



Western Sahara: Beatings, Abuse by Moroccan Security Forces

Investigate Violent Response to Disturbances

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(New York) - Moroccan security forces repeatedly beat and abused people they detained following disturbances on November 8, 2010, in the Western Sahara capital city of El-Ayoun, Human Rights Watch said today. Security forces also directly attacked civilians, a Human Rights Watch investigation showed. The Moroccan authorities should immediately end the abuse of detainees, and carry out an independent investigation into the abuse, Human Rights Watch said.

Early on November 8 the Moroccan security forces moved to dismantle the Gdeim Izik tent camp - about 6,500 tents Sahrawis had erected in early October to protest their social and economic conditions in Moroccan-controlled Western Sahara. That set off violent confrontations between residents and security forces both in the camp and in nearby El-Ayoun. Eleven security officers and at least two civilians were killed, by official count. Many public and private buildings and vehicles were burned in the city.

"The security forces have the right to use proportionate force to prevent violence and protect human life, but nothing can justify beating people in custody unconscious," said Sarah Leah Whitson, Middle East and North Africa director at Human Rights Watch.

Following the initial violent confrontations, Moroccan security forces participated with Moroccan civilians in retaliatory attacks on civilians and homes, and blocked wounded Sahrawis from seeking medical treatment. Such conduct, and the beating of persons in custody, cannot be viewed as force used legitimately to prevent or stop violent acts by some demonstrators such as stone-throwing or arson, Human Rights Watch said.

In the aftermath of the violence on November 8, Moroccan security officials detained hundreds of Sahrawis in connection with the disturbances, more than 100 of whom are still being held. Another nine have been transferred to Rabat for investigation by a military court, Sahrawi human rights lawyers in El-Ayoun told Human Rights Watch.

Restricted Access to Information

After the tent camp was dismantled, Moroccan authorities tightly limited access to El-Ayoun, allowing few journalists or representatives of nongovernmental organizations to reach the city and turning back many who tried. A Human Rights Watch researcher was prevented twice from boarding a flight to El-Ayoun on November 11, and finally flew there on November 12. The researcher and Human Rights Watch's El-Ayoun-based research assistant were able, from November 12 to 16, to interview injured civilians and police officers in hospitals and at homes. They also met with Mohamed Jelmous, governor of the El-Ayoun-

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Boujdour-Saguia el-Hamra region.

"We are glad Morocco changed course and allowed Human Rights Watch to carry out an investigation in El-Ayoun," Whitson said. "But a government that says repeatedly that it has nothing to hide should prove that by allowing all media and nongovernmental organizations to come and to collect information without obstacles."

Overview

Human Rights Watch focused its investigation on human rights abuses following the dismantling of the Gdeim Izik camp - not on the nature of the protest at the camp, the decision to close it, or the way it was closed down.

Human Rights Watch does not have its own tally of civilians or security force members killed during the events. According to Moroccan authorities, nine members of the security forces were killed during the operation at Gdeim Izik camp on the morning of November 8, and another died during the disturbances later that day in El-Ayoun. The eleventh died on November 17 from wounds he incurred during the disturbances. One civilian died of injuries sustained during the security force operation at Gdeim Izik, a second after a vehicle hit him in during the unrest in El-Ayoun. The public prosecutor ordered a judicial inquiry into the latter case, a government statement said.

Human Rights Watch told ministry of interior officials in Rabat on November 18 of its evidence that security forces had opened fire in the city of El-Ayoun, wounding civilians, and of other violent attacks by members of the security forces on Sahrawis, both those at liberty and those in detention. The following day, Moroccan authorities again issued a denial, writing to Human Rights Watch that, "The security forces' operations when dismantling the camp of Gdeim Izik as well as its operations in El-Ayoun were conducted in conformity with the legal procedures in place, in strict respect for what is required of a state that respects the rule of law, and without a single shot being fired." At the same time, they wrote, "Moroccan authorities are ready to start investigations and the necessary forensic work to fully clarify the basis for these allegations. Moreover, those persons who allege having been subjected to violence, whether or not they are in custody, are completely free to go to court themselves to file suits to establish the validity of their assertions."

On November 20, the government announced that, on the basis of the report from Human Rights Watch, the crown prosecutor at the El-Ayoun Appeal Court had opened an inquiry into "allegations of persons having been injured by bullets" during the disturbances in El-Ayoun.

Human Rights Watch intends to monitor any official investigation as well as the treatment accorded to victims of abuse who file a complaint.

The security forces involved in the events come from various groups. The troops who intervened at the camp included gendarmes and the Auxiliary Forces, an interior ministry statement said. The forces involved in El-Ayoun included the regular police force, special anti-riot units (*groupes d'intervention rapide*, or GIR), and the Auxiliary Forces. The latter assists other branches of the security forces and is not part of the interior ministry.

The Human Rights Watch research mission identified the following possible abuses by security forces. Some of those who spoke with Human Rights Watch gave permission to use their names, while others, fearing reprisal, asked the researchers to withhold their names.

Abuses in Detention

Human Rights interviewed seven Sahrawis detained following the November 8 violence and then released. All alleged that the police or gendarmes abused them in custody, including in some cases beating them until they lost consciousness, throwing urine at them, and threatening them with rape. Lawyers representing those who remain in custody told Human Rights Watch that at least one detainee told an investigative judge that he had been raped in detention, while many others told the investigative judge and prosecutor about beatings and other abuses they allegedly endured in custody.

The witnesses interviewed by Human Rights Watch had severe bruising and other recent wounds that suggested they had been beaten in custody.

Family members of detainees told Human Rights Watch that Moroccan authorities failed to inform them about the detentions for several days and that, as of November 23, the authorities had still not permitted them to visit relatives detained up to two weeks earlier, although defense lawyers had been able to see them for the first time on that day. These delays made it difficult for many families to promptly establish the whereabouts of missing persons or to get information about their treatment in detention.

Human Rights Watch urged authorities immediately to inform next of kin for each person taken into custody, as required by Morocco's Code of Penal Procedure, article 67.

The Sahrawis held in El-Ayoun prison were being investigated on charges such as formation of a criminal gang of with the aim of committing crimes against persons and property, possession of arms, destruction of public property, and participation in hostage-taking and the sequestration of persons, in setting fire to buildings, in the use of violence against members of the forces of order resulting in injury and death, and in armed gatherings.

Ahmed Jadahlou Salem, 34, told Human Rights Watch that he arrived at the Gdeim Izik protest camp the evening of November 7, after making the long drive from Spain. On the morning of the crackdown, he said, gendarmes at the camp detained and handcuffed him, then beat and kicked him with their boots until he lost consciousness. When he regained consciousness, still at the camp, he was again kicked several times in the chest by the gendarmes, who then threw him into the back of a truck:

About 30 or 40 of us were put in the back of the gendarmes' truck. All of us were handcuffed behind our backs. They just threw us inside the van like cattle; some of us had head wounds, and we were all bleeding. We were lying on top of each other, and they left us like this for one or two hours, ordering us to keep our heads down.

Jadahlou said that when the truck reached El-Ayoun, the men were dragged out by their feet and marched into the gendarme station, while being punched and kicked. They were kept in a room that, he said, by November 9 housed 72 male detainees.

Jadahlou described to Human Rights Watch how each person was called out of the common room for questioning, and said men kicked and punched him along the way:

In the interrogation room, there were maybe six gendarmes, but others kept coming and going. There was no chair to sit on in the room, and each question was asked with a kick or a slap. They asked many questions - what I was doing in the camp, why we wanted a state of our own. They asked me about many persons by name. They threatened to rape me there.

Jadahlou said the gendarmes tossed urine on the detainees. They provided no food until the evening of November 10, thirty-six to

sixty hours after the men were detained. At night, the gendarmes threw water on the floor of the cell to interrupt their sleep. The police released Jadahlou on November 12 without charge.

A second former detainee, Laassiri Salek, 38, told Human Rights Watch that the police detained him at his home in the Columina Nueva neighborhood around midday on November 9. He told Human Rights Watch that, although he was handcuffed and blindfolded, he is fairly certain they transported him to the city's central police station. There, he said, he was beaten during the course of five hours with wooden sticks and batons, causing him to lose consciousness twice. The police revived him by pouring water on him. He could hear other detainees nearby screaming in pain, he said. After the long beating session, during which various police officers came and went, he was taken for interrogation where, he said, he continued to be beaten on his head, back, and kidney area with clubs.

Salek told Human Rights Watch that the police forced detainees to sing the Moroccan national anthem, beating them if they did not know the words. Police threw cold water on them and did not give them food for the first two days. On the evening of November 10, he said, the police ordered the detainees to stand in one line, still blindfolded, as police officers ran up and kicked them hard with their boots. Salek again lost consciousness. When the police released him the next day, he was unable to walk and had to be carried out of the station in a chair and driven home in a taxi. He was still in a wheelchair when interviewed by Human Rights Watch on November 16, five days after his release.

Leila Leili, a 36-year-old Sahrawi activist, was detained outside her father's home close to Smara Avenue in the Lacheicha neighborhood on November 9, after police found in her purse an essay she wrote about the events of the previous day. She told Human Rights Watch that the police officers first took her into a nearby private building, where one policeman punched her in the face. She was kept there for several hours, then transferred to the central police station. There she complained to the police officers that the officers who detained her had let several Moroccans armed with knives go free, but had detained all the Sahrawi civilians they had stopped. She recalls:

Because of this [complaint], they started beating me with sticks on my head and back, and also kicking me. I don't know how many they were, because I was blindfolded. They ordered me to shout pro-Moroccan slogans like "Long Live the King," and to say that I was Moroccan. I told them that I respect their King and the Moroccan people, but am not Moroccan. There were others being beaten in the same room and being forced to say the same things.

Leili was then subjected to a long interrogation about her activist work, her trips to Algeria and Spain, and the work of her association and its membership. Following the interrogation, she was made to sit in the corridor of the police station, and was regularly kicked and beaten by police officers who walked by. She told Human Rights Watch: "They put me in the corridor and everyone who walked by would beat me. They would ask, 'What is she doing here?' and one would respond, 'She says she is not Moroccan,' and then they would kick or beat me.

Attacks on Sahrawi Homes

Human Rights Watch visited the Haï Essalam and Colomina Nueva neighborhoods, where numerous homes of Sahrawis were attacked on November 8 and 9 by groups that included security force members and people in street clothes, some of whom appeared to be Moroccan civilians, the inhabitants reported. The people interviewed described how assailants beat residents inside their homes and damaged property. Authorities have reportedly taken steps to compensate homeowners for damage, but

have not, as far as Human Rights Watch has been able to determine, announced any arrests or charges against Moroccan civilians implicated in the violence.

A 30-year-old resident of the Colomina Nueva neighborhood described how a group of Moroccan civilians gathered in front of his home, near Moulay Ismaïl Street, at about 3 p.m. on November 8. The Moroccans were accompanied by plain clothes police, identifiable by the protective gear they were wearing, and uniformed policemen armed with tear gas and handguns. The civilians broke into his home and hit him on the head with a machete, leaving him unconscious and with a deep gash. His brother watched as the civilians ransacked his home, stealing televisions, kitchen equipment, and many more valuable items, and destroying windows and furniture.

About a dozen Sahrawi homes on or near Moulay Ismaïl Street were invaded and damaged. Two blocks away, a group of about 40 soldiers and police officers invaded the home of two older women at 10:30 a.m. on November 8. The women said that the invaders fired anti-riot shotgun shells with plastic pellets into the home, told the family to leave, and stole a computer and jewelry.

In one such attack in Colomina Nueva, a group of Moroccan civilians and police entered a Sahrawi home at 1:30 p.m. on November 8, where the police found a group of seven unarmed Sahrawi men hiding in a small room on the roof. Four of the men, whom Human Rights Watch interviewed on November 16, said the police attacked them, shooting one in the lower left leg with live ammunition from a small-caliber pistol, firing anti-riot shotgun cartridges with plastic pellets at the group causing superficial wounds, and beating them severely with a heavy butane gas canister and sticks. One of the men, a 28-year-old who eight days later said he was still unable to move his right arm because of the severity of the beatings, recounted the attack:

The police broke into the house and came in armed, and then broke down the door to the room we were hiding in. One policeman beat me with a butane gas canister, raising it over his head and throwing it at me, first on my arm and then on my foot. He was cursing us and saying "You are all Polisario." Then they beat us with sticks, and they fired their guns at us. They forced us to face the wall and continued to beat us. We were seven [civilians], and there were nine or so police.

The police rounded up the men and led them downstairs. Along the way, some of the Moroccan civilians who had entered the house beat them, they later told Human Rights Watch. They were put in a car and taken to the regional police headquarters (Préfecture de la Sûreté Nationale), where they were held for two days, then released without charge.

When Human Rights Watch visited the rooftop room on November 16, the floor and walls were stained by blood. The men showed the researchers pistol and plastic pellet riot control shotgun cartridges that, the men said, lay on the ground on the roof after the police had assaulted them.

Residents of some streets where houses were damaged on November 8 and 9 said that later in the week, interior ministry officials came through and arranged to provide some financial compensation. Governor Mohamed Jelmous also told Human Rights Watch that property owners were being compensated.

The police impeded access to the main civilian hospital in El-Ayoun for much of November 8, in some cases assaulting Sahrawi civilians who sought treatment for injuries, according to more than one witness we interviewed. A hospital worker told Human Rights Watch that he observed one attack in which police broke the windows of a taxi that drove up to the hospital carrying three

wounded Sahrawis, and beat both the wounded men and the taxi driver, before letting the taxi driver go and detaining the three passengers. Several Sahrawis who had been beaten said they did not go to the hospital for treatment, saying they feared the police there.

Police Assault Human Rights Researcher on Street

Police beat Human Rights Watch's El-Ayoun-based research assistant Brahim Alansari on an El-Ayoun street, when he was in the company of John Thorne, the Rabat-based correspondent for *The National*, the Abu Dhabi English-language daily. On November 8 at about 9 a.m., at a time when protesters were throwing stones and security forces were massing in the streets, police stopped the two men on a side street behind the Negjir Hotel in downtown El-Ayoun and demanded to know what they were doing there. After Alansari and Thorne gave their names and professions, the police separated the two men. Alansari described what happened next:

Policemen surrounded me and started to kick me and beat me with their sticks and slap me. They asked me my nationality. When I refused to answer, they seemed angered and started to beat me again. Then a higher-ranking officer arrived and ordered me to reply. I said that I cannot talk while being beaten. He did not order the others to stop hitting me....

One of the police escorted me to where John [Thorne] was seated in a chair. The policeman forced me to sit on the ground next to John, saying that I am a dog and that was my place. After about ten or twenty minutes some policemen approached and told Mr. Thorne to return to his hotel and not to do any work. Then the man in plainclothes asked me not to accompany Mr. Thorne or to take him anywhere and that I should instead go home and stay out of trouble. They returned my phone and ID and gave John his passport, and we both left.

Thorne told Human Rights Watch that he could see the beating from where he was forced to sit, about 15 feet away:

Around a dozen police - some in green jumpsuits, others in blue riot gear - surrounded Brahim and began beating him. I could not see how many policemen struck Brahim, but I could see that he was struck with hands and batons at least twenty times during a few minutes. Then the police made Brahim sit next to me.

Human Rights Watch sent a letter to Moroccan authorities on November 23, detailing this incident and requesting that it be investigated. On November 24 the ministry of interior replied that it had opened an administrative investigation and that the ministry of justice had asked the office of the prosecutor in El-Ayoun to conduct a judicial investigation. Human Rights Watch intends to report on the outcome of these inquiries.

Background

The present conflict over Western Sahara dates to 1975, when Spain, the former colonial power, withdrew and Morocco moved in and seized control over the sparsely-populated desert territory. Morocco has since claimed sovereignty and administered Western Sahara as if it were part of Morocco, even though the UN does not recognize that sovereignty and classifies Western Sahara as a "non-self-governing territory." The Polisario Front, the Western Saharan independence movement, fought a war against Morocco until 1991, when the UN brokered a ceasefire alongside an agreement to organize a referendum on self-determination for Western

Sahara's population.

The referendum has not taken place because of the objections of Morocco, which rejects independence as an option and proposes instead to grant Western Sahara a measure of autonomy under Moroccan rule. The Polisario continues to insist on a referendum that includes independence as one option. Negotiations to bridge this gap have so far been fruitless. Meanwhile, large numbers of Moroccans have migrated south and settled in Western Sahara, where they now outnumber the Sahrawis who are indigenous to the region.

Under Moroccan rule, advocacy of independence is considered an "attack on territorial integrity," punishable by law. While not all pro-independence activities in Western Sahara are nonviolent - in some cases, youths threw stones and gas bombs during the recent clashes and damaged property - even nonviolent protests are systematically shut down by the security forces, and nonviolent activists are subjected to unfair trials and imprisonment.

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