

UN Human Rights Council

Joint Report to the UN Committee on the Elimination of Racial Discrimination on
Morocco's nineteenth to twenty-first periodic reports, 111th session

The Sahrawi people suffer from racial discrimination practiced by Morocco as an occupying power in violation of Article 3 of ICERD

10 November 2023

Submitted by

The Sahrawi Association of Victims of Grave Violations of Human Rights Committed
by the Moroccan State (ASVDH)

Association Sahraoui pour la protection et la diffusion de la culture et le patrimoine
Sahraoui

The Norwegian Support Committee for Western Sahara

NomadsHRC



1 Introduction

1. The undersigned organizations, the Sahrawi Association of Victims of Grave Violations of Human Rights Committed by the Moroccan State (ASVDH), Association Sahraoui pour la protection et la diffusion de la culture et le patrimoine Sahraoui, the Norwegian Support Committee for Western Sahara and NomadsHRC present their joint report to the United Nations (UN) Committee on the Elimination of Racial Discrimination (Committee) ahead of its 111th session and its review of the Kingdom of Morocco, addressing the nineteenth to twenty-first periodic reports submitted by the Kingdom of Morocco (State report, CERD/C/MAR/19-21).
2. This report addresses the obligations of Morocco in ensuring compliance with the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) 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.
3. Contrary to what the Kingdom of Morocco refers in its submitted State report, we affirm that Western Sahara is not part of Morocco. The greater parts of Western Sahara were occupied and forcibly annexed after being militarily invaded on October 31, 1975. Western Sahara is located in northwest Africa, with its inherited borders from Spanish colonization, bordered to the north by Morocco and to the south by Mauritania, with the eastern border being Algeria and the western border being the Atlantic Ocean. It covers an area of 266,000 square kilometers and is listed as a Non-Self-Governing Territory entitled to the right to self-determination in accordance with UN resolutions 1514 (XV) and 1541 (XV). The Sahrawi people are distinguished from the people of Morocco by their culture, traditions, Hassania dialect, and distinctive way of life. There has never been historical connection between Morocco and the Sahrawi people, who have their own unique political and social system that makes them distinct and separate from Morocco, both before and after Spanish colonization (ICJ, Western Sahara, 1975).
4. 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. 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 ICERD to the occupied territory of Western Sahara and the international obligations of Morocco as an Occupying Power (ICJ, Wall Decision, 2004).
5. 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 continued occupation by Morocco of the non-self-governing territory of Western Sahara with the aim of annexing the territory and the denial of the right to self-determination for its people constitutes a state led policy culminating in a system of discriminatory measures targeting the people of Western Sahara (Saharawis), violating Article 3 of the ICERD, referring that “States Parties particularly condemn racial segregation and apartheid and undertake to prevent prohibit and eradicate all practices of this nature in territories under their jurisdiction”¹.

¹ Reference is also made to Articles 2 and 5 of ICERD

2 Historical background

6. Since 1963, Western Sahara has been listed by the UN as a non-self-governing territory entitled to the right to self-determination in accordance with UN resolutions 1514 (XV) and 1541 (XV). The UN General Assembly continues, on a yearly basis, to reaffirm the right of self-determination for the people of Western Sahara in accordance with the principles set forth in Resolution 1514 (XV) and 1541 (XV), whilst recalling all resolutions of the General Assembly and the Security Council on the question of Western Sahara that constitute a legal chain of resolutions, whilst calling upon the parties to “abide by their obligations under international humanitarian law”.²
7. In 1973, the Sahrawi people commenced their armed struggle against Spain, the former colonizer of Western Sahara, through the liberation movement "Polisario Front for the Liberation of Saguia el-Hamra and Rio de Oro" (POLISARIO). In 1975, the International Court of Justice affirmed the right to self-determination for the people of Western Sahara and established that the territory is not part of Morocco, as there are no ties of “sovereignty” between Morocco and Western Sahara.³ This has later been confirmed by the African Court of Justice and the European Court of Justice with the latter affirming in its Press Release No. 21/18 that “Western Sahara is a territory in North-West Africa, bordered by Morocco to the north, Algeria to the north-east, Mauritania to the east and south and the Atlantic to the west. Currently, the greater part of Western Sahara is occupied by Morocco, which considers it to be an integral part of its territory. A smaller part of that territory, in the east, is controlled by the Front Polisario, a movement which seeks to achieve the independence of Western Sahara”.⁴
8. Shortly after the publication of the Advisory Opinion in 1975, Morocco and Mauritania invaded the territory, at that time the “Spanish Sahara”. Spain left the territory in February 1976 after signing the “Madrid Agreement” with Morocco and Mauritania in November 1975. Under international law, Spain remains the administering power of Western Sahara; with Morocco being the occupying power. After Spain's withdrawal from the territory, the Sahrawi Arab Democratic Republic (SADR) was declared on February 27, 1976. It is a founding member of the African Union and has been a full member since 1984. More than 80 countries recognize the liberated territories controlled by the Sahrawi Republic.
9. In 1979, Mauritania left the territory upon the conclusion of the Mauritano-Sahraoui agreement of 19 August 1979. That same year, the UN General Assembly held in Resolution 34/37 that it “deeply deplores the aggravation of the situation resulting from the continued occupation of Western Sahara by Morocco and the extension of that occupation to the territory recently evacuated by Mauritania”.
10. Upon the invasion of 1975, Western Sahara witnessed a 16-year war between the Polisario Front and the Moroccan occupation. In 1991, the parties signed a ceasefire agreement under the supervision of the UN, based on an African/UN peace agreement pursuant to UN Security Council Resolution 690, which established the UN Mission for the Referendum in Western Sahara (MINURSO). MINURSO was deployed in the territory to oversee its

²Resolution 73/107 Question of Western Sahara, UN General Assembly, 7.12.2018, OP 5.

³ Western Sahara, ICJ Advisory Opinion, 1975

⁴ Fisheries Agreement concluded between the EU and Morocco is valid in so far as it is not applicable to Western Sahara and to its adjacent waters, Press Release No 21/18, Court of Justice of the European Union, <https://curia.europa.eu/jcms/upload/docs/application/pdf/2018-02/cp180021en.pdf>

mandate of ensuring the holding of a referendum for the people in Western Sahara in accordance with the principles set forth in Resolution 1514 (XV) and 1541 (XV). The referendum promised back in 1991 has never been held and Morocco has continued to occupy approximately 75 % of the non-self-governing territory of Western Sahara.

11. In 2020, after 18 months without a UN special envoy and no progress towards a referendum, Moroccan forces clamped down on a peaceful protest by Sahrawi civil society in Guerguerat, located on the southern tip of Western Sahara, outside of the Morocco-occupied area in a buffer zone where military presence is strictly forbidden under the terms of the ceasefire agreement. Polisario considered the truce violated and the agreement with Morocco terminated (see S/2021/843). Armed conflict resumed for the first time in 29 years between the two parties.
12. Since 1981, the Moroccan occupation has established a sand wall, fortified with military forces and millions of landmines, along a 2,720-kilometer-long border, separating the occupied territory from the liberated territory of Western Sahara. It has caused the separation of Sahrawi families for decades and the people of Western Sahara are today divided between the occupied territory and refugee camps in the vicinity of the Algerian town Tindouf near the Western Sahara border. Those who were living in the Polisario-controlled part of Western Sahara, many as nomads, have been displaced due to the renewed armed conflict and extreme climate change.

3 Legal context

13. 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). Its people are placed under colonial, foreign and alien occupation by the Kingdom of Morocco who have deprived the people of Western Sahara of its right to self-determination by a series of measures culminating in the partition of the territory of Western Sahara and its annexation, without consulting the people of Western Sahara and without UN supervision.⁵
14. As held by the International Court of Justice in its Advisory Opinion on Western Sahara and the European Court of Justice⁶, Western Sahara is not part of the Kingdom of Morocco, and Morocco is consequently exercising effective control over part of a foreign territory.⁷ Correspondingly, the fact that Western Sahara, at the time of the start of the occupation in 1975, was listed as a non-self-governing territory in course of decolonization under the administration of Spain renders the conflict an international armed conflict, as Morocco launched an invasion into a territory falling under the control of another “High Contracting Party”. The invasion was not immediately met with armed resistance from Spanish armed forces, in line with Fourth Geneva Convention (GCIV) Article 2 (2).⁸ In Western Sahara, “protected persons” are the people of Western Sahara, as they found themselves in the hands of an occupying power (Morocco) of which they are not nationals, as in accordance with Article 4 (1) of GCIV.

⁵ Case C-266/16 *Western Sahara Campaign UK v Commissioner*, [2018] CJEU Opinion of Advocate General Wathelet, para 249

⁶ See overview presented by Western Sahara Resource Watch, “The EU court cases”, at <https://wsrw.org/en/news/the-eu-court-cases>

⁷ Western Sahara, ICJ Advisory Opinion, 1975

⁸ See Saul B, “The Status of Western Sahara as Occupied Territory Under International Humanitarian Law and the Exploitation of Natural Resources” (2015) 27(3) *Global Change, Peace and Security*

15. As the Occupying Power, Morocco has de facto control both over most of the territory and the people living on their occupied land, who are deprived of their civil, political, economic, social and cultural rights. As held by the International Court of Justice (“ICJ”) in the Advisory Opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, the protection offered by human rights conventions does not cease in the case of armed conflict. Rather, the relationship between International Humanitarian Law and International Human Rights Law can result in three different outcomes: “some rights may be exclusively matters of international humanitarian law; others may be exclusively matters of human rights law; yet others may be matters of both these branches of international law”, whereas human rights law serves as *lex generalis*, and international humanitarian law as *lex specialis*.⁹
16. The continued colonial domination, occupation and illegal annexation of Western Sahara constitutes a violation of the legal principle prohibiting the acquisition of territory by the use of force. Similarly, the illegal and continued annexation of Western Sahara constitutes a breach of the right to self-determination for the people of Western Sahara. As confirmed by the UN General Assembly (UN GA 75/173), self-determination is a fundamental condition for the guarantee and observance of human rights. Violations witnessed must be understood as intertwined with the long-term continued occupation and the denial of the right to self-determination.¹⁰
17. 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.

4 Western Sahara and racial discrimination

4.1 Introduction

18. As the Occupying Power, Morocco has de facto control both over most of the territory and the people living on their occupied land, who are deprived of their civil, political, economic, social and cultural rights. The continued occupation of the non-self-governing territory of Western Sahara with the aim of annexing the territory and the denial of the right to self-determination for its people constitutes a State led policy culminating in a system of discriminatory measures targeting the people of Western Sahara (Saharawis), violating Article 3 of the ICERD¹¹.
19. Saharawis from Western Sahara are targeted by the State and discriminated against in response to being Saharawis (for their race) and their support for the right to self-

⁹ Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, ICJ Reports 2004, Para 106

¹⁰ 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).

¹¹ Reference is also made to Articles 2 and 5 of ICERD

determination (their political opinion)¹². In Western Sahara, these two factors are inherently intertwined, as Saharawis are entitled to the right to self-determination, having since 1975 been placed under colonial domination and occupation by a State denying the people its right to self-determination and the very notion of the existence of Saharawis from Western Sahara.

20. Upon the occupation of the territory, in 1975 and 1979, Morocco proceeded to integrate and annex Western Sahara into its territory, in order to turn Western Sahara into the "Moroccan Sahara". The annexation of the territory entails that Morocco controls Western Sahara as if it was a part of Morocco proper and administers Western Sahara as if it had sovereignty over it, both by national legislation and in regional and international relationships. The Saharan policy of the Moroccan State, forming "The Moroccan Sahara", was embedded in a "projection of Morocco expanding its empire towards the west and south",¹³ in order to gain support for the King's leadership and to "legitimise the royal power."¹⁴ The annexation of Western Sahara, therefore, plays a central role in the system of "legitimatization of Moroccan monarchic power."¹⁵
21. The annexation of the greater parts of Western Sahara by Morocco also includes the so-called "Moroccanization" of the territory. The "Moroccanization" of the territory includes a political strategy of changing the social demographic of the territory, symbolized by Moroccan settlers, who started to settle in the territory in 1975. Professor Jacob Mundy notes that, during the war, the settlement rate was at a "skyrocketing 555%", where the greatest numerical expansion of settlers took place between 1990 and 2000.¹⁶ Mundy concludes that "Moroccan settlers constituted roughly 75-80% of the population in occupied Western Sahara as of 2004", primarily serving in the military, employed in the government or taking advantage of "economic enticements".¹⁷ Due to the influx of Moroccan settlers, the Saharawi people is now a minority in their own country. The "Moroccanization" of the territory also includes the introduction of Moroccan culture and practices into institutions, from education to architecture, in order to create a feeling of seamless integration with the rest of Morocco.¹⁸ The "Moroccanization" of Western Sahara is in particular noticeable in terms of language, where Moroccan Arabic was made the official language in detriment to Hassania, the distinct Arabic dialect spoken by Saharawis.

¹² Reference is made to the jurisprudence of the UN Working Group on Arbitrary Detention. The jurisprudence of the Working Group establishes a systematic pattern of the arbitrary detention of Saharawi activists with the Working Group holding in the case of Mbarek Daoudi (A/HRC/WGAD/2018/60) that, "there is no doubt in the Working Group's view that the accusations Mr. Daoudi has faced to date stem from his Sahrawi identity and his political opinion in favour of self-determination. If he were not Sahrawi and did not express his views on the political crisis in Western Sahara, the proceedings in question probably would not have taken place". The Working Group builds on this notion in later decisions and refers for example in the case of the Student Group (A/HRC/WGAD/2019/67) to their activism in support for the right to self-determination and finds violations of Articles 1,2 and 27 with Article 1 referring to the right to self-determination and Article 27 referring to ethnic minorities. See also cases of Salah Eddin Bassir (A/HRC/WGAD/2017/11), Mohammed Al-Bambary (A/HRC/WGAD/2018/31), Ahmed Aliouat (A/HRC/WGAD/2018/58), Laaroussi Ndour (A/HRC/WGAD/2019/23), Ali Saadouni (A/HRC/WGAD/2020/52), Walid Salek El Batal (A/HRC/WGAD/2020/68), Yahya Mohamed Elhafed Iaazza (A/HRC/WGAD/2021/46), Sultana and Luara Khaya (A/HRC/WGAD/2022/50).

¹³ Andreu Solá-Martín, *The UN Mission for the Referendum in Western Sahara* (The Edwin Mellen Press, 2005) 158. See also: Saxena SC, Western Sahara: No alternative to armed struggle (Kalinga Publications Delhi 1995)

¹⁴ Andreu Solá-Martín, *The UN Mission for the Referendum in Western Sahara* (The Edwin Mellen Press, 2005) 158. See also: Saxena SC, Western Sahara: No alternative to armed struggle (Kalinga Publications Delhi 1995)

¹⁵ Andreu Solá-Martín, *The UN Mission for the Referendum in Western Sahara* (The Edwin Mellen Press, 2005) 158. See also: Saxena SC, Western Sahara: No alternative to armed struggle (Kalinga Publications Delhi 1995)

¹⁶ Jacob Mundy, 'Moroccan Settlers in Western Sahara: Colonist or Fifth Column?' (2012) 15(2) *The Arab World Geographer*, 107.

¹⁷ *ibid* 110.

¹⁸ *ibid*.

22. The authors Beristain and Hidalgo highlight that Saharawis were “indiscriminately considered enemies as from the Moroccan and Mauritanian occupations in 1975”¹⁹ 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.”²⁰ The authors hold that, not only was the vouching of the right to self-determination criminalized and persecuted; the Saharawi identity, containing Saharawi nomadic life and customs, was outlawed, leaving Western Sahara as a territory of “exclusion of its own people.”²¹
23. The criminalization of the Saharawi identity, containing Saharawi customs, culture and nomadic life, must be seen in relation to the annexation and Moroccanization of the territory, highlighted above, with the aim of creating a feeling of seamless integration with the rest of Morocco. As a consequence, Morocco holds that all Saharawis living in Western Sahara, and within Morocco proper, are Moroccan nationals. Hence, Morocco does not recognize Saharawis as a distinct ethnic group, or as a people holding a different nationality.²² The policy can be seen as a direct consequence of Morocco’s sovereignty claims, and due to the fact that the Saharawi identity has been “so closely tied to the nationalist project of Polisario.”²³
24. The strategies used by the Moroccan military, upon the invasion in 1975, involving enforced disappearances, willful killings of civilians, massive arbitrary collective detention and punishment, torture and secret detention centers,²⁴ were aimed at preventing the decolonization of Western Sahara, and, at breaking the Saharawi identity and replacing it with a new, Moroccan identity. 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”. Torture has been used to break a social identity that is part of the victims, their sense of belonging, with the objective of forcing a new identity.”²⁵
25. 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 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 47.²⁶ 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.²⁷ 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

¹⁹ 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. See also Hanga (n28).

²⁰ *ibid.*

²¹ *ibid* 14.

²² Mundy (n102) 109.

²³ *ibid.*

²⁴ Beristain and Hidalgo (n118).

²⁵ *ibid* 77.

²⁶ 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> > [accessed 24 August 2018]

²⁷ Beristain and Hidalgo (n118) 79,99-112; France (n120) 19-20.

victims in the streets of Western Sahara.²⁸ 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.”²⁹ Hence, the institutionalized culture of impunity within the Moroccan political and judicial system, and lack of justice for the victims, represents the continuance of human rights violations, culminating in a state of fear in Western Sahara.

26. Also Lauri Hannikainen holds that Saharawi activists have suffered gross human rights violations in the hands of the Moroccan government, and that “the government’s will to suppress the Saharawi pro-independence movement and to control the activities of anyone calling for Saharawi self-determination or demanding respect for human rights” remains strong.³⁰ Hannikainen holds that the current repression has taken a different form, where the government is understood to use “more varied methods for accomplishing its purposes”, in light of a wish to improve its reputation in the international arena.³¹ Hannikainen holds that current methods of repression involve “limitation of the rights of association, assembly and expression, as well as harassment and detentions with intimidation.”³² Moreover, since 1975, with the arrival of Moroccan settlers, Saharawis experience labour discrimination,³³ in addition to discrimination when it comes to education, access to social service and treatment in both the administrative service and justice system,³⁴ forming part of the current repression of the Saharawi civilian population.

4.2 CULTURAL RIGHTS

27. Morocco refers to Saharawis as Moroccans living in its "Southern Provinces" or "Moroccan Sahara", as in line with its policy of annexation. This policy has led to the de facto criminalization of the Saharawi identity with provisions in the Moroccan Penal Code and measures of repression; enforcing upon Saharawis a new identity: Moroccan. On the same footing, Moroccan citizenship is imposed on Sahrawis, depriving them of their original nationality. For the Saharawi people, the political reality has had tremendous consequences, where Morocco has affirmatively deprived Saharawis of their right to self-determination and protection under international humanitarian law.
28. Since its military invasion of Western Sahara in 1975, the Moroccan occupation authorities have been attempting to destroy the cultural identity of the Sahrawi people through a State led policy, forcibly displacing Saharawis by intimidating and persecuting them through various grave violations of human rights and international humanitarian law, including abduction, torture, mass killings, cluster bombs, and displaced persons camps, in order to force them to flee to neighboring countries.
29. Morocco continues to forcibly displace the inhabitants of Saharawi nomadic oases by plundering their properties, exterminating their livestock, poisoning or blowing up their wells, burning their tents, threatening them, and forcing them to change their way of life

²⁸ Beristain and Hidalgo (n118) 79; France (n120) 19-20.

²⁹ France (n125) 14.

³⁰ Lauri Hannikainen, ‘The Case of Western Sahara from the perspective of jus cogens’, in Karin Arts and Pedro Pinto Leite (eds), *International Law and the Question of Western Sahara* (IPJET, 2007) 72.

³¹ *ibid.*

³² *ibid* 75-76.

³³ Solá-Martín (n97) 126.

³⁴ France (n125) 20, 35.

by deporting them to cities. At the same time, the authorities encourage settlement by confiscating and seizing lands considered private property of Sahrawis and distributing them to Moroccan settlers, and if the original owners protest, they are subjected to abuse and physical assault, and even if they resort to the judiciary, there is no justice before a non-independent judiciary.³⁵³⁶

30. Occupying authorities prevent the registration of births containing names known to Sahrawis and impose titles that do not exist in Sahrawi culture. In the Saharawi culture, Saharawis use their tripartite name (the person's name, their father's name, and their grandfather's name), which is not allowed under Moroccan law. Sahrawis are also prevented from using some names, such as Moulay, Sidi, and Lalla, which have been used by Sahrawis since ancient times. The reason for banning them is their association in Morocco with the names of kings and princes.
31. Moroccan occupying authorities prohibit the construction of tents or jaimas, which are a pillar and symbol of Sahrawi culture, targeting them for demolition and confiscation due to their central role in numerous demonstrations of the Sahrawi people, especially after the displacement of Sahrawis from cities and the establishment of the Gdeim Izik camp in 2010 (with 8,000 tents) outside the city of El Aaiún as a peaceful protest. Moroccan authorities also prohibit the circulation of Sahrawi revolutionary and traditional songs by attacking Sahrawi musicians who have the audacity to perform them at events and weddings.
32. Sahrawis are racially targeted for participating in demonstrations and are identified as Sahrawi through their distinctive traditional attire different from Moroccans, and they are targeted by police forces during religious or national holidays for wearing Sahrawi traditional attire as a clear expression of their attachment to Sahrawi identity and non-identification with Moroccan culture.
33. Parts of Western Sahara placed under Moroccan occupation have been flooded with Moroccan settlers in order to change the demographic composition of the Sahrawi people and erase their Sahrawi identity, encouraging settlement by granting them land, housing, and increasing their salaries by 85 percent, and providing them with numerous privileges. Sahrawis now represent less than 10 percent of the population in their own land, while 90 percent are settlers brought by the Moroccan occupation, gradually changing the demographic map of the territory.
34. The Moroccan occupation instigates settlers to attack Sahrawis with the aim of intimidating them and preventing them from expressing their political rights, as evidenced by violent clashes between settlers and Sahrawis during the uprisings of 1999 and 2005 and the protest camp of Gdeim Izik in 2010. Morocco has in effect criminalized any mention of Western Sahara and Saharawi cultural identity in the occupied territory.³⁷

³⁵ DakhlaNews, «Landowners in the city of Laayoune accuse the authorities of favoring the elected officials and trying to seize their lands» 21 February 2022, <https://www.dakhlanews.com/38800/>

³⁶ SaharawiNet, «Occupied Laayoune: Dozens of Saharawis go out in demonstrations to protest the leveling and forcible usurpation of their lands», October 2015, <https://www.saharawi.net/%D8%A7%D9%84%D8%B9%D9%8A%D9%88%D9%86-%D8%A7%D9%84%D9%85%D8%AD%D8%AA%D9%84%D8%A9-%D8%B9%D8%B4%D8%B1%D8%A7%D8%AA-%D8%A7%D9%84%D8%B5%D8%AD%D8%B1%D8%A7%D9%88%D9%8A%D9%8A%D9%86-%D9%8A%D8%AE%D8%B1%D8%AC/>

³⁷ The Moroccan Penal Code Article 267-5 criminalizes speech deemed to harm Morocco's territorial integrity, relating to Western Sahara and the Kingdom's sovereignty claims. Article 267-5 of the Moroccan Penal Code reads (French version): «Est puni d'un emprisonnement de six mois à deux ans et d'une amende de 20.000 à 200.000 dirhams ou de l'une de ces deux de ces deux peines seulement quiconque porte atteinte à la région islamique, au régime monarchique ou incite à porter atteinte à l'intégrité territoriale du Royaume. La peine encourue est portée à deux ans à cinq ans d'emprisonnement et une amende de 50.000 à 500.000 dirhams ou à l'une de ses peines seulement lorsque

35. Moroccan authorities also use settlers in demonstrations held in the territory, presenting them in Sahrawi attire as if they were Sahrawis expressing the position of the Occupying Power on its national holidays, such as the celebration of the so-called Green March of 6 November, a national holiday that commemorates the military and repopulation campaign that accompanied the Moroccan invasion of Western Sahara. Morocco engages in cultural appropriation through film, theater and other cultural festivals in the occupied territory, such as the Dakhla International Film Festival, that incorporate Sahrawi cultural symbols and traditions but purport to be from the “Moroccan Sahara” and festivals celebrating the “Moroccan Hassania language” and similar spectacles are given boundless resources to foster the State policy of annexation and act as a shop window of the “Moroccan Sahara” to the world.³⁸

4.3 ECONOMIC AND SOCIAL RIGHTS

A. The Right to Work

36. Referring to the State report of Morocco concerning the privileges obtained by Moroccan women, we note that Sahrawi women suffer from unemployment exceeding 50%. They face blatant discrimination in the field of work, especially those who advocate for human rights and activists who defend the right to self-determination and independence of the Sahrawi people. Any Sahrawi woman who is seen participating in peaceful demonstrations or who is a political activist on social media is deprived of employment. They are also deprived of all the development projects mentioned in the report.
37. Sahrawi human rights defenders and media activists are actively barred and prevented by Morocco from properly exercising their rights as professionals and workers in accordance with their studies and diplomas. For instance, professor Mhamed Hali obtained a qualification to practice law and was arbitrarily prevented from practicing as a lawyer due to his political stance. Abdullah Hellab passed the employment exam at the Ministry of Justice but was prevented from performing his duties due to his involvement with the movement for the rights of the unemployed and his activity on social media. Human rights activist Hassana Abba was accepted to continue his doctoral studies but was asked to change his chosen topic due to its political misalignment with Moroccan views on Western Sahara, preventing him from pursuing his doctorate.
38. Others face dismissal or arbitrary transfer from their positions at work due to their human rights and political activities, such as Aminatou Haidar, Mina Baali, and Mohamed Mayara who were dismissed from their jobs, and Abdelrahman Zeyou who was arbitrarily transferred to Marrakech, Morocco, without any assigned tasks, resulting in his subsequent dismissal. Similarly, Hassan Douihi was arbitrarily transferred to Bujdour, which led him to request partial retirement. Ambarka Alina Baali was also arbitrarily transferred to a city

les acted visés au premier alinéa ci-dessus sont commis soit par discours, cris ou menaces proférés dans les lieux ou réunions publics, ou par affiches exposées aux regards du public soit par la vente, la distribution ou tout moyen remplissant la condition de publicité y compris par voie électronique, sur papier et par voie audiovisuelle».

³⁸ Examples of such festival includes the Festival International Du Film de Dakhla

(<https://m.facebook.com/profile.php?id=100063626529679>), the Desert Wedding Festival in Laayoune and Dakhla

(<https://alittihad.info/المهرجان-عرش-الصحراء-العالميون-والداخلية>), the Article on the Hassania Festival (<https://www.alaraby.com/news/-من-برمال-تفاصيل-الدورة-الثالثة/>)

and the Sahara Theater Festival (<https://ar.espacemanager.com/المهرجان-الثالثة-موسيقى-مغرب-بيضة-عريقة?amp=1>)

(<http://www.sahara-culture.com/eng/culturalfestivals.aspx>). See also the Compilation of cultural festivals in “Moroccan Sahara”, <http://www.sahara-culture.com/eng/culturalfestivals.aspx>

located 25 kilometers away from her home in El Aaiún without any assigned tasks in the institution where she works, and she was denied transportation available to all employees from and to the city of El Aaiún under the pretext of being a "separatist".

39. For the same reasons, Brahim Sabbar, Mohamed Daddach, Ahmed Hamad and others who were victims of enforced disappearances and have been released are deprived of their right to integration and compensation within the framework of addressing the grave human rights violations in a discriminatory manner. When investigating this file, there is clear discrimination and injustice in the standards adopted by the Moroccan National Council for Human Rights in dealing with Sahrawi victims versus victims in Morocco.
40. Thousands of Sahrawis, both young men and women, who are university graduates, are unable to find work and suffer from high unemployment rates due to their political position against the Moroccan occupation, which has pushed some of them to migrate to Europe.

B. The Right of living wage

41. In labor rights issues, Sahrawi workers employed in what is referred to by the Moroccan occupation as the "national revival" program, which mostly employs Sahrawis in low wage jobs, form part of a policy of discrimination, control, and impoverishment. These workers are engaged in cleaning, security, construction, and their monthly wages do not exceed \$ 210, and they do not have healthcare coverage, occupational hazard insurance, or the right to retirement. Discrimination against women within this category is even more pronounced, as most of them receive only half of the monthly income of men (which is \$210 as well), with women receiving \$105.

C. The Right to Form and Join Trade Unions

42. Sahrawis, in general and irrespective of their political opinions, suffer from unemployment under the occupation. Despite the fact that thousands of university and high school graduates graduate annually, including those with doctoral degrees, they are not being employed. The unemployment rate among young female and male graduates in Western Sahara exceeds that of Morocco.
43. Sahrawi workers are deprived of their trade union rights, and Moroccan trade unions present in the occupied territories discriminate against Sahrawi workers and employees in all sectors. The unions do not defend their trade union rights, nor do they deal with the issue of Sahrawi activists and defenders who have been dismissed or arbitrarily transferred from their positions. Neither do they address the overall rights of Sahrawi workers and employees. Discrimination has been observed in the promotion of many employees in various sectors and their exclusion from assuming responsibilities in their respective sectors due to their Sahrawi ethnic background, especially in certain sectors.
44. Trade unions do not deal with the rights of workers in the private sector in the occupied territory. Instead, they are merely a facade for the occupation and the authorities prevent the establishment of Sahrawi workers unions. We highlight here two examples:
 - a. *The so-called "National Revival" workers' union*

Due to the continuous mistreatment and injustice suffered by workers in the National Revival sector, the workers held a general assembly on 18 May 2007 to establish a local office. However, the Moroccan occupation authorities refused to hand over their

certificate of establishment, which led the union office to file a lawsuit with the Administrative Court in Agadir. The court ruled in their favor on 4 October 2007. They subsequently opened the door for workers in this sector to join, with more than 4,500 members enrolling. According to the General Secretary of the National Revival Union in occupied El Aaiún, none of the demands of the Sahrawi workers have been met, and they have not been allowed to open their headquarters despite peaceful protests that have been met with violence and repression by the Moroccan authorities. Among the most important demands of this union are minimum wage, healthcare coverage, equal pay for male and female employees, social security, retirement age determination, access to social housing, compensation for work accidents, and annual leave entitlement.

b. *Trade Union Confederation of Saharawi Workers in Fos Boucraa*

Officially founded in 2002 in the city of El Aaiún, when local authorities refused to accept their file and prevented the holding of a general assembly, the union organized itself through workers' committees. The Moroccan authorities continue to surround their meetings at the house where they are located and physically assault them, but they persist in defending their rights through strikes and protests. They also engage in international and national correspondence and participate in international meetings and conferences to expose the gross violations they face and to support their struggle for the recovery of their acquired rights during the Spanish colonial era. One of the gains achieved by this banned union is putting pressure on a company to hire 634 sons and daughters of retired workers from the company.

D. *The right to housing, property and land*

45. Sahrawis demanding the right to self-determination often face difficulties in obtaining suitable housing, either through different forms of pretext or by being unable to acquire plots of land. Meanwhile, land is made available to settlers who receive financial support for construction.
46. In a concrete example, in order to deprive human rights activist Ghalia Djimi and her family of decent housing, the Moroccan electrical company colluded with the authorities to deny the family access to electricity. She resorted to the Administrative Court to install a meter and obtained a preliminary ruling in her favor. However, the office of the electrical company appealed the ruling without resolving the issue. The action is considered discriminatory treatment due to her human rights and political activities as a Saharawi.
47. In the same context, citizens of Western Sahara suffer from discriminatory measures that threaten their right to property. Moroccan authorities seize land and private properties of Sahrawis, which were inherited before the Spanish colonization. The Moroccan authorities refuse to recognize their ownership, despite recognizing it for lands and properties within Morocco, under the so-called ancestral lands. In this regard, the Moroccan state deliberately prevents Sahrawis from completing the administrative procedures related to property ownership, especially the procedure for the non-registered property, which has been suspended for a while in the Western Sahara territory under the Moroccan authorities' discriminatory measure to prevent Sahrawis from obtaining ownership documents for their lands. This discriminatory measure serves to confiscate the properties of Sahrawis and transfer ownership to other parties, especially large agricultural companies, threatening the

territory's water resources. Saharawis also suffer from problems with obtaining construction permits, and it has been documented that Moroccan settlers receive preferential treatment. Example of land taken by force include the Saharawi land located at the Ramla line, located south of the occupied area of El Aaiún, belonging to a large group of Sahrawis. The land was confiscated by force, their owners were attacked, and the land was handed over to what is called "warehouse properties and the phosphate office". Example of cases where the Moroccan courts have declared the cases as inadmissible relates to the grabbing of land by the Moroccan institution "State property" who confiscated land from some Saharawis and registered the ownership in the name of the institution. When the real Saharawi owners of the land turned to the courts, the court refused to accept the landowners right to object. Examples of cases that are still in court include the case of the "Amat Arjim", where around twenty Sahrawis have struggled a legal battle in front of the Moroccan courts since 2008. Still, their lands have not been handed over to them, despite having obtained favoring rulings, and Morocco continues to refuse to recognize the ownership.

E. The right to healthcare services

48. Political detainees are often discriminated against in terms of healthcare services, which has led to the death of two detainees due to medical negligence. Hassana El Wali³⁹ died on September 28, 2014, at the military hospital in Dakhla, and Saika Brahim⁴⁰ died on April 15, 2016, at the Hassan II Hospital in Agadir.
49. Sahrawis who have been subjected to beatings, kicking, torture and abuse by the Moroccan security forces during protests demanding self-determination and independence, often face further attacks or arrests and verbal abuse inside hospitals, with the complicity of Moroccan doctors who refuse to provide them with medical reports proving these human rights violations. Morocco-run hospitals are not considered safe spaces by Sahrawis, who often must fend for themselves after being injured rather than risk further abuse inside these facilities.
50. In reality, there are no hospitals of the required standard and serious cases require transferring patients to Moroccan cities for further treatment. Some ill Sahrawis even resort to traveling thousands of kilometers from the occupied Western Sahara to the Sahrawi refugee camps in Algeria, whose facilities lack equipment and are rudimentary due to their dependence on humanitarian aid, but where they are treated with kindness and compassion by Sahrawi doctors.

F. The right to education

³⁹ Argia, "Hassana El Wali, a Saharawi political prisoner, has died because he did not receive the care he needed", 29 September 2014 <https://www.argia.eus/albistea/hassana-luali-presu-politiko-sahararra-hil-da-behar-zuen-arreta-ez-jasotzeagatik>, Independent News Agency, "The Martyrdom of Sahrawi political detainee Hassana El Wali in Moroccan occupation prisons, https://mapnr.blogspot.com/2014/09/blog-post_635.html?m=1

⁴⁰ Western Sahara Resource Watch, "Leading figure of unemployed Sahrawi graduates dies following torture", 18 April 2016, <https://wsrw.org/en/a105x3448>, Sahara Press Service, "The death of Sahrawi detainee Ibrahim Sika", 15 April 2016, <https://archive.spsrasd.info/ar/articles/2016/04/15/1019.html>

51. In relation to what Morocco mentioned in its report regarding increasing the number of scholarship recipients, in Western Sahara, a number of activists and students have been systematically denied scholarships since the academic year 2018/2019. Moreover, the children of human rights defenders who advocate for self-determination and independence, who obtained the baccalaureate certificate in 2017/2018 and onwards, have also been denied scholarships. Additionally, they have been prevented from obtaining free travel permits to Moroccan universities that they have to attend due to the absence of universities in Western Sahara. This discrimination has adversely affected the majority of Sahrawi students who are children of Sahrawi human rights defenders, leading some students to discontinue their studies due to their inability to bear the expenses of travel, living, and accommodation away from their families. Other deprived Sahrawi students seek political asylum in some European countries.

4.4 *CIVIL AND POLITICAL RIGHTS*

52. Sahrawi citizens are vulnerable to discrimination practiced by the Moroccan authorities, as indicated by numerous reports issued by Sahrawi and international organizations. This discrimination is primarily based on them being a Saharawi and their political stance and human rights activism supporting the Sahrawi people's right to self-determination as guaranteed by international law.
53. The discrimination practiced by the Moroccan state against Sahrawis becomes even more dangerous in light of the extensive propaganda campaign against Sahrawi activists by the licensed and state-funded Moroccan media and its army of online trolls, which promotes racial discrimination against Sahrawis and incites violence against them in clear violation of the law.
54. These defamation and propaganda campaigns, in addition to symbolizing violence against Sahrawis, especially political activists and human rights defenders, also pose a clear threat to personal security and the safety of Sahrawis in general, particularly activists, through the deliberate incitement against them. The use of military grade surveillance technology by Morocco to infect the phones of Sahrawi activists, and the systematic practice of breaking into phones, stealing personal photographs and communications and putting them online to defame and shame, leaves Sahrawis, in particular women, vulnerable to attacks.
55. Perhaps one of the most alarming forms of discrimination practiced by the Moroccan authorities against Sahrawis is the denial of the right of activists and human rights defenders in Western Sahara to organize and establish human rights and media associations. Despite following all legal procedures, the Moroccan authorities still refuse to recognize Sahrawi human rights associations and deny them the freedom of assembly. Moreover, the only association that was granted permission under UN pressure, the Sahrawi Association for Victims of Serious Violations Committed by the Moroccan State (ASVDH), had its headquarters forcibly closed in July 2022, its members attacked, and they were prevented from accessing the closed premises in an illegal procedure marred by discrimination against Sahrawi activists.
56. Denying rights to Sahrawis who believe in self-determination, including, in a discriminatory manner, the right to organize and form associations, contributes to the deterioration of the human rights situation in the Western Sahara territory. This is

manifested through the violation of the right to freedom of expression and freedom of assembly, as Sahrawi activists face repression, prohibition, and physical attacks. In some cases, expressing demands for the right to self-determination can lead to their arrest by the Moroccan authorities, subjecting them to fabricated charges and files, including children and women.

57. Additionally, the Moroccan authorities implement another discriminatory measure illegally against Sahrawi activists. They restrict their freedom of movement within the Western Sahara territory and elsewhere. Often, the Moroccan authorities deploy police to mostly Sahrawi neighborhoods and surround the residential areas of political activists and human rights defenders, subjecting them and their families to assault and preventing them from leaving, as happened with the family of Sahrawi activist Sultana Khaya in the occupied city of Boujdour when she was held under house arrest together with her sister from November 2020 until June 2022. Sahrawi activists also face unacceptable discriminatory measures in Moroccan airports when traveling abroad or returning. They are isolated from other travelers, subjected to provocative and invasive searches, have personal items confiscated from them, and are detained for hours in inspection rooms where they are harassed, threatened and attacked.
58. Sahrawi political prisoners who are held in Moroccan prisons, also face various discriminatory measures. They are separated from their families' residences and detained in prisons far from their homeland. In addition, they are often subjected to harassment and attacks resulting from incitement against them. Most of the time, their repeated demands to provide the minimum rights as political prisoners are not met, as legally recognized.

5 Final remarks and recommendations

59. The occupied Western Sahara suffers from an ongoing humanitarian crisis, with systematic, gross human rights violations and breaches of international humanitarian law committed with total impunity by Morocco as direct consequence of its prolonged illegal military occupation and colonial domination. Events in the past three years, including the return to armed conflict between Morocco and Polisario, US recognition of Morocco's sovereignty over Western Sahara in violation of International Law, and the normalization of relations between Morocco and Israel resulting in increased military and intelligence cooperation, have aggravated the crackdown against Saharawi civilians, Sahrawi human rights defenders and journalists by Moroccan forces and signalled to Rabat that it can act with total impunity.
60. Western Sahara is among those countries in the world that score the lowest on rankings of civil and political freedoms (in Freedom House's 2022 Freedom in the World report, the score for Western Sahara was 4/100). The UN peacekeeping operation, MINURSO, is not allowed to report on violations they are witness to. Set up to oversee the promised referendum, MINURSO does not have human rights monitoring within its mandate, despite numerous calls by human rights organizations such as Amnesty International and Human Rights Watch in response to reports of human rights violations by Morocco against the Sahrawi population. For decades, Morocco has tried to ensure that there are no international witnesses to its human rights violations in Western Sahara. There is an almost total de facto

Moroccan ban on international human rights monitors and media in the territory culminating in a human rights black hole and lack of documentation.

61. Sahrawis who try to fill this void, including citizen journalists and human rights defenders, are particularly targeted for harassment, arbitrary arrest and judicial harassment. This means that the only witnesses to their own condition as victims of human rights violations are Sahrawi civilians themselves. Those trying to break this blockade and the current culture of impunity risk their own lives, safety and freedom to do so. Human rights reporting is also the reason Morocco has imprisoned Saharawi activists currently in jail.
62. This alarming situation has been documented by the UN Special Procedures, whose communications portray a pattern of systematic and widespread abuses against Sahrawi civilians, especially human rights defenders.⁴¹⁴²⁴³ The UN denounced the systematic and calculated nature of violations, stating that they comprise a concentrated effort to intimidate and to deter human rights defenders in Western Sahara from exercising their rights to freedom of expression and association, and to retaliate against human rights defenders' for their peaceful and legitimate activities, including membership in human rights organizations, information sharing, as well as dialogue with the UN. Consistent with the observations made by the UN Human Rights Mechanisms, the UN Secretary-General routinely highlights the serious situation for human rights defenders and activists in Western Sahara.⁴⁴
63. Forming part of the State led policy of colonial domination, annexation and suppression of the right to self-determination for the people of Western Sahara, Morocco has criminalized not only the vouching of the right to self-determination but also the Saharawi identity, containing Saharawi nomadic life and customs, leaving Western Sahara, until this day, a territory of "exclusion of its own people". The State led policy of colonial domination culminates in a system of discriminatory measures targeting the people of Western Sahara (Saharawis), violating Article 3 of the ICERD⁴⁵.
64. Therefore, the undersigned organizations offer the followings recommendations,
 - i. We urge the Committee to recognize and declare that Morocco's discriminatory laws, policies, practices and continued alien occupation and colonial domination amount to practices of discriminatory measures considered racial segregation targeting the Saharawi people as a whole, in violation of Article 3 of ICERD.
 - ii. We ask the Committee to demand of Morocco to repeal all legislation criminalizing the Saharawi identity and the notion of Western Sahara, enshrining racial discrimination, domination and oppression, including Articles of the Moroccan Penal Code and other statues that directly or indirectly effect the enjoyment of human rights through racial and/ or racialized distinctions.
 - iii. We ask the Committee to demand of Morocco to immediately cease any and all practices of intimidation and silencing of Saharawi civilians, Saharawi human rights defenders, activists, journalists and dissidents, in violation of their right to freedom

⁴¹ AI Mar 5/ 2020 of 7 January 2021 (8 victims),

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25731>

⁴² UA Mar 5/2021 of 10 June 2021 (14 victims),

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=26478>

⁴³ AL MAR 4/2021 of 16 June 2021 (2 victims),

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=26415>

⁴⁴ Report of the Secretary-General on the situation concerning Western Sahara. S/2018/277. Para 72-73.

⁴⁵ Reference is also made to Articles 2 and 5 of ICERD

- of expression, including through arbitrary detention, torture and other ill-treatment, incitement and other measures of reprisals.
- iv. We call on the Committee to highlight the human rights gap and lack of documentation, targeting Saharawis and forming part of a systematic state policy of racial discrimination, underscoring the need for establishing a UN international mechanism to monitor human rights in Western Sahara, ensuring the optimal implementation and reporting on ICERD and relevant international obligations of Morocco.
 - v. We call on the Committee to emphasize the need to find effective means to seek justice and accountability for the widespread and systematic violations of human rights and humanitarian law in Western Sahara committed by the Moroccan state against the Sahrawi people, including the crime of racial discrimination, through the activation of international jurisdiction mechanisms to prosecute suspects.
 - vi. We urge the Committee to call on all states, international and regional institutions, to refrain from providing assistance in any way that would contribute to the perpetuation of Moroccan racial policies practiced against the Sahrawi people, including certain international and regional partnerships with the Moroccan occupation that include the geographical area of Western Sahara.

ANNEX

CASE LAW UN HUMAN RIGHTS MECHANISMS 2017 – 2023

The UN Working Group on Arbitrary Detention

- Opinion no. 11/2017 concerning Salah Eddin Bassir. URL: <https://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/WGAD/2017/11&Lang=E>
- Opinion No. 31/2018 concerning Mohamed Al-Bambary. URL: <https://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/WGAD/2018/31&Lang=E>
- Opinion No. 58/2018 concerning Ahmed Aliouat. URL: <https://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/WGAD/2018/58&Lang=E>
- Opinion No. 60/2018 concerning Mbarek Daoudi. URL: <https://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/WGAD/2018/60&Lang=E>
- Opinion No. 23/2019 concerning Laaroussi Ndour. URL: <https://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/WGAD/2019/23&Lang=E>
- Opinion No. 67/2019 concerning the Student Group. URL: <https://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/WGAD/2019/67&Lang=E>
- Opinion No. 52/2020 concerning Ali Saadouni. URL: <https://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/WGAD/2020/52&Lang=E>
- Opinion No. 68/2020 concerning Walid Salek El Batal. URL: <https://daccess-ods.un.org/tmp/9849299.19242859.html>
- 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>
- Opinion No. 50/ 2022 concerning Sultana Khaya and Luara Khaya. URL: <https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session94/hrc-wgad-2022-50-maroc-aev.pdf>

The UN Special Procedures

- Communication Al MAR 2/2023 of 24 May 2023 concerning Al-Hussein Al-Bashir Ibrahim, Khatri Dadda and Naama Asfari. URL: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=28076>
- Communication AL Mar 3 / 2022 of 4 October 2022 (Mhamed Hali). URL: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27599>
- Communication Al Mar 5/ 2020 of 7 January 2021 (8 victims). URL: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25731>
- Communication UA Mar 5/2021 of 10 June 2021 (14 victims). URL: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=26478>
- Communication AL MAR 4/2021 of 16 June 2021 (2 victims). URL: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=26415>

Joint Report to the UN Committee on the Elimination of Racial Discrimination on Morocco's nineteenth to twenty-first periodic reports, 111th session

- Communication Al Mar 2/2020, dated 7 September 2020, Hussein Bachir Brahim. URL: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25422>
- Communication Al Mar 3/2020, dated 21 July 2020 concerning Khatri Dadda. URL: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25448>
- Communication AL MAR 3/2019 dated 8 November 2019 concerning Walid Salek El Batal. URL: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=24936>
- Communication AL MAR 2/2019 dated 4 June 2019 concerning Naziha El Khalidi. URL: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=24651>
- Communication AL MAR 1/2019 dated 3 April 2019 concerning Naziha El Khalidi. URL: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=24506>
- Communication AL MAR 3/2017 dated 20 July 2017 concerning the Gdeim Izik Group. URL: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=23226>

UN Torture Committee

- CAT/C/75/D/999/2020, UN CAT Decision Mohammed Bani. URL: <https://www.scribd.com/document/662444837/Le-Comite-des-Nations-Unies-contre-la-Torture-publique-sa-decision-finale-concernant-le-prisonnier-politique-Bani>
- CAT/C/72/650/2015, UN CAT decision Omar N'Dour, URL: <https://trialinternational.org/wp-content/uploads/2016/02/Omar-Ndour-v.-Morocco.pdf>
- CAT/C/72/D/923/2019, UN CAT Decision Mohammed Bouryal. URL: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2fC%2f72%2fD%2f923%2f2019&Lang=en
- CAT/C/74/D/891/2018, UN CAT decision Abdeljalil Laaroussi. URL: <https://digitallibrary.un.org/record/4002629?ln=en>
- CAT/C/72/D/871/2018, UN CAT decision Sidi Abdallah Abahah. URL: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2fC%2f72%2fD%2f871%2f2018&Lang=en
- CAT/C/59/D/606/2014, UN CAT decision Naama Asfari. URL: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2fC%2f59%2fD%2f606%2f2014&Lang=en

Relevant country reports

- 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). URL: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2fC%2fMAR%2fCO%2f4&Lang=en

Joint Report to the UN Committee on the Elimination of Racial Discrimination on Morocco's nineteenth to twenty-first periodic reports, 111th session

- 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). URL:
<https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F22%2F53%2FAdd.2&Language=E&DeviceType=Desktop&LangRequested=False>
- A/HRC/27/48/Add5, Report of the Working Group on Arbitrary Detention. Mission to Morocco (2013). URL:
<https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F27%2F48%2FAdd.5&Language=E&DeviceType=Desktop&LangRequested=False>