



October 19, 2021

The Honorable Yael Lempert
Acting Assistant Secretary of State of the United States, Near East Affairs
Washington, DC

CC: Ambassador Linda Thomas-Greenfield
U.S. Representative to the United Nations
New York, NY

Dear Acting Assistant Secretary Lempert,

We write to regarding the Security Council debate on renewal of the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO). Amnesty International strongly urges the Biden administration, representing the U.S. as the mandate's penholder, to ensure the critical inclusion of a human rights monitoring mechanism as it drafts the resolution for MINURSO's renewal this month. This is direly needed to monitor and hold accountable ongoing human rights abuses in Western Sahara, de-facto annexed by Morocco in 1975, as well as in the Polisario Front-run Tindouf camps in Algeria.

Western Sahara is one of the world's few remaining non-self-governing territories, sustained for nearly a half-century despite UN General Assembly resolutions passed in [1979](#) and [1990](#) that called for Sahrawi self-determination and an end to Morocco's annexation. The UN has [reaffirmed this position numerous times](#), including last year. Armed clashes between Moroccan forces and the Polisario, along with repression under Moroccan control, have displaced tens of thousands of Sahrawis to the Tindouf camps.

The 1991 UN-brokered [ceasefire](#) between Morocco and the Polisario, along with the compromises that preceded it, also guaranteed Sahrawis a free and fair referendum on independence or integration. Despite explicitly agreeing to do so, Moroccan officials have perpetually failed to facilitate the referendum and meet their obligations under international law. That ceasefire was broken after clashes flared in November 2020 when the Moroccan army dismantled a Sahrawi peaceful protest camp in a MINURSO buffer zone.

Moroccan authorities have failed to adhere to the Council's call - most recently in Res. 2548 (2020) - to "implement independent and credible measures to ensure full respect for human rights" as required by international law. Amnesty maintains great concern about human rights in Western Sahara in the past year, with crackdowns on Sahrawi activists worsening under the green light of absent UN monitoring. This continues decades of the Moroccan government's repression of Sahrawi civil society and rights.

Further, Amnesty International has [documented](#) the [repressive targeting](#) by Moroccan security forces of at least 22 Sahrawi activists, journalists, human rights defenders, and minors peacefully exercising their right to free speech since November 2020 alone. Particularly disturbing has been [authorities' campaign of targeted abuse](#) toward Sahrawi activist Sultana Khaya and her family, held under violently enforced and unlawful house arrest since November 2020 without cause. [On May 12](#), masked Moroccan police entered Khaya's home and beat, and attempted to rape her, while also attacking and raping her sister.

Mustapha Razouk, a child, was arrested by police for peacefully protesting for Khaya; authorities tortured him for three days, beating and pouring boiling melted plastic on him and suspending him from the ceiling. [19 Sahrawi activists](#) remain jailed on egregious sentences of 20 years to life from [mass sham trials](#) in 2013 and 2017 that failed to investigate torture and coerced confessions. Just a few out of many, authorities have tortured and denied medical care to detainees [Abdeljalil Laaroussi](#) and [Mohamed Haddi](#).

[Sidi Abbahah, and Bachir Khadda](#) - held in illegal 23-hours-a-day solitary confinement for four years. The pattern is clear: Moroccan authorities go to extreme lengths to silence Sahrawis' right of expression.

Sahrawi activists [have raised alarm](#) recently about Moroccan authorities increasingly targeting and unlawfully arresting, surveilling, and raiding the homes of them and their families. UN special rapporteur Mary Lawlor, [in a July statement](#) endorsed by other rapporteurs, also raised alarm about authorities' "clampdown" on Sahrawi human rights defenders, condemning the abuses as "abominable" and flouting the "Moroccan government's commitment to the UN system." Secretary-General Antonio Guterres [has stated that](#) "the situation in Western Sahara has significantly deteriorated."

UN monitoring is also needed in the Polisario-administered Tindouf camps, where access to information regarding the human rights situation is limited, leaving residents at risk of abuse and lacking avenues for accountability. The Polisario has failed to hold to account those responsible for past abuses committed in the camps it controls and elsewhere. In August 2020, police in the camps held and interrogated journalist Mahmoud Zeidan for 24 hours over his online posts criticizing authorities' COVID-19 response.

It is critical that the Biden administration includes a monitoring mechanism in MINURSO, which inexplicably remains one of the only modern UN missions without a human rights mandate, despite well-documented systemic abuses. Morocco's government bars entry of independent monitors - at least nine in 2020, and [two just this month](#) - claiming "protection of human rights in the territory" is covered by its National Council of Human Rights. Yet this body is significantly influenced by the King, undermining any supposed independence and impartiality.

Such a mechanism would crucially monitor violations that otherwise go unreported. This is recognized by the Secretary-General, whose [annual report to the Council this month](#) reiterated his call for "independent, impartial, comprehensive and sustained monitoring of the human rights situation" in Western Sahara as being "necessary to ensure the protection of all people." The report also emphasized ongoing "substantial gaps in human rights monitoring" due to "lack of access by OHCHR to Western Sahara", despite UNSC Res. 2548 (2020) urging parties to enhance cooperation with OHCHR - including by facilitating visits.

Amnesty International urgently calls on the Biden administration, in its capacity on behalf of the U.S. as the resolution's penholder and a permanent member of the Security Council, to establish a human rights monitoring component in MINURSO. The Council has repeatedly failed the Sahrawis by failing to subject persistent human rights concerns in Western Sahara and the Tindouf camps to sorely needed scrutiny. It must seize this opportunity now. The State Department, and the administration broadly, has a unique responsibility on this mandate, which it must use to uphold human rights.

Amnesty International remains at your disposal should you wish to raise any questions or concerns.

Sincerely,

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