



# General Assembly

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## Human Rights Council

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Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by Réseau Unité pour le Développement de Mauritanie, a non-governmental organization in special consultative status**

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

[18 August 2021]

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\* Issued as received, in the language(s) of submission only.



## **Major Human Rights Issue In Western Sahara**

Morocco claims sovereignty over Western Sahara, and it administers about 85 percent of the area of this territory and exercises effective sovereignty over it, which is the part west of “Birm”, and considers it part of Moroccan territory. Major development has accrued in the last two years after the cease fire agreement was broken by the Polisario army when Morocco dismissed Sahrawis manifesters from Polisario who blocked Al Guergarat land path which is the most important path that connects Morocco and Europe to Africa. This escalation complicated UN efforts to find an agreed rational solution for the conflict. We note here that most countries supported Morocco’s peaceful intervention to liberate the strategic path of Al Guergarat and control a vast area of borders with Mauritania. Another turning point in the case of Sahara is the United States of America recognition of Moroccan sovereignty over the Sahara and about 50 countries have opened their consulates and diplomatic delegations in the cities of LAAYOUNE and DAKHLA the main cities of Western Sahara.

### **Refugee camps Tindouf, Algeria**

The Tindouf refugee camps - located in a remote desert region of Algeria – gather about 60,000 people. These camps were established forty-six years ago by refugees who were obliged to move Moroccan green March advanced into Western Sahara. Most of the population still lives in modest tents or huts, and they do not have running water, and they rely a lot on international humanitarian aid, which was a concern, as some international experts and associations accused the generals of Algerian army and the leadership of the Polisario to trade and manipulate this aid instead of directing it to the camps, where it was confirmed that it was found in the markets of Mauritania and Niger, according to Olaph's report. The rights of the refugee population continue to be violated due to the camps' isolation and the unclear legal status of the camps. The government of the host country, Algeria, which is responsible under international law for protecting the rights of all persons within its territory, has given effective management of the camps to the pro-Algerian Polisario Front, which is not formally responsible in the international system for its human rights practices. Algeria claims no responsibility for human rights violations committed by the Polisario on Algerian soil. This is impossible, as the international community must hold the Algerian government responsible for any violations committed by the Polisario Front in Algeria, in addition to the Polisario's responsibility for them.

### **Freedom of speech**

The Polisario leadership monopolizes political discourse, marginalizes and even threatens those who question or oppose its legitimacy. The opponents in the camps cannot announce themselves through demonstrations, the media, or organizations of real importance that openly criticize the legitimacy of the Polisario Front as the embodiment of the national cause, or press in favor of accepting the Moroccan offer of Sahrawi autonomy under the authority of Morocco. The Sahrawis for Peace Organization was established, as a Polisario opposer, whose members are active abroad or in the cities of Western Sahara. It presents itself as a Sahrawi interlocutor alongside the Polisario, whose leadership monopolizes the representation of the Sahrawis in political discourse and the few human rights non-governmental organization active in the camps, does not monitor violations inside the camps, but only works to expose Moroccan violations of human rights. The Polisario allocates resources and jobs in the camps that are deprived of the most basic of resources, to their residents affiliated with collective organizations linked to the Polisario (eg, the National Union of Sahrawi Women, the Youth Union, the General Workers Union). It is difficult for the opponents to reach their most basic needs, which exposes them to great hardship on a daily basis, and they often leave quietly as a result of the pressures imposed on them. As one educated camp resident, who advocates Morocco's autonomy plan, explained who left the camp: "Those who want to oppose the Polisario from within the camps cannot get away with it, they simply leave the camps." In Boujdour city in the Western Sahara Sultana Khaya a pro-Polisario activists claims to be locked down in her house with all her family and

supporting manifestations in her favour were banned by Moroccan authorities because of the covid19 measures which forbid any kind of gatherings during the quarantine

## **Freedom of movement**

Anyone who leaves refugee camps to live in cities in Morocco is considered "traitor" or worse by the Polisario. Most of them leave in complete secrecy without the knowledge of the Polisario leadership, as all those who left the camps for Western Sahara confirmed that they hid their final destination, fearing that the Polisario would try to prevent them from traveling if the front knew their destination. This fear caused many to leave without taking their belongings or relatives who would have taken them with them had it not been for this fear; which results unnecessary stress and hardship. However, most of those who left via the main road on the Mauritanian border.

## **Extrajudicial executions and torture**

In most cases, the Algerian military prefers to use extreme violence against the Sahrawis, who are caught in violation and do not expose them to any types of trial, and the Polisario does not provide any kind of protection for those victims. Among the most serious crimes committed by the army against the Sahrawis, especially secret gold miners we mention the cases of Mohamed ould Hamdi ould sielem and Ali Idrissi who were killed in cold blood by an Algerian army patrol on the 19th of October 2020 near dakhla camps south the Algerian city of Ouinet Belagraa (1700KM s/w the capital). Besides Mr. Abba Said Mohamed Salem Rguibi, 24 years old a Sahrawi miner who was shot dead by Algerian forces on the 4th of May 2021 near Dakhla camps. Whereas his friend ould Mbarek ould Al Makki was injured in the same operation. We mention here that years ago others Sahrawis were tortured and shot dead in the desert which strongly shows that this behavior is systematic.

## **Social, cultural and economic rights**

Compared to the nineties the cities of Western Sahara have known a notable change at the economic level after the development plan launched by Morocco in 2015 under the king's supervision. Since then, we noticed the creation of more than 6000 enterprises in the region of Laayoune mostly by youth and women. They have been offered motivating facilities by Moroccan banks which helped reducing unemployment in the regions of Sahara where the state was first job creators over the last three decades. Culturally, the Moroccan constitution name clearly the Hassani dialect (the dialect spoken in Western Sahara) as a major recognized component of the Moroccan cultural fabric beside the Arab and Amazigh languages. The Moroccan government provide important funds to preserve the Hassani identity and protect the archeological and rock carving sites in the Western Sahara.

## **Recommendations**

In the end of this paper in which we tried to tackle briefly some important issues concerning the situation of human rights in the Western Sahara and refugees' camps in Tinduf we recommend:

### **For Polisario**

- Ensure the rights of all camp residents to freedom of association, assembly and expression, especially peacefully challenge the Polisario leadership and promote options for Western Sahara other than independence
- Give the Sahrawis in the camps the full right to freedom of movement and taking concrete steps to promote and disseminate a culture of human rights to ensure that camp residents are aware of their right to leave the camps freely, including, if they wish re-settlement in Western Sahara.

- Immediately to cease fire and go back to political peace process

**For Algeria**

- The Algerian government should publicly acknowledge its responsibility to ensure that the rights of all persons on Algerian soil are respected, including by intervening if human rights violations occur in the camps and ensuring that perpetrators are held accountable.

**For Morocco**

- Morocco must continue to move forward in the positive steps recently taken for the development of Western Sahara by paying attention to the indigenous Sahrawis to ensure social, human and spatial justice.

**FOR THE UNITED NATIONS:**

- The UN should rapidly nominate a special envoy to the region to restart the political negotiations for a just human rights-based solution for the lasting Sahara conflict.
  - The UN should encourage both Parties Morocco and Polisario to discuss the plan of autonomy as a credible solution to the conflict over Western Sahara.
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