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**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

Written statement* submitted by the World Peace Council, a non-governmental organization on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[17 August 2017]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Kingdom of Morocco: violations of the Rights of the Child in the Non Self-Governing Territory of Western Sahara

Introduction¹

The Report of the Office of the UN High Commissioner for Human Rights entitled “Compilation on Morocco”² quotes several general recommendations made by Special procedures and Treaty Bodies about the Rights of the Child, but remains silent concerning the situation of children in the Non Self-Governing Territory of Western Sahara.

While the Working Group on Arbitrary Detention visited the prison of Laâyoune and the Gendarmerie station in the port of Laâyoune in December 2013³ and found 368 prisoners in the prison, including 36 minors, the Committee on the Rights of the Child, in its Concluding Observations⁴ in 2014, regrets the lack of information in the report of the Kingdom of Morocco on the measures taken to implement its previous recommendation (CRC/C/15/Add.211, par. 57) concerning the situation of children living in Western Sahara.

The Draft report of the Working Group on the Universal Periodic Review on the Kingdom of Morocco⁵ lists several general recommendations related to child protection policy, equality for children and equal legal treatment without any discrimination and the intensification of the efforts in combating violence against children, but none concerns the specific violations of the Sahrawi children in the Non Self-Governing Territory of western Sahara.

Children’s rights violations

Between February and October 2014, members of Adala UK in Western Sahara interviewed more than 300 Saharawi families and children aged 4-17 living in the occupied part of the Non Self-Governing Territory of Western Sahara.

A. Arbitrary detentions, abductions, ill-treatment, torture, forced confessions

Saharawi minors are repeatedly victim of torture, fatal beatings and systematic and institutionalised ill-treatment by the Moroccan security forces. Reasons for those treatments include: being the children of human rights activists; participating in or being near the area of peaceful protests supporting the self-determination of Western Sahara; allegedly accused of throwing stones.

The persecution of Saharawi children includes their abduction and detention in their homes at night, by heavily armed Moroccan policemen, who handcuff children and extract forced confessions without a lawyer or a family member present. The children are normally maltreated whilst in transit and arrive at the police station traumatised and alone. Children are threatened physically and psychologically, including threats of sexual assault and rape.

Children are often forced to sign confessions that they are not allowed to read or that they do not understand because they are written in the Moroccan Berber dialect or another language they do not understand.

B. Kidnappings and arrests between midnight and 5am

Several children explain that they were arrested at their family homes between midnight and 5am. Arresting children at night is intended to provoke strong feelings of insecurity and violates the 'best interests of the child' as outlined by the UN Committee on the Rights of the Child.

C. Handcuffing; blindfolding

¹ This written contribution benefited from the assistance of Adala UK

² A/HRC/WG.6/27/MAR/2

³ A/HRC/27/48/Add.5

⁴ CRC/C/MAR/CO/3-4

⁵ A/HRC/WG.6/27/L.4

In many cases children are handcuffed, often painfully, and blindfolded. Children explained that the handcuffs cut off their blood supply and their hands became swollen. The humiliation and insecurity felt by these children endures long after the event. They complain of sleep disorders, experience anxiety and find it difficult to feel secure.

D. Physical violence

In all cases, children had experienced some form of physical violence during their arrest, in transit or during their interrogation. This includes punches, slaps and kicks, being hit with truncheons, metal bars, and stones. Many children explain that they were subjected to violence after they were arrested and sometimes whilst they were handcuffed.

E. Threats and verbal abuses

Almost all children testified that they were habitually threatened and verbally abused during the interrogations.

The most common threat issued by the Moroccan authorities against Saharawi children is that of rape. They usually believe these threats because it is common knowledge that adults in police custody are often sexually abused and raped and that school children are sexually abused by the security officers.

The authorities also threaten the children's families telling that if they do not behave and sign all confessions their families will be hurt. This is also easily believed since the children have all been witness to houses being burned down by the Moroccan authorities and Saharawi adults being beaten in the street in broad daylight.

F. Discrimination, Repression and ill treatment in schools and on the streets

Although Saharawi and Moroccan Children are all in the same class at school, Saharawi children are singled out. Teachers do not answer their questions and do not speak to them directly, other than to insult or intimidate them. They are strictly forbidden to speak Hassania and are forced to sing the Moroccan national anthem and salute the Moroccan flag.

Saharawi children are forced to recite by heart the pledge to the Green March, which includes reference to Morocco encompassing the territory of the Western Sahara.

Teachers often inflict physical punishments on the Saharawi children using wooden sticks and metal rods. Insults such as 'filthy Saharawi' from teachers and other staff members are frequent. Head teachers also intimidate the Saharawi children and threaten to expel them.

There is a lot of violence in the schoolyard without staff intervening. Police officers in plain clothes are also present in the schoolyard every day. They sexually molest Saharawi children and threaten them with rape.

Surrounding the school building there are always cars belonging to the Moroccan authorities, who beat Saharawi children at any time, without reason and photograph and video them.

G. Cultural identity

Saharawi children are denied their cultural identity. They are stripped of their nationality and given Moroccan nationality and Moroccan ID cards. They are given birth names by the Moroccan authorities that go against Saharawi customs and the order by which the family tree is usually represented.

They are forbidden to wear their traditional clothing in school. Saharawi music is also changed: Moroccans use the lyrics and chords of Saharawi music and alter it to the rhythm of Moroccan music. It is presented as Saharawi music but it is not.

The use of Hassania in schools is strictly forbidden and children are beaten and ridiculed for doing so despite the preservation of the language being enshrined in the Moroccan Constitution (Article 5).

H. Lodging complaints

Lodging complaints at official institutions is dangerous for Saharawi families. Accepted complaints receive no response. Lodging complaints at school can lead to expulsion. Families risk losing their jobs and suffer harassment and threats.

Conclusions

Sahrawi children are exposed to violent behaviour, repression, ill-treatment, threats, psychological and physical abuse, and live in constant fear.

Lodging official complaints is difficult and dangerous, leading to a lack of documented complaints.

Children are condemned up to four years' imprisonment for throwing stones. Courts rely on police testimonies and confessions obtained under duress.

The children's complaints presented here are only the tip of the iceberg; many are not included due to their fear of reprisal.

All practices outlined violate international laws which protect children from ill-treatment when they are in contact with police and military forces and judicial institutions.

Recommendations

The Human Rights Council should complete the Report of the Working Group on the Universal Periodic Review on the Kingdom of Morocco with the following recommendations:

- Calls upon the Kingdom of Morocco to agree on the establishment of a permanent Human Rights monitoring mechanism in Western Sahara under the auspices of the UN;
 - Urges the Kingdom of Morocco to implement all provisions of the Convention on the Rights of the Child in western Sahara and to provide the Committee on the Right of the Child with the information it requested in 2014;
 - Urges the Kingdom of Morocco to terminate all practices of discrimination against Saharawi children in the classrooms;
 - Urges the Kingdom of Morocco to investigate complaints of arbitrary arrest and detention of Saharawi minors without the presence of a family member or lawyer, as well as complaints of intimidation of Saharawi minors by Moroccan police officers and security agents and complaints of forced confession of Saharawi minors in the Non Self-Governing territory of Western Sahara.
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