

May 4, 2021

**Aminatou Haidar's full statement on Morocco's response to a 2021 UN Special Procedures' communication**

1. The Moroccan response claims that the Special Procedures' (SP) correspondence on Moroccan violations and abuses is merely an attempt to "demonstrate a problematic situation that prevails in a part of the national territory and/or with regard to a part of the Moroccan population established in the southern provinces of the Kingdom".
  - First of all, the SP correspondence concerns Sahrawi citizens from the non-autonomous territory of Western Sahara, over which Morocco has no sovereignty. It is therefore not a question of Moroccan "national territory", nor of Moroccan citizens from "southern Morocco", but of Sahrawi citizens from the occupied territories of Western Sahara.
  - The astonishment of the Moroccan authorities is meaningless and their answers to the correspondence are worthless, because the situation of the Sahrawi defenders in question is always the same. The violations reported have never been rectified, nor stopped, nor even addressed and settled, which means that nothing has changed yet.
2. The whole argument of the Moroccan authorities' response to my case (Aminatou Haidar) and to the establishment of ISACOM is based on Moroccan law, whereas Western Sahara is not Moroccan and cannot be managed according to the law of the occupying power. Moroccan law punishes all Sahrawis who peacefully oppose the continued Moroccan military occupation of their territory. Sahrawi associations and activist groups that peacefully fight for freedom and independence for their non-self-governing country, which is still on the UN decolonisation list, are mistreated, criminalised, arrested and imprisoned under Moroccan law, but that does not mean that Morocco has the right to do so. Morocco, as the occupying power, has no right to prevent the citizens of the occupied country from organising peacefully to fight for their rights. Morocco cannot use its law as a means to prevent the respect of international law and international humanitarian law in Western Sahara, as Western Sahara must indeed be treated according to the Geneva conventions and the UN Charter.

As for the police siege and persecution that members of ISACOM and I have suffered, it started on September 29, 2020, one hour after the Moroccan Prosecutor's statement in El Aiun. This police siege affected our families and neighbours, who have faced problems reaching their homes. Even worse, agents of the Moroccan services in civilian cars followed us during all our movements and spent the night right next to our residences, terrorising our children and our families. In this same context, my 25-year-old son was mistreated, beaten and arrested for hours by the Moroccan police, which caused him a severe depression.

It should also be remembered that Ms. Saultana Khayya, who is a member of ISACOM, has been under house arrest for the past 5 months. She and her family are in an alarming situation, unable to receive visits even from their relatives or neighbours. Since April 26, 2021, they are in total darkness, since the electric current was cut by agents of the Moroccan police who stole the electric meter. The Bureau of Electricity, in complicity with the police, refused to solve the problem, telling them that the protection of the meter is their responsibility.

3. The Moroccan correspondence denies the exercise of torture against Mr. Iaaza, and claims that all detainees enjoy humane treatment. This is totally untrue, as all Sahrawi and Moroccan political detainees as well as most of the detainees report torture and degrading and humiliating treatment. The report of the Special Rapporteur on Torture of 2013 gives an idea about what happens in Moroccan prisons. In addition to the illegal detention of Sahrawi citizens outside their territory and the persistence of their detention in Morocco, which is in breach of the provisions

of the 4th Geneva Convention, the arrest and imprisonment of human rights defenders in Morocco has always been based on false accusations, and totally unfair and unjust judgments.

4. The Moroccan correspondence takes as an argument what it calls the measures in the fight against the Covid-19, and that it is for this reason that the Moroccan authorities have intervened or criticised gatherings of some Sahrawi citizens or activists. However, the same authorities have organised several demonstrations with the presence of hundreds of Moroccans in the occupied territories during the most critical period of the pandemic. These demonstrations were openly organised and led by Moroccan officials and protected by the police.
5. The Moroccan correspondence argues in several cases that the victims do not file complaints with the Moroccan authorities. First of all, the Sahrawi victims do not file complaints against the violations they are subjected to because they are afraid of acts of revenge, and even if they do, these so-called investigations will be carried out by the very authorities who committed the violations, i.e. the Moroccan authorities, which does not make sense. Western Sahara remains a non-self-governing territory, and only the United Nations should take responsibility for the observation and protection of human rights in this territory, not the occupying authorities.