



The Human Rights Crackdown in Western Sahara and the Need for Action by the Biden Administration

Classified as a [non-self-governing territory](#) by the United Nations, Western Sahara has been under de-facto annexation by Morocco since the late 1970s. Morocco controls three-fourths of Western Sahara via unilateral annexation, with the Polisario Front, the Sahrawi liberation movement party which fought a war against Morocco for an independent state, controlling the remaining portion. In 1979, the UN [via Resolution 34/37](#) called on Morocco to end its occupation and recognized “the inalienable right of the people of Western Sahara to self-determination and independence,” as it has done [several times since](#) including [in 1990](#) and [even just last year](#).

In 1991, UN peacekeepers brokered a formal ceasefire monitored by the UN Mission for the Referendum in Western Sahara (MINURSO), with Morocco ceding a small section of territory to the Polisario Front. UN attempts to facilitate a referendum for Western Saharan independence have since failed due to disputes by authorities over who would be eligible to vote, despite Moroccan officials’ explicit [agreement in the ceasefire to such a referendum](#). In December 2020, at the end of the Trump administration, the U.S. recognized Moroccan sovereignty over annexed Western Sahara against international consensus in a quid pro quo for normalization of relations with [Israel](#), in turn enabling further repression of Sahrawis and their human rights.

Silencing Dissent Through Brutal Crackdowns

Moroccan authorities have gone to extreme lengths to brutally and unlawfully crush dissent from Sahrawi activists - no matter how involved - and civil society, with frequent documented cases of torture, arbitrary imprisonment, assaults, and falsified charges. Arbitrary deprivations of Sahrawi rights abound. Amnesty [in a July 2021 report](#) documented the targeting of at least 22 Sahrawi activists, journalists, human rights defenders, and minors documented by Moroccan security forces since November 2020 alone, in an increasing crackdown on Sahrawi rights.

Following Algeria’s soccer victory in the Africa Cup of Nations [in July 2019](#), [Amnesty verified the use of excessive force by Moroccan police against Sahrawi protesters](#) in Laayoune, who with police vehicles ran over and killed 24-year-old Sabah Njourni. Sahrawi journalist and activist [Ibrahim Amrikli was arrested and beaten](#) in May 2020 and forced to sign a “confession” to false charges. Moroccan security forces have also continued to [abuse prominent Sahrawi activist Sultana Khaya](#) and her family, holding them under arbitrary house arrest since November 2020 without cause. The abuse against Khaya has only escalated since the initial house arrest. On May 10, 2021, security forces raided Khaya’s home, arresting three activists - Babouزيد Labhi, Salek Baber, and Khaled Boufraya - whom authorities tortured for hours and then dumped in the desert. [Khaya further told Amnesty that on the eve of the Muslim celebration of Eid-al-Fitr, May 12](#), dozens of masked security force members entered her house and tied, beat, and attempted to rape her, and also attacked and raped her sister. There has been no meaningful investigations or accountability.

The abuses to which Khaya and her family were subjected are part of a wider crackdown by the Moroccan authorities on activists in Western Sahara, with security forces escalating targeted attacks against a growing number of Sahrawi activists following clashes between Morocco and the Polisario Front in November 2020. Sisters Mina Bali and Embarka Alina - for waving the Sahrawi flag on their roof - were beaten and threatened after plain-clothed police broke into and raided their home. Human rights defender Lahcen Dalil, who came to check on the family, was chased and attacked by police, taken away, further beaten, and abandoned miles into the desert. Authorities in February arrested activist Ghali Bouhla, known to distribute Sahrawi flags, torturing him in front of his mother and sister. Bouhla remains imprisoned with a sentence through the end of 2022, under bogus drug possession charges. Security forces also assaulted and detained 15 minors for taking part in peaceful protests for Sultana Khaya in March. One of them, 15-year-old Mustapha Razouk, was violently arrested by police; tortured severely over his three-day detainment, authorities poured boiling hot melted plastic on his body, beat him with iron sticks, and suspended him from the ceiling by a rope around his hands.

Authorities [continue to detain 19 Sahrawi activists](#) convicted in grossly unfair mass trials in 2013 and 2017 [that failed to investigate](#) torture and coerced “confessions”; eight were sentenced to life imprisonment, and 11 to sentences of 20 to 30 years. Several detainees have held hunger strikes in protest of poor prison conditions, leading to worsening health. [Brahim Ismaili](#), serving a life sentence, was transferred in November 2017 to a prison psychiatric ward with no justification, right after starting a second hunger strike. Also jailed in these trials, Amnesty documented disturbing torture, inhumane treatment, denial of urgently needed medical care, and other abuses - all in violation of international law - against [Abdeljalil Laaroussi](#) and [Mohamed Haddi, Sidi Abbahah, and Bachir Khadda](#). The latter three have been held in 23-hours-a-day solitary confinement for four years. Haddi’s family has not heard from him since April 9th, when he relayed authorities’ threats to put him in a dungeon-like cell if his family did not stop publicly advocating for his release.



Military Operations, International Monitoring, and the Biden Administration

Armed conflict between the military and the Polisario Front in the 1970s and 80's drove out generations of Sahrawis, with more made refugees by brutal Moroccan military repression post-1991 ceasefire. [An estimated 90,000 Sahrawi refugees](#) remain displaced in [Algerian](#) camps facing chronic poor conditions, waiting to return to home where their freedom of expression is no longer silenced. In November 2020, clashes flared between Moroccan forces and the Polisario Front after the Moroccan army dismantled a Sahrawi peaceful protest camp in a buffer zone under the observation of MINURSO, breaking the 30-year ceasefire. The military in recent months has continued to carry out unlawful surveillance, home raids, and arrests of Sahrawi activists.

So far in 2021, the Biden administration has maintained former President Trump's recognition of Moroccan sovereignty over Western Sahara, and despite committing to center human rights in its foreign policy, has failed to hold accountable the increasing abuses and crackdowns against Sahrawis that the recognition has emboldened the Moroccan government to carry out. [MINURSO's](#) mandate was extended last year through October 2021 though, [unlike virtually every other UN peacekeeping mission and despite calls from Amnesty](#) and others, it still lacked critical human rights monitoring and reporting components. As the U.S. is the "penholder" on MINURSO's mandate, the Biden administration holds significant influence and leverage on the scope of the mandate, which it must use to include a human rights mechanism in the draft it brings to the vote for renewal in October. Because in the meantime, this lack of UN monitoring has long enabled security forces to carry out abuses against Sahrawis with impunity, and provides a green light to continue cracking down on human rights in the territory. Further, in 2020, Moroccan authorities barred access to Western Sahara for at least nine lawyers and human rights monitors.

The administration further maintains strong ties with and expansive U.S.-backing of Morocco's security forces, wherein the [U.S. has provided 90% of all of Morocco's arms](#), according to the Stockholm International Peace Research Institute. Several large arms deliveries remain outstanding with more deals under negotiation, which if implemented, will see U.S. arming of Moroccan forces rise despite ongoing abuses. And in an August visit [by Army Chief of Staff James McConville](#), the U.S. agreed to increase military cooperation with Morocco, for whom it awarded Raytheon with a \$212 million arms sale contract [a week prior](#).

Condemned by a [UN rapporteur](#) in July, abuses against Sahrawis have remained overlooked by the administration. There has been no sign of any more scrutiny of the rampant human rights violations by Moroccan authorities in Western Sahara than under the Trump administration. While the Biden administration has continued to express and act on its strong support for the U.S. security relationship with Morocco, it has remained deafeningly silent on the human rights of Sahrawis.

Recommendations to the U.S. Government

The U.S. government and the Biden administration must take action to uphold human rights in Western Sahara, including by:

- ⊘ Reaffirming and standing up for the right to freedom of expression for Sahrawis, including peaceful advocacy of independence and self-determination.
- ⊘ Leveraging U.S. diplomatic influence to pressure Moroccan authorities to end arbitrary arrests, prosecution, torture of dissidents, and all other abuses systemically carried out against Sahrawi activists, protesters, critics, journalists, human rights defenders, minors, and civil society.
- ⊘ Ensuring inclusion of and standing behind robust human rights monitoring mechanisms to protect vulnerable populations in MINURSO as the resolution's influential penholder in its upcoming UN vote for renewal in October.
- ⊘ Reviewing via the State Department the potential use of U.S.-provided arms by authorities to carry out human rights violations in Morocco and Western Sahara and suspending arms transfers if there is clear, substantial risk that they will be used to commit or facilitate serious violations of human rights or international law.

Sincerely,

Philippe Nassif
Advocacy Director, Middle East and North Africa
Amnesty International USA
PNassif@aiusa.org

Amit Dadon
Mustafa Kassem Fellow, Middle East and North Africa
Amnesty International USA
ADadon@aiusa.org