Casablanca | Kalaat Megouna | 12 Juin 1991 |
| 60 | Sabaha Lehbib Saadi | | | ../04/1985 | El Aaiun | Kalaat Megouna | 12 Juin 1991 |

Liste des femmes Martyrs Decedées aux bagnes secrets d'Agdez et Megouna

| N | Nom et Prénom | Lieu de décès | Date de décès |
|----|----------------------|---------------|---------------|
| 01 | Ennaaja Ali Berhemma | Agdez | 11/11/1976 |
| 02 | El Batoul Sidi Ali | Agdez | 16/06/1977 |

C// La Liste des hommes survivants de la disparition Forcée (groupe de la Commission ONU et OUA 1987)

| N | Nom et Prenom | Carte d'identité | Date de naissance | Date d'enlevement | Lieu de l'enlevement | Lieu de detention | Date de liberation |
|----|------------------------|------------------|-------------------|-------------------|----------------------|-------------------|--------------------|
| 01 | Laghdaf Ayach | SH 11513 | 1956 | 20/11/87 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 02 | Mohamed Ali Elkassimi | SH 11892 | 1960 | 18/11/87 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 03 | Moulay Ahmed Elbambari | SH 8050 | 1955 | 18/11/87 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 04 | Bouden Elmokhtar | SH 58633 | 1965 | 19/11/87 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 05 | Boulemaiz Hassan | | 1965 | 19/11/87 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 06 | Belgassem | SH12173 | 1957 | 19/11/87 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |

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| | | | | | | | |
|----|------------------------|----------|------|------------|----------|-------------------|--------------|
| | Elmahjoub | | | | | | |
| 07 | Chrif Elgarhi | SH 45899 | 1965 | 19/11/87 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 08 | Mustapha Dah | SH 4675 | 1957 | 19/11/87 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 09 | Brahim Dahan | SH 76796 | 1965 | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 10 | Sidahmed Kaziza | SH 48305 | 1965 | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 11 | Daha Rahmouni | SH 53351 | 1968 | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 12 | Sidati Sallami | SH 1844 | 1941 | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 13 | Hmednah Ndour | SH 61729 | 1969 | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 14 | Mohamdi Daida | SH 62240 | 1967 | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 15 | Ali Ayach | SH 41872 | 1963 | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 16 | Sidahmed Elmoussawi | SH 8901 | 1960 | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 17 | Bayah Elfoudayl | SH 16264 | 1960 | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 18 | Mohamed Boumrah | SH 12140 | 1950 | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 19 | Mohamed Lembarki | SH 45668 | 1966 | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 20 | Brahim Fakri | SH 46525 | 1966 | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 21 | Elhafed Baamar | SH48781 | 1966 | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 22 | Elmokhtar Leararchi | SH 36678 | 1964 | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 23 | Mohamed Fal bay | SH 26422 | 1941 | 21/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 24 | Zouidi Mohamed | SH13746 | 1957 | 21/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 25 | Lassiad Elidrissi | SH 28657 | 1962 | 21/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |

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| | | | | | | | |
|----|--------------------------|----------|------|-------------|------------|-------------------|--------------|
| 26 | Brahim Bougraymez | | | 21/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 27 | Mahjoub Kerdelas | | | 21/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 28 | Mohamed Bah | SH 24506 | 1962 | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 29 | Learoussi Ndour | SH 71751 | 1971 | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 30 | Brahim Lemsaad | SH 12116 | 1959 | 18/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 31 | Khatri Balla | SH 23807 | 1960 | ../09/1988 | Smara | PC-CIM à El Aaiun | 19 Juin 1991 |
| 32 | Ali Elbambari | SH 34472 | 1962 | 16/11/88 | Boujdour | PC-CIM à El Aaiun | 19 Juin 1991 |
| 33 | Learoussi Bakkar | | | 16/11/88 | Boujdour | PC-CIM à El Aaiun | 19 Juin 1991 |
| 34 | Makhlouf Emhemed | SJ 2790 | 1969 | ../../1988 | Smara | PC-CIM à El Aaiun | 19 Juin 1991 |
| 35 | Mostapha Serghini | SH 43025 | 1962 | ../ ../1988 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 36 | Salek Elmoussawi | SJ 457 | 1967 | ../../1988 | Smara | PC-CIM à El Aaiun | 19 Juin 1991 |
| 37 | Mohamed Ihdih Azafati | SH 45900 | 1966 | 10/01/89 | Casablanca | PC-CIM à El Aaiun | 19 Juin 1991 |
| 38 | Mohamed saleh Zayaer | SH 46816 | 1956 | 10/01/89 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 39 | Hassan Elbambari | | | ../11/1988 | Boujdour | PC-CIM à El Aaiun | 19 Juin 1991 |

Liste des hommes martyrs au Bagne de PC-CIM à El Aaiun Occupé

| N | Nom et Prénom | Lieu de décès | Date de décès |
|----|----------------------------|---|------------------|
| 01 | Mohamed Ayach | Centre secret BIR(Batallon de intervencion Rapida) sur la plage de Foum El Oued | 28 ou 30/11/1987 |
| 02 | Salama El Houcine Hania | PC-CIM à El Aiun | 05/05/1990 |

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| | | | |
|----|---------------------------------|--|---------------|
| 03 | Andalla Mohamed Ali Boumehti | PC-CIM à El Aiun | ../05/1990 |
| 04 | Ali Abdewadoud Karoum | PC-CIM à El Aiun | 10/10/1990 |
| 05 | Mohamed Khalfou | Liberé hospitalisé et il est décédé après quelque jour à l'hôpital de la tuberculose à Agadir | Fin Juin 1991 |

**D// La Liste des Femmes survivantes de la disparition Forcée (groupe de la
Commission ONU et OUA 1987)**

| N | Nom et Prénom | Carte d'identité | Date de naissanc e | Date d'enlèvement | Lieu de l'enlèvement | Lieu de détention | Date de libération |
|----|--------------------------------|---------------------|--------------------------|----------------------|-------------------------|-------------------|-----------------------|
| 01 | Salka Ayach | SH 4408 | 1935 | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 02 | Khwaydija Ayach | SH 25644 | 1959 | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 03 | Aminatou Dawdi | SH 8553 | 1950 | 19/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 04 | Oum Elmoumnin Elmahmoudi | SH 27209 | 1968 | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 05 | Fatma Ayach | SH 77119 | 1968 | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 06 | El Ghalia Djimi | J 90559 | 1961 | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 07 | Aminatou Haidar | SH 56074 | 1966 | 21/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 08 | Yega Elaalem | | 1968 | 21/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |

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| | | | | | | | |
|----|------------------------|----------|------|------------|----------|-------------------|--------------|
| 09 | Tfarah Sallami | SH 45781 | 1964 | 21/11/1987 | El Aaiun | PC-CIM à El Aaiun | 19 Juin 1991 |
| 10 | Aminatou Elmoussawi | SH 48009 | 1964 | ../09/1988 | Smara | PC-CIM à El Aaiun | 19 Juin 1991 |

**La liste d'un groupe d'hommes et de femmes Sahraouis enlevés à l'occasion de la
visite de la commission ONU et OUA à El Aaiun Occupé puis libérés après
quelques mois**

La liste des hommes

| N | Nom et Prénom | Date d'enlèvement | Lieu de l'enlèvement | Lieu de détention | Date de libération |
|----|---------------------------------------|----------------------|-------------------------|-------------------|--------------------|
| 01 | Mohamed Ali Hassanna Raiss | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 05/02/1988 |
| 02 | Mohamed Boujemaa Zaoui | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 20/02/1988 |
| 03 | Abdallah Elhayrech | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 20/02/1988 |
| 04 | Cheikh Swaylem Elaibak | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 17/04/1988 |
| 05 | Cheikh Sidi Boubaker Elmostapha | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 03/12/1987 |
| 06 | Mohamed Lamin Sbäi | 21/11/1987 | El Aaiun | PC-CIM à El Aaiun | 20/02/1988 |
| 07 | Bachir Sidahmed Sidbrahim | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 24/02/1988 |
| 08 | Mohamed El Barka | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 24/02/1988 |
| 09 | Mohamed Elbachir Lili | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 23/02/1988 |
| 10 | Mohamed Youssef Eleyen | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 20/01/1988 |

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| | | | | | |
|----|-----------------------------|------------|----------|-------------------|------------|
| 11 | Brahim Sid Ahmed Ismaili | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 30/05/1988 |
| 12 | Lawlad Baba Sidi Hammad | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 24/02/1988 |

La liste des femmes

| N | Nom et Prénom | Date d'enlèvement | Lieu de l'enlèvement | Lieu de détention | Date de libération |
|----|--------------------------------------|-------------------|----------------------|-------------------|--------------------|
| 01 | Aminatou Chikhi | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 28/02/1988 |
| 02 | Najma Elfokarae | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 28/02/1988 |
| 03 | Ghlayjilha Ali Hammad | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 28/02/1988 |
| 04 | Fatma Swayliki Belkassem | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 28/02/1988 |
| 05 | Ftaym Bani | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 28/02/1988 |
| 06 | Hadia Barka Chbayk | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 28/02/1988 |
| 07 | Aicha Erradaa | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 28/02/1988 |
| 08 | Khadijatou Mohamed Salem Ayyad | 20/11/1987 | El Aaiun | PC-CIM à El Aaiun | 28/02/1988 |

ANNEX 8

Sahrawi Association of Victims of Grave Human Rights

**Committed by the Moroccan State.(ASVDH)
Elaauin.**

Memorandum addressed to:

**All human rights organizations and its bodies.
The National Council for Human Rights in Morocco.**

**RE: Official approaches, and the victims of the past, and the reality of human rights in
Western Sahara.**

Introduction:

For the tragedy not to be repeated again, and in order to break the wall of silence, the association of former disappeared Saharawis, who were released afterwards, was founded in 1994. Later on, the association expanded its functions in 1998 under the name of: "The platform of Saharawis victims of forced disappearances and arbitrary detention". Therefore, a preparatory committee was founded in 2002 to establish an association which would be focusing on the victims despite the harassment and the interdiction that was on the way of this human rights activism. The struggle for existence continued, and so the Sahrawi Association of Victims of Grave Human Rights Violations Committed by the Moroccan State" was born and held a general conference to declare its foundation on May 7th, 2005, under the motto: "No justice Without truth, no reconciliation without a comprehensive solution, ". This came out as a response to all schemes pursued to bury the truth, and turn the pages about the past without reading them.

The Saharawi association, which derives its legitimacy from the victims, has spared no effort in working to voice out the suffering of the victims and their families, to orient them and to provide help for them to recover their rights, which cling to their demands guaranteed by all laws. All these efforts collided with the arrogance and the denial by the Moroccan authorities which have been putting all kind of obstacles to prevent the performance of the Saharawi association of its human rights activities despite the administrative court's verdict in favor of the legitimacy of the right to found the association. This ban can only be seen as an evidence of a deliberate intention to blur the truth, and to single out the decisions about the fate of the victims.

Evaluation:

Based on the principles and requirements of international humanitarian law, and the international standards derived from the experiences of committees of truth across the world, adopted as a background reference that is clear and specific towards dealing with any approach to address past mass violations of human rights, we seek to achieve our legitimate demands as victims and to respond to the aspirations as a society with full rights. We realize that any treatment of this painful past, will not be effective without the existence of the basic principles of justice to rehabilitate victims of crime and abuses, and the adoption of charters

and covenants on human rights which act as a reference essential in determining the list of violations and the measures to be taken to eliminate the negative effects and to correct the conditions caused by repercussions resulted from the repressive tactics. Having this done, then we would have provided for the respecting of individual and collective rights in an attempt to avoid the repetition of the past practices extended into the present.

In the horizon of removing obstacles to achieve our demands that will respond to the aspirations of the Saharawi victims' aspirations, to those of the human rights movements and the international community, and to contribute to creating a space for dialogue, we sent our memorandums and expressing our views on how to address past abuses, despite our reservations about these unilateral approaches, and the contents of offered recommendations, namely:

The first memo addressed to the chairman of the board of arbitration for compensation on: 11/13/2000

Second memo that addressed to the President of the Justice and Reconciliation Commission on: 05/05/2004

We have always demonstrated our readiness to engage in serious dialogue to reach a perception that would take into consideration: our suggestions and our points of view as victims, on how to turn the page on the painful past which we have suffered from it along with its unbearable consequences. All this came to no avail, as we have not seen so far any will for dialogue be it with the board of arbitration or with the Justice and Reconciliation Commission. They all maneuvered to impose a *fait accompli* on the victims and on the people with rights to claim.

Accordingly, we proceed, through our association, as victims of mass violations of human rights, linked to the political and military conflict of the Western Sahara since October 31, 1975, committed by the Moroccan State. In this memorandum, which is the third of its kind, we seek to monitor this track, to claim our legitimate demands and reminders, and to assess the reality of these approaches and the impact of its measures on the victims, on the one hand, and on the reality of human rights province of Western Sahara, on the other hand. The hope is to contribute to the detection of some inaccuracies in the statements issued by the Moroccan state which claims to have done justice to this long standing issue. We also hope to contribute to the development of human rights culture for a real fair and equitable solution to the issue of mass violations of human rights that took place in Western Sahara, if there is ever a real will to reconsider all previous approached that proved to be unfair to this specific issue.

Official approaches:

As a result pressures by human rights organizations and the international community and because of the sacrifices and the struggle made by the victims and their families in order to claim their rights, Moroccan state founded the Board of Arbitration in 1999 in an attempt to compensate the victims of enforced disappearances and arbitrary detention. It Also announced, in 2004, the establishing of the Justice and Reconciliation Commission, as an approach to reconcile with this painful past, namely about the human rights violations. This was done in order to get rid of this heavy legacy, which has become an obstacle in their relationship with the international community.

We note the following observations:

The foundation of this type of Committee is welcomed if there is a will to move towards the stage where the respect of human rights through transitional justice is guaranteed. It is thereby a formula that is one of the main foundations of international standards which is

the very foundation upon which the mandates of most committees of truth across the world are based upon.

In the Moroccan context, and in particular In Western Sahara, we cannot talk about transitional justice unless there is the negation of reasons and causes behind these mass violations of human rights. Talking about the respect of human rights and the civil liberties is a false statement as the pace of repression and torture and other forms of abuse, prevention, and fabrication of charges and harness the elimination of unfair sentencing are still taking place.

The official approaches adopted by the Moroccan state does not provide terms of the minimum response to the fair and legitimate demands of the victims due to the ambiguity and confusion that is omnipresent. It also carry contradictions and expressions that make it ineligible to work out any form neither of fair equation negotiations nor to provide for any concrete suggestions. To add to this, these approaches ignore the crime and its perpetrators while criminalizing the victims whose rights are not respected. The failure of the previous approaches justifies the existence of the latter. However, they do not differ in dealing with the principle of accountability, which is a crucial part of the series of workshops established to address the issue of grave violations of human rights.

These approaches did not comply with the fundamental principles of fairness to victims of mass, nor with the decisions and recommendations issued by the International Commission on Human Rights and other well-known human rights organizations which conclude among other things: to provide truth and the access to the evidence so as to seek justice and compensation. This of course means the inclusion of restitution, rehabilitation, and reintegration and treatment...etc., to the satisfaction of the victims and people with rights. Obviously, there is a total absence of any kind of analysis in the two approaches as to the nature of the events in Western Sahara which resulted in these dramatic painful deeds. They also ignored the legal status of the territory and the real explanation of the nature of the conflict. These approaches did not touch any of the crimes committed by the Moroccan state, including mass killings, burying civilians alive in collective graves, throwing people others from plane, bombing refugees' camp camps with internationally banned weapons such as: Napalm and white phosphorous bombs. Those approaches did not speak about the mass exodus of Sahrawis to refugee camps, and of the suffering of women and children and the elderly there. Also, there was no mentioning of the crimes such as: burning tents, poisoning and bombing wells, the extermination of livestock, the forced deportation to the outskirts of the cities, and the elimination of all lifestyles that was practiced and cherished by the Saharawi people.

-1 board of arbitration:

This approach is based on the reduction of mass violations of human rights to the forced disappearances and arbitrary detention, without specifying the precise concepts or identifying the categories that apply to them. This was a great shock for the victims and their families as well as for the human rights activists. This is so for the following considerations:

- It did not concretely reveal the fate of the disappeared in a convincing manner, and the search in this specific matter was called off, and thus the exclusion that is unaccounted for of hundreds of cases of disappeared Sahrawis whose fate remains yet a mystery.
 - This approach Considered the victims as criminals who were a threat to the Moroccan national security while recommended amnesty for torturers and for those involved in these violations and amnesty for victims alike; with the international laws do not permit any
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amnesty against perpetrators of crimes against humanity, The amnesty for the victims who were not even tried have nor convicted is not justified according to the law.

The compensation of victims of forced disappearances and arbitrary detention through the creation of the Board of Arbitration in charge of the compensation procedure which later proved to lack the respect for the foundations of consensual arbitration and independence and transparency which has been breached accordingly:

Consensus : a signed certificate was imposed to accept the results of such arbitration without prior consensus and without taking into account the dire situation faced by the victims. This approach wanted a free pass through these signatures as a requirement to reopen the victims' cases, to or treat the cases, or to give them compensation in advance to settle urgent problems.

Independence: Some of the members of the body of these committees are representatives of institutions involved in these violations, such as the Ministry of the Interior by virtue of its responsibilities in the kidnapping and the oversight of several secret detention centers, and the Ministry of Justice which also bear responsibility in not bringing to justice these perpetrators.

Transparency: non-disclosure standards adopted in this matter. Moreover, there was the fact of adopting the double standards policy when dealing with Sahrawi victims' cases. In addition, there was the failure of the Commission to take the proposals of the victims into consideration. Seemingly, there was a total monopoly of figuring out the estimate the extent of the damage and of the decision-making in regard of the compensation which went through while preventing victims from discussing or arguing these decisions.

Synopsis:

Instead of the meager money that this committee had spent to ease the suffering of the victims, it rather alleviated the suffering of the victims and people with rights, they generated a deep sense of injustice, inequality and discrimination for all of us as Sahrawi victims who are still suffering from the double standard policy and are not treated at an equal basis like others if compared to other victims in Morocco. For political reasons, the suffering of the Saharawi victims Saharawis lasted for long periods in the secret Moroccan detentions center. Saharawi victims endured a lot worse than other Moroccan victims; yet, they received half of the compensation that should have been allocated to them. Moroccan victims' siblings were also compensated, and that includes: father, mother, sisters and brothers, wife and children and indirect victims; while the families of the Saharawis did not get the chance to benefit on basis of the same the same standard applied elsewhere. Amnesty International already denounced this distinction in its report to the International Commission on Human Rights in November 2003 as it highlighted the injustice endured by the Saharawi victims , and demanded the creation of a mechanism of appeals for reconsideration In this unjust decisions.

2- Equity and Reconciliation Commission:

The Equity and Reconciliation Commission as an official approach to address the past gross violations of human rights in Morocco does not meet the human rights standards established by other international experiences in commissions of truth over the world. This shortage to meet the international standards consists for example in:

- The lack of any kind of transitional justice as the most important and essential element to provide a natural atmosphere for the creation of this type of commissions.

- The limitation of its competence to the enforced disappearance and arbitrary detention while ignoring all other gross violations of human rights.
- The commission didn't allow the discussion of individual responsibilities in the committed crimes against humanity, arguing that this would be an incitement to sedition, hatred and revenge with all covenants, despite the fact that all international covenants refute any kind of amnesty in favor of the perpetrators of such crimes, whose judgment is normally part of the justice that should be rendered to the victims. This kind of truth commissions should normally provide evidences through the exposition of the truth about what happened, to facilitate access to justice, and to combat the phenomenon of impunity as a way to put an end to the perpetration of such violations in the future.
- The commission lacked independence and impartiality.
- The commission didn't enable the return of the remains of the victims who died inside the secret prisons nor did it allow parents to recuperate these bodies after autopsy to determine their identities.

Despite all these defects, and keeping the hope that the Equity and Reconciliation Commission will take the necessary measures, to redress the effects of past injustices, we presented a list of demands as follows:

Basic demands:

- Disclosure of the truth:

The disclosure of the truth, which is the very essence of any possible solution on the basis of internationally accepted standards requires:

- Identifying the circumstances of the violations and all related causes in an objective way.
 - Determining responsibilities and all the truth about the tragedy suffered by victims.
 - Revealing the fate of all disappeared unaccounted for and releasing those of them still alive and the publication of the list of the dead ones.
 - Confirming the identity of the dead ones following medical autopsies effectuated by independent and credible specialists in the presence of the families of the victims.
 - Allowing the families of the victims to do counter expertise if necessary.
 - Delivering the remains of deceased victims to their families and enabling them to transfer the dead bodies to cemeteries close to their residences, in addition to officially recognizing the causes and places of the death in official certificates.
 - Conducting in-depth, objective and comprehensive investigations about all the cases and related complaints.
 - Organizing hearings of all witnesses whose testimonies can be helpful to reach the truth providing them with the necessary conditions for witness immunity.
 - Adoption local and international reports and information published in the media about these violations.
 - Opening and seizure of all centers where enforced disappearance, detention and torture was exercised.
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Reparation:

The guarantee of the right to fair and equitable compensation for the victims of gross violations of human rights in general, taking into account the concept of reparations, as enshrined in international standards of human rights, including:

- Taking the necessary measures to erase the effects of prejudice and reconsider unfair arbitration process.

- Recovery and redress, rehabilitation, reintegration, continuous treatment, restitution of property, payment of salaries for the disabled and women and all related collective or individual demands, taking into account that the vast majority of the victims released in 1991 have become disabled by now.

- Compensation of the victims and their families, and the relatives of the deceased victims, the families of the disappeareds after accounting for those still alive and the restitution of the bodies of the dead.

- Formal recognition of the facts, recognizing the responsibility of the State, rehabilitation of the victims and the community and formally apologize to them, Facilitation of the means of redress and remedies and criminal accountability as a legitimate and normal demand.

The results of the work of the commission didn't meet the expectations. It didn't succeed to redress the injustice and prejudice that affected the Sahrawi victims nor did it reconsider the unfair arbitration process:

- The commission didn't respect the programmed hearings and it canceled the unique session that was dedicated to the Saharawi victims without giving relevant explanations.

- The commission avoided talking about the secret detention centers in Western Sahara such as the Black Jail, the military bases, the bases of the gendarmery, the bases of the forces of intervention. These bases are situated in different places of Western Sahara and the South of Morocco. The commission avoided for example to mention the military base of El Bir, which is in Foum El Oued beach west of El Aaiun. It only mentioned 19 cases of those who were released in 1991 from the detention centre PC-CIM in El Aaiun without mentioning the rest of the group. Instead, it gave a distorted information by saying that the rest of the group was with the group released from Qalat Megouna secret detention centre in the East of Morocco.

- The commission refused to open any dialogue with the representatives of the victims, and avoided the publication of their memo on its website as it did with other victims' memos. It published it nine months after receiving it, after changing the content of the most important paragraph of that document.

- The commission did not find positive reaction from the Saharawi victims, and there were a lot of communiqués of condemnation against the commission criticizing the lack of seriousness of its work, and its irrelevance in the context of the ongoing violations and increasing human rights abuses perpetrated in Western Sahara, and in expression of their rejection to participate in what they saw as a mere publicity for external marketing aiming at hiding the tragic facts instead of unveiling them.

- The Saharawi committees who signed the memo issued denunciations and petitions of protest against the irresponsible attitude of the members of the Equity and Reconciliation Commission during their brief visits to the territory and the statements they gave to the medias that revealed a will to hide the truth instead of unveiling it, a result that was proven by the conclusions of the work of the commission in the end. The victims also organized many peaceful demonstrations, sit-ins and protests that were faced with excessive use of force by police.

The unaccounted for victims of forced disappeared:

With regards to the unaccounted for abductees still reported missing, the Equity and Reconciliation Commission linked the cases of hundreds of them to the armed confrontation and war in Western Sahara though the lists presented to it by the families are of unarmed civilian victims whose fate is still unaccounted for since their abduction by identified security corpses under the command of officials who are still working in the region, some of them have even been promoted to higher positions. On another hand, there are many witnesses who declared after they have themselves been released that they were with those unaccounted for victims in the same Moroccan detention centers.

The information included in the lists of the Saharawi victims of forced disappearance is full of anomalies that give prove of the lack of serious investigation. The Commission has apparently only used information received from the families of the victims and tried to use it in a temperamental way.

The majority of the families of hundreds of victims didn't benefit from any material or moral reparation, nor were their conditions of life ameliorated because they refused the decision of the Commission and because they refused to submit to the blackmailing methods used by its members to deal with the families' legitimate demands.

The Commission didn't answer any of the inquiries of the families of those victims of disappearance upon whom the commission supposedly gave information:

- The Commission has for example related that some of the victims of disappearance were executed after courts sentences against them. The families asked for copies of these courts decisions in addition to the identification of the places where they are buried. But the Commission was unable to meet these demands and didn't provide the families with any proofs that confirm its claims..

Regarding the reparation and social integration:

Despite of the reservations and the critics against the mission and mandate of the Commission, 9 Saharawi Committees representing the victims of forced disappearance and arbitrary detention and the families of disappears and martyrs who died in secret detention camps and centre of torture, presented a memorandum to the president of the Equity and Reconciliation Commission, expressing the minimum demands they still hold as representatives of victims of violations that are qualified according to the international humanitarian law as crimes of war and crimes against humanity.

Social integration:

The Equity and Reconciliation Commission issued many recommendations related to social integration such as:

- Provision of material income and permanent form of pensions to ensure a decent living for those victims who are unable to work because of age or disability.
- Provision of adequate housing for the victims and their families.
- Integration of the victims who are able to work, in the civil service.
- Integration of children of the victims in the civil service.
- Resolution of administrative and financial situation of the victims and their families.
- **Provision of medical care for the victims and the creation of centers for mental and psychological treatment.**

However, the lack of involvement of victims in the decisions and recommendations adopted by the Equity and Reconciliation Commission, and the reluctance to open a dialogue around the memorandum they submitted, pushed the people in charge of the follow up of recommendations to adopt delaying tactics and imposing *fait accompli* on the victims and the exploitation of their need and bad conditions to force unfair solutions on them.

And despite of thousands of files presented to the Commission, the victims were not integrated sufficiently or in satisfactory way with the exclusion of most of them without explanation or with flimsy justifications:

- Giving some victims very low income permissions, while granting others inadequate houses.
- There were not any follow up of the medical care while no centers for psychological and mental treatment were created. Meanwhile, the medical assistance in some cases didn't reach 35% of the cost.
- Many victims and families are still pending the resolution of their administrative and material situation as former employees, while dismissal of work and deprivation of incomes is still used as punishment against any human rights or political activity.

Conclusion:

The Moroccan state widely marketed the work and decisions of the Commission abroad, without any consideration to the suffering of the victims and propagated fallacies that go even against what the commission actually presented, though it seems to be a body that was created from the first place to serve the agenda of the system. But what is certain is that the deteriorating situation of human rights in the region only reflects the failure of the commission to ameliorate it or even to reveal facts and give analysis of the causes of its deterioration in an objective way and in total independence since the official announcement of this approach at a time when Western Sahara continued to live a systematic policy of restriction on freedoms marked by massive arrests, abductions, unfair political trials, abuses, oppression, intimidation, torture, restrictions on the right to association, demonstration and freedom of speech, expression, movement..etc.

And instead of adopting a policy to put an end to these violations, it actually increased after the putting a lot of the signatories of the memorandum in prison, and exposing others to violations, and still there are many Saharawi political prisoners and human rights defenders in Moroccan prisons.

The Moroccan State also adopted a policy of deception and distortion and blackout by denying many foreign observers, journalists and politicians access to the territory, and by the illegal exploitation and plundering of its natural resources despite of the UN legal opinion on the subject, while depriving the Saharawi people from benefiting from it.

It didn't hesitate also to deprive the Saharawi workers from the rights they had before the Moroccan administration presence in the territory, not to talk about the serious plans to change the demographic reality on the ground by distributing hundreds of thousands of land to Moroccan settlers. It also pay all efforts in its reach to change the cultural identity of the territory by embedding the use or building of the tent as a symbol of the Saharawi identity, and the forbiddance of the use of Saharawi personal names.

The Moroccan State also adopted a policy of impoverishment against the Saharawis, and this is what they massively rejected when they organized Gdeim Izik camp outside of the city of El Aaiun, a camp that was violently dismantled by the Moroccan police, military forces and auxiliary forces who caused many dead victims and injured and many prisoners.

So, how can we talk about success in resolving this issue, and how can anyone talk about any sort of equity and reconciliation unless the conflict of Western Sahara is resolved and before the ending go the suffering of its people who are still parted in two by the Moroccan military wall and land mines?.

Saharawi Association of Victims of Grave Human Rights ASVDH

Attachments:

List of the names of the victims who died inside the secret prisons and torture centers.

List of the names of the victims who died after been released, because of the negligence and the after effects of their sufferings in secret detention camps.

List of former disappears who are still in critical medical situation, some of whom suffering from severe mental problems.

ANNEX 9

In the Name of God, the Most Gracious, the Most Merciful

Memorandum to the President of the National Human Rights Council,

Rabat Subject: The Situation of Sahrawi Disappeared Detainees

Greetings,

We, the Committee of Families of Sahrawi Disappeared Detainees, respectfully address your esteemed office regarding the ongoing plight of the Sahrawi disappeared, whose cases are currently under the purview of your honorable council. We recognize the challenges and obstacles that have impeded the resolution of this issue and seek to contribute constructive ideas and proposals for finding suitable solutions.

Background

In the 1990s, during a period of relative political openness in Morocco, which included the release of former political prisoners such as those from Laayoune, Tazmamart, and other sites, the families of the Sahrawi disappeared raised their legitimate demand to know the fate of their loved ones. In 1999, a committee was formed to engage with official bodies, including the Royal Palace, the Prime Minister's office, the Ministry of Interior, the Ministry of Human Rights, and the Advisory Council for Human Rights. Despite these efforts, the committee received no response and was excluded from engagement with civil society organizations.

In 2004, the Equity and Reconciliation Commission (IER) was established to address the aftermath of severe human rights violations in Morocco. The IER sent a research and investigation team to several Sahrawi cities, including Laayoune, where they met with our committee and explained the commission's objectives and the importance of cooperation. Subsequently, another delegation, led by the late President Driss Benzekri, visited the region. Following these visits, interactions between the commission and our committee ceased, despite the submission of extensive documentation and testimonies from over 120 families of the disappeared.

The commission, through its president and members, had pledged to inform the families of the disappeared of the results of its investigations and to involve them at all stages of the process, including providing medical and psychological support for potential harm caused by the process. However, the final report issued by the IER in 2006 fell short of these commitments, leaving many families without answers regarding the fate of their loved ones. The IER did not maintain contact with the families from its last visit until the report's issuance, nor did it explain any circumstances that might have prevented it from fulfilling its obligations.

Following the conclusion of the IER's mandate, the Advisory Council for Human Rights was officially tasked with implementing its recommendations. Unfortunately, the council's approach to the file of the disappeared has been marked by a lack of transparency, marginalization of the families, and inadequate engagement with their concerns. The

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council's general meetings with various stakeholders, including some families, failed to address the issue in a meaningful way.

In 2010, the council issued a report titled "Report on the Follow-up of the Implementation of the IER's Recommendations on Cases of Enforced Disappearance," which was published on its website. Regarding the Sahrawi disappeared, the report concluded that most had died in detention centers in cities such as Laayoune, Smara, and Mseid. Additionally, it noted that a group had been executed following military court rulings, while others were not mentioned, despite prior complaints and demands from their families. This report was characterized by ambiguity and a lack of substantive information, merely reiterating what was already known to the Committee of Families and the victims' families, without providing any convincing conclusions.

Mr. President,

There are fundamental rights and primary demands of the families of the victims that cannot be overlooked in any serious attempt to close this file:

- 1. The Right to Truth:** The families must know the fate of their loved ones. **2. Accountability:** Those responsible for the abductions must be prosecuted. **3. Compensation:** Fair and just standards for compensation must be established.

While official Moroccan bodies have declared their lack of jurisdiction to prosecute those responsible for abductions, this does not absolve the state of its responsibilities. The pursuit of truth and the compensation of victims remain the responsibility of these bodies, both legally and ethically.

One of the most significant obstacles to resolving the issue of the Sahrawi disappeared is the political bias of the relevant bodies. This bias, coupled with an unwillingness or inability to acknowledge it, has negatively impacted their performance and outcomes.

1. The neglect in uncovering the fate of the disappeared and the reduction of the issue to financial compensation, often perceived as inconsistent and insufficient by the families, has led to a lack of trust in these bodies, seen as attempting to whitewash a dark period at the expense of the victims' suffering and rights.
2. Poor communication with the victims' families and their representatives, failing to engage them in the process, despite repeated requests for dialogue.
3. The adoption of a purely administrative approach, with communication limited to mail, rather than a more human approach involving direct contact.

Despite these challenges, we have always engaged positively with the relevant bodies whenever the opportunity arose. We seek to continue this cooperative spirit with your esteemed council to find appropriate solutions and move this file towards the desired resolution.

Proposals

- 1. Uncovering the Truth:** We propose initiating a sincere, serious, and comprehensive

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dialogue between the National Human Rights Council and the families of the disappeared or their representatives. This discussion should be based on the outcomes of previous work, particularly the 2010 report, and should address all relevant issues, including the handover of remains, identification of burial sites, issuance of death certificates, and a realistic assessment of what the Council can and cannot achieve in these areas.

2. Compensation: We recognize that many families have received compensation under circumstances that remain unclear. However, the lack of transparency and consistency in the evaluation of damages, the absence of an opportunity to review arbitration decisions, and the perceived focus on financial compensation at the expense of uncovering the truth have deterred many families from participating in the compensation process. We urge that these concerns be addressed in future discussions between the Council and the families to ensure the compensation process is fair and just.

Moreover, compensation should not be linked to other processes, such as the provision of housing, social integration, health coverage, and transportation licenses. This is especially critical for the widows and children who continue to suffer due to the abduction of their relatives.

Mr. President,

The urgency of closing the file on the disappeared detainees is a pressing priority for their families. This issue has profound and painful implications, and it has lingered unresolved for far too long. We are confident that you share our goal of addressing this issue genuinely and without further delay.

On behalf of the families of the Sahrawi disappeared detainees, we affirm our complete readiness to work with your esteemed council to overcome all difficulties and resolve this issue on fair and just grounds. We stand prepared to make any necessary sacrifices for this cause.

Sincerely,

[Signatures of the Members of the Committee of Families of Sahrawi Disappeared Detainees]

Saleh Tawini
El Galia Djimi
Al-Harratani Hamdi

Written in Rabat on January 29, 2015

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Testimony 1: Ghalia Abdallah Djimi

Full Name: Ghalia Abdallah Djimi

Date of Birth: May 28, 1961

I am a survivor of enforced disappearance, having been detained from 1987 to 1991 at the secret detention center PC-CIM in the occupied city of Laayoune. Since our release in 1991, I have been a human rights defender in Western Sahara.

As someone closely monitoring the human rights situation in the occupied territories, I can attest that the experience of the Equity and Reconciliation Commission (ERC) regarding the grave violations committed, especially in the occupied areas of Western Sahara, was far from objective and credible. Here are some examples:

1. The final report of the ERC failed to mention the secret detention center in Laayoune among the sites it claimed to have investigated. Additionally, it did not include the group detained there, instead attributing us to the Qalaat Mgouna group without reference to PC-CIM in Laayoune. The report excluded the names of five women, including myself, and fifteen men from the 1987-1991 group who spent approximately four years at PC-CIM in occupied Laayoune. Furthermore, all those kidnapped in Laayoune from 1976 to 1987 spent time in this detention center before being transferred to Mgouna, passing through other centers like Derb Moulay Cherif and Agdez.
2. The 2010 report contained numerous inaccuracies, particularly regarding the ages of those whose fate remains unknown and the manner and location of their deaths. For example, the group buried in a mass grave in Fedra Lekwiya in the liberated areas of Western Sahara was reported by the ERC as having died in military barracks in Smara.
3. There was significant confusion in classifying men, women, and children.
4. In 2006, the Sahrawi Association of Victims of Grave Human Rights Violations Committed by Morocco submitted a written request to the ERC regarding the discovery of a body near Laayoune, but we received no response. We resubmitted the request in 2013 and 2015 to the President of the Moroccan National Human Rights Council, Mr. Driss El Yazami, during sessions of the Human Rights Council in Geneva. Each time, he promised to visit Laayoune with a specialized committee for exhumation and analysis, but to this day, we are still waiting for their arrival.
5. The Western Sahara region has not benefited from regional reparations.

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6. There is a double standard between Moroccan and Sahrawi victims in terms of financial compensation and reparations for direct victims and their families.

Testimony 2: Dkaj Al-Shkar

Full Name: Dkaj Al-Shkar

Date of Birth: 1958

I was kidnapped on December 21, 1980, and taken blindfolded to the headquarters of the Rapid Intervention Barracks, known as PC-CIM, where I was subjected to interrogation and various forms of torture. After a month, I was transferred with a group of my comrades to another detention center in Casablanca called Derb Moulay Cherif. We were transported blindfolded on a military plane from Laayoune airport to Casablanca airport, where we spent six months enduring all forms of physical and psychological torture.

In the summer, we were transferred under inhumane conditions to the Agdez detention center, tied in groups in military trucks, suffering from beatings, deprivation of water, and extreme fear. We joined other detainees who had lost dozens of their comrades due to malnutrition, lack of treatment, and poor hygiene. I remained there for about a year before being transferred to Qalaat Mgouna under similarly harsh conditions, where I was subjected to hard labor, humiliation, and degrading treatment, completely cut off from the outside world.

After my release in June 1991, after spending 11 years in secret detention, I was 33 years old. I never married, as the torture and terror I endured deprived me of my right to motherhood, a dream for every woman. I continue to suffer from the effects of torture and mistreatment, especially during my participation in peaceful demonstrations demanding our basic rights. I still uphold the same principles and positions for which I was kidnapped, namely the defense of self-determination and independence. The Moroccan Equity and Reconciliation Commission did not do justice to my case, nor did it compensate me for my lost right to motherhood.

My father is one of the Sahrawis whose fate has been unknown since 1976, victims of abductions and arbitrary arrests carried out by the Moroccan state's security and military apparatuses. At that time, families like mine were not allowed to know the fate of our loved ones, fearing we might face the same fate.

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In 2004, the Moroccan state established the Equity and Reconciliation Commission to address past violations committed by the security and military agencies. The Commission listened to our rightful demands, namely to reveal the fate of our loved ones, and promised to inform us of their findings. However, when the final report was issued in 2006, it did not include any new information about the fate of the abducted Sahrawis.

In 2010, the Advisory Council on Human Rights issued a report stating that thirteen Sahrawi, whose fate was previously unknown, had been executed on October 13, 1976, based on judgments issued by the Permanent Military Court. However, unlike other cases mentioned in the report, no references to these judgments were provided. Despite contacting the Military Court for copies of the execution judgments, we have received no response to this day. The thirteen Sahrawi are:

- 1) Mohamed Salem Ould Hamdi Ould Abdallah
- 2) Bnou Mrabih Ould Mohamed
- 3) Bouzid El-Amin Ould Abdel
- 4) Mouloud Lahcen Saida
- 5) Abulela Oumar Ould El Mahjoub
- 6) Mohamed Najem Ould Khalifa
- 7) Hadya Ould Mohamed Ould Mbarek Zaidan
- 8) Zaid Mohamed Mael Ainine
- 9) Hamoudi Ould Saleh Ould Ibrahim Ould Ahabbi
- 10) Lahbib Ould Ghella Ould El Houssein
- 11) Hamad Ould Lemadil Ould Mohamed El Mahdi
- 12) Lemam Ould Ibrahim Ould Tayyeb
- 13) Hamoudi Mohamed Lahbib Biri

In 2015, we submitted a memorandum to the National Human Rights Council outlining our demands, including the return of the remains and the prosecution of those responsible. However, we have not received any compensation or reparations to date.

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Testimony 3: Khadija Tayeb Ayyash

Full Name: Khadija Tayeb Ayyash

Date of Birth: 1959

I am a survivor of enforced disappearance, having been detained from 1987 to 1991 at the PC-CIM secret detention center in occupied Laayoune. I was abducted on the night of November 20, 1987, along with my sister Salka Tayeb Ayyash and her son, Mohamed El Khalil Ayyash, leaving my 12-year-old daughter alone at home.

We were detained at the PC-CIM for two days before being transferred to another secret site on the beach of Foug El Oued in Laayoune, known as BIR, an abandoned barracks from the Spanish colonial era. We endured harsh conditions at BIR before being returned to PC-CIM. My nephew, Mohamed, a passionate and independent activist, refused to comply with the guards' demands and was subjected to severe torture. He was struck on the kidney with a nail-bearing stick by a guard named Jtiou Mohamed, and he died a few days later. I learned of his death months later but kept it a secret from my sister, who constantly asked about him.

Before our release in 1991, we decided to inform my sister of her son's death, as she was on the verge of losing her sanity. Despite our release, the Moroccan authorities did not inform us of his fate until 2010, when a report by the Advisory Council on Human Rights mentioned Mohamed as martyred in Laayoune. No official has contacted us to close this case. My sister developed Alzheimer's due to her grief and sorrow over not receiving his body. As a family, we still suffer from the ordeal of his martyrdom and our mother's loss of memory.

We recently received financial compensation, which is our right, but we continue to demand the truth about what happened to Mohamed, the return of his body, DNA tests to confirm his identity, and accountability for those responsible.

Testimony 4: Full Name: Al-Ghalia Abdullah Djemi

Date of Birth: 28/05/1961

Survivor of Enforced Disappearance: From 1987 to 1991 at the PC-CIM secret detention center in the occupied city of Laayoune.

Human Rights Defender: In Western Sahara since our release in 1991 from the same detention center and city.

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As a follow-up on human rights issues in the occupied territories, the experience of the Equity and Reconciliation Commission (ERC) regarding serious violations, especially in the occupied areas of Western Sahara, lacked objectivity and credibility. To illustrate this:

1. The final report of the ERC did not mention the secret detention center in Laayoune among the secret sites it claimed to have investigated. Additionally, it did not mention the group detained in this center, instead attributing them to the group of Qalaat Mgouna without referring to the PC-CIM in Laayoune. The ERC did not include in its final report the names of five women, including myself, and fifteen men from the 1987-1991 group who spent about four years in the PC-CIM in occupied Laayoune. Furthermore, anyone abducted in Laayoune from 1976 to 1987 passed through this detention center before being transferred to Mgouna via other detention centers like Derb Moulay Cherif and Agdez.
2. The 2010 report included numerous inaccuracies regarding the ages of the disappeared persons and the circumstances and locations of their deaths, such as the mass grave group in Fedra Lakwia in the liberated areas of Western Sahara. The 2010 report of the committee tasked with implementing the ERC's recommendations claimed they died in military barracks in Smara.
3. There was significant confusion in categorizing men, women, and children.
4. In 2006, the Sahrawi Association of Victims of Grave Human Rights Violations Committed by Morocco submitted a written request to the committee for implementing the ERC's recommendations, via the Moroccan Advisory Council on Human Rights, regarding the discovery of a body near Laayoune. There was no response. We submitted a written request on the same topic to the President of the Moroccan National Human Rights Council, Mr. Idris El Yazami, during the March 2013 session of the Human Rights Council in Geneva, and again at the same session in 2015. Each time, he promised to visit the occupied city of Laayoune with a specialized exhumation and analysis committee, but we have been waiting for their arrival in vain.
5. The Western Sahara region did not benefit from regional reparations.
6. There are double standards between Moroccan and Sahrawi victims regarding financial compensation and reparations for direct victims and their families.

Testimony 5: Mbaraka Alina Aba Ali

Full Name: Mbaraka Alina Aba Ali

Date of Birth: March 1, 1964

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I am a Sahrawi activist from the occupied city of Laayoune in Western Sahara. I was kidnapped in January 1990, along with my underage sister, Mina Aba Ali. After our release, we were ordered to relocate from Laayoune to Tan-Tan, 300 km away from our family's home, where we endured psychological intimidation and were deprived of living with our immediate family for four years. Despite our release, the Moroccan authorities continued to closely monitor and harass us.

In 2004, the Moroccan state established the Equity and Reconciliation Commission to address the cases of victims of gross human rights violations. In 2013, as part of the commission's recommendations, we were integrated into public service, which turned out to be another tool to coerce us and distract us from exercising our right to demand our fundamental rights, including self-determination.

We were forced to attend work without being assigned any tasks, and other employees were instructed not to interact with us, isolating us completely. In 2020, when I became involved with the Sahrawi Commission for Combating Moroccan Occupation, led by activist Aminatou Haidar, the Moroccan authorities decided to relocate me to the city of El Marsa, 30 km from Laayoune. Despite being employed since 2013, I do not perform any work, and the increased pressure has worsened my suffering, including being denied access to municipal transport, which is available to everyone except me because I am considered a "separatist."

These practices confirm that the Moroccan occupation remains unchanged, using reparations as a bargaining chip against victims and their families for their political convictions against the occupation of their country. The occupation continues to pressurize Sahrawi activists both materially and psychologically.

I agree to include my name in the shadow report for Morocco's 2024 audit.

Testimony 6: Mina Aba Ali

Full Name: Mina Aba Ali

Date of Birth: October 13, 1973

Education Level: First-year high school at the time of abduction

I was first forcibly abducted on January 9, 1990, at the age of sixteen, near the Algerian-Moroccan border while attempting to reach the Sahrawi refugee camps in southern Tindouf, Algeria. My sister and I, along with a group of companions, were taken to the gendarmerie post in the city of Zagora, where we were subjected to psychological and physical torture despite my young age and small build. We were then

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transferred to the city of Ouarzazate, and later to the gendarmerie post in Laayoune, where we spent over three months in enforced disappearance. At that time, I was in my last year of middle school.

After our release, we were summoned to the home of the governor of Laayoune, representing the occupation authority, named Saleh Zamrak. He ordered our immediate deportation with no contact with our family, stating he did not want us in Laayoune. Thus, we were exiled with my older sister and placed under house arrest in the city of Tan-Tan in southern Morocco.

The following year, I was allowed to continue my studies, but after a year and a half, we snuck back into Laayoune. After a few months, our presence was discovered, leading to my sister's expulsion, while I remained in Laayoune and enrolled in Hassan II High School in my first year of high school.

In December 1991, I met a member of the United Nations Mission for the Referendum in Western Sahara (MINURSO) and informed him of our plight as oppressed Sahrawis suffering under occupation. Two days later, secret police came to our house looking for me, forcing me into hiding to avoid abduction. At the same time, I was part of student cells that secretly wrote independence slogans on walls and made and hung Sahrawi national flags in the city's alleys and streets. In January 1992, our secret organization was discovered, leading to my second abduction on January 4, 1992, from my family home at 4 a.m. after it was surrounded and stormed from the roof by numerous Moroccan intelligence agents in civilian clothes.

I endured enforced disappearance for over three months in a secret location called PC-CMI in Laayoune, where I was subjected to severe torture from the moment I was placed in the police car until I arrived at the secret location. They stripped me of my clothes, ordered me to stand blindfolded and handcuffed, and subjected me to beatings, kicks, and demeaning insults. I spent six days standing without food, water, or sleep until I collapsed unconscious. I lost all sense of time and experienced multiple attempts of rape and sexual harassment.

Upon my release, the police driver was ordered to take me directly to the northern checkpoint of the city and deport me to Tan-Tan in southern Morocco under the threat of death and burial alive. I was placed in a vegetable truck driven by a Moroccan and given the address of my relatives there. Upon arrival, I was summoned by the governor of the city, Mohamed El Mojahidi, who informed me that I was not allowed to travel without his prior permission. He offered me a job and housing if I refrained from political or inciting activities and avoided contact with the city's youth. After refusing his offer, expressing my desire only to continue my studies, he told me that my request would not be granted and that I would be responsible for any unrest in the city.

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I could only visit my family, especially my mother, nine months later with a permit from the governor for no more than a week, during which I was under surveillance. It was only after the death of the governor of Laayoune that I could enter the city.

Each attempt to return resulted in my expulsion. After twenty years of being denied education, in the 2012/2013 academic year, I passed the baccalaureate exam as a free candidate and then enrolled at Ibn Zohr University in Agadir. Initially, I faced obstacles, but after a sit-in at the university's administration, I was allowed to register, despite their initial justification of my age. In 2016, I obtained a bachelor's degree in public law.

In December 2013, I received a public service appointment from the regional council as part of the reparations recommended by the Equity and Reconciliation Commission to compensate victims. Given that I was a minor during my enforced disappearance, deprived of education, and separated from my family, the decision was made to appoint me to the nearest regional council office to my home, which was implemented. However, after continuing my activism and human rights work, my salary was suspended three times without legal justification or notice. After submitting complaints to special rapporteurs, pressure was put on the Moroccan state to pay my salary. In the last instance, I was transferred to an office about 7 kilometers from home, which I saw as an attempt to discourage my activism. I refused to report there, knowing that both my sister and I were integrated without any actual tasks, despite 43 other victims mostly not working within the administration. Eventually, I was permanently dismissed from public service as retaliation for my political stances, for which I was initially abducted.